

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Wednesday, 30 November 2016

Present: Councillor P Brightmore (Chair)

Councillors S Foulkes A Sykes
T Jones B Berry
J McManus T Pilgrim
C Muspratt L Rowlands
T Usher C Carubia
J Walsh G Watt (In place of
I Williams T Anderson)

In attendance: Councillor B Mooney

Apologies Councillors L Reecejones and T Anderson

26 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.

The following interests were declared:

Councillor S Foulkes declared a Personal Interest in Item 9 – Financial Monitoring Quarter 2 2016/17 by virtue of his appointment of Board Director of Magenta Living (took part in discussions, remained in the meeting).

Councillor C Muspratt declared a Personal Interest in Item 4 – Notice of Motion: Recognising the Contribution of Friends Groups by virtue of her membership of a 'Friends Group' (took part in discussions, remained in the meeting).

27 **MINUTES**

Subject to amendment of the attendance list to reflect the presence of Councillor Geoffrey Watt (deputising for Councillor Tom Anderson) at the committee meeting held on 9 November 2016.

Resolved - That the minutes of the following meetings of the Environment Overview and Scrutiny Committee

- **Special meeting 26 July 2016 – Call-In Domestic Refuse Collection Outline Business Case;**
- **Ordinary meeting 21 September 2016; and**
- **Special meeting 9 November 2016 – Community Patrol Services**

be confirmed as a true record.

28 **ORDER OF BUSINESS**

The Chair indicated that it was his intention to vary the order of business and consider item 8 (2016/17 Quarter 2 Wirral Plan Performance – Environment Theme) after item 3 (notice of Motion: Performance Management Reporting Arrangements).

29 **NOTICE OF MOTION: PERFORMANCE MANAGEMENT REPORTING ARRANGEMENTS**

The Chair of the Environment Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67(5) refers), the following Notice of Motion proposed by Councillor Phil Gilchrist and seconded by Councillor Stuart Kelly was referred by the Mayor to this Committee for consideration –

“PERFORMANCE MANAGEMENT – REPORTING ARRANGMENTS

Council notes:

1. the training session on the arrangements for Performance Management held on 7 September 2016, attended by a wide range of Members across all parties, at which Members were informed regarding the range of indicators chosen for future reports based on the progress with the Wirral Plan;
2. the concern expressed at that meeting that these reports and proposed indicators do not cover the range of established indicators that Council Members have always followed and expected to see, such as progress

with staff appraisals, the level of staff sickness and absence and other issues;

3. that many Members at the training session made the case for a wider range of indicators to show how Council services are performing;
4. that the former Families and Wellbeing Policy & Performance Committee received performance monitoring data on a range of indicators that are and remain sensitive and significant in the light of OFSTED's recent findings.

Council, therefore, requests that:

- (i) as the data is still being collected and analysed by officers, a set of such wider indicators should be presented to Members on a regular basis;
- (ii) accompanying quarterly performance data, there should also be information as to the target expected in that quarter, in addition to the year end and Plan end (2020) target;
- (iii) the choice of indicators needs to be relevant to the 2020 pledge and undertakes to review those indicators chosen to measure pledge success prior to reporting for Quarter 2 performance;
- (iv) officers report to each Overview and Scrutiny committee the 'added value' expected for those indicators that have been included within the 2020 Vision Plan and, in respect of indicators flagged as under or over performing, additional information and actions proposed in respect of those indicators.

In order to secure a transparent and open review, Members should be invited to submit details of the key areas that they wish to see reported upon by the end of October.

The Spokespersons of each of the newly created Overview and Scrutiny Committees should be requested to examine these suggestions and ensure a sufficient, timely and readily accessible mechanism for such data in future reports."

As neither Proposer nor Secunder of the motion was in attendance, the Chair informed that, in accordance with Overview and Scrutiny Procedures Rule 16(e), the matter would be considered 'in absentia'.

A Member commented that it was his belief that the majority of the requirements as embedded in the Notice of Motion were being achieved. Another Member stated that there had been good reports regarding the initial

meeting of the OSC Chairs, Vice Chairs and Spokespersons and that further meetings should be organised.

Similar comment was made regarding the Performance Management Member training session held in September 2016, although concern was expressed in so far as time delays in reporting could mean that information may be quickly dated.

A Member expressed a view that the referral of this particular Notice of Motion to all Overview and Scrutiny Committees had resulted in a lot of Member time having been spent on the matter, compared to it having been debated at Council as originally hoped. Another Member countered this argument stating that as a result of its referral the matter had probably received more detailed consideration than may have occurred in the course of a busy Council meeting.

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

Resolved - That

- 1) the Notice of Motion be supported; and**
- 2) a further meeting of the OSC Chairs, Vice-Chairs and Spokespersons would be welcomed to consider feedback from the OSC Committees on the presentation and content of performance data.**

30 2016/17 QUARTER 2 WIRRAL PLAN PERFORMANCE - ENVIRONMENT THEME

The Strategic Commissioner for Environment introduced his report that provided the 2016/17 Quarter 2 (July – September) performance report for Wirral Plan pledges under the Environment theme. The report, which was included as Appendix 1, provided a description of the progress in Quarter 2 as well as providing available data in relation to a range of outcome indicators and supporting measures.

The report informed that at quarter 1, a range of feedback was provided by each of the Overview and Scrutiny Committees on the reports provided. Following this, officers had met with the Committee Chairs and Spokespersons to review report provision. The report piloted an approach agreed at that session to provide more detail in terms of performance against each of the pledges that fell under the remit of the Environment Committee.

The Strategic Commissioner for Environment informed that reporting had now been re-aligned to the Wirral Plan and pledges therein and that, as data for the identified indicators was released at different times throughout the year,

not all Pledges would have results each quarterly reporting period i.e. some indicators will be reported quarterly and some only on an annual basis with annual figures reported in the quarter they became available.

A discussion followed regarding the relevance of Plan Indicators, supporting measures, and targets. Members commented on a number of specific indicators that included statistics on the increase of numbers of people who are cycling and the number of fixed penalty notices issued for littering and dog fouling. Members questioned the Officer on key points relating to fixed penalty notices and how conflicting messages could be gleaned from the certain statistics i.e. more fixed penalty notices issued for dog fouling and littering is better in terms of enforcement action, but could also be indicative of more litter being dropped, and therefore was not a good indicator in terms of compliance or behavioural change.

Members were apprised that, in general, there appeared to be positive behavioural change with more instances of waste 'pick up' having been witnessed by council staff and contractors.

Cabinet Member Bernie Mooney, who had attended the meeting to observe the views of the Overview and Scrutiny Committee in relation to the new reporting format, provided additional information on the subject of littering, namely:

- Under 18 year olds cannot be fined.
- The Council was working with Eco-Schools to educate children on the issues arising from littering.
- Litter picks involving children were taking place in the borough and near schools.
- 80-85% of fines were to do with cigarette litter.
- There had been a 75% success rate in fine collection.
- 30% of the cases had ended up in Court.
- Wirral Council was nominated and a contender for a National Award.
- If any Councillors were aware of problem areas – report it.

The Strategic Commissioner for Environment informed that information regarding areas targeted for special clean-up and / or enforcement came from the use of information gained from complaints from Members and the public, general enquiries, and observations by council contractors and staff.

Resolved – That the report be noted.

31 **NOTICE OF MOTION: RECOGNISING THE CONTRIBUTION OF OUR FRIENDS GROUPS**

The Chair of the Environment Overview and Scrutiny Committee reported that at the meeting of the Council held on 17 October 2016 (minute 67 (6) refers),

the attached Notice of Motion, 'Recognising the contribution of our Friends Groups' proposed by Councillor Lesley Rennie and seconded by Councillor Paul Hayes was referred by the Mayor to this Committee for consideration –

“Council recognises the value and importance of Wirral’s parks and open spaces and welcomes the valuable contribution made by Council staff and volunteers and Friends Groups.

Council celebrates the recent achievement of 'Green Flag Awards' for parks and open spaces in Wallasey, including:

- Harrison Park
- North Wirral Coastal Park
- Wallasey Cemetery

Council therefore instructs the Chief Executive to write to all successful Friends Groups in Wirral to reaffirm our commitment and support for the valuable work they undertake.”

As neither Proposer nor Seconder of the motion was in attendance, the Chair informed that, in accordance with Overview and Scrutiny Procedures Rule 16(e), the matter would be considered 'in absentia'.

The Chair led a short debate, and expressed his view that the Council was grateful for the work undertaken by all Friends Groups across the borough and felt that it would be appropriate, with Committee’s agreement, to recommend that the Motion be amended slightly to cover encompass all Wirral Friends Groups.

Resolved -

Subject to the substitution of the word 'Wirral' in place of 'Wallasey' after the words 'parks and open spaces'.

That the Notice of Motion be supported.

32 **NUMBER OF COUNCILLORS - REPORT OF THE SCRUTINY REVIEW PANEL**

The Chair introduced the report of the Scrutiny Review Panel that set out the findings and recommendations arising from a Scrutiny Review – 'Number of Councillors' completed in November 2016. The Review initially arose from a Notice of Motion to Council on 20 October 2014 (minute no 57 refers) and was subsequently commissioned by the Environment Overview & Scrutiny Committee as part of its work programme.

The aim of the review was for Members to gain a better understanding of the issues surrounding this subject that included the role of the local councillor in Wirral, the role of the Local Government Boundary Commission for England, and a review of data comparing Wirral with other local authorities in England.

The Chair informed that it had been Panel Members aim to reach an informed view on whether the Council should actively progress a referral to the Local Government Boundary Commission for England to conduct an Electoral Review that would as part of such a review consider amongst other things, the number of Councillors.

The Chair further informed the Environment Overview and Scrutiny that the findings of the investigation were self-evident. He stated that the Panel had been careful to maintain an analytical, data-led approach to the review.

Members noted the content of the report that summarised that the electoral arrangements employed by Wirral Borough Council compared favourably to its statistical neighbours; that those arrangements did not fall foul of any indicators prescribed by Local Government Boundary Commission for England (the Commission), and therefore did not trigger a Further Electoral Review; and that only the Commission may direct Local Authorities to alter those arrangements. (Local Authorities may not alter electoral arrangements themselves).

The Chair informed that the Panel had developed the following recommendation as detailed in the report at Section 3.0 (Executive Summary & Recommendations) as follows, that:

“Having regard to the evidence presented, the Panel notes that the number of Councillors in Wirral is consistent with comparable local authorities. Consequently the Panel recommends that the Council does not request the Local Government Boundary Commission for England conduct a review of its electoral arrangements at this time.”

The Chair thanked Patrick Torpey, Scrutiny Officer for his support during the review, and his excellent work in the preparation of the report.

Resolved - That

- (1) the Number of Councillors – Report of the Scrutiny Review Panel be noted, and that the findings and recommendations of the review be endorsed; and**
- (2) the Review Panel report and recommendations be REFERRED TO CABINET for its endorsement.**

33 **WIRRAL LEISURE STRATEGY**

With the consent of the Chair and agreement of Committee Members, this item was considered in conjunction with the item 'Wirral Culture Strategy'. See Minute 34 (post).

34 **WIRRAL CULTURE STRATEGY**

The Strategic Commissioner for Environment introduced a presentation entitled 'Wirral Plan Pledge Update – Leisure and Cultural Opportunities for All'. The presentation provided the Environment Overview and Scrutiny Committee with an update on the priorities, delivery and action plans for the Wirral Leisure and Culture Strategies.

The Strategic Commissioner for Environment also provided a summary of work underway in respect of the following:

- The move to the New Operating Model.
- Progress in delivering the Pledge - Quarter 2.
- Revised governance arrangements and the annual 'refresh'.
- New work i.e. Council's service transformation project.
- Conclusions and future scrutiny.

The Strategic Commissioner for Environment re-iterated the Council's commitment to those Wirral Plan Pledge(s) within the Leisure and Culture Strategies that fell under the remit of the Environment Overview and Scrutiny Committee i.e.

"We will encourage more people to enjoy the wide range of leisure, culture and sporting opportunities on offer across Wirral. We will listen to residents' ideas and requests, and by 2020, will have increased access to events and activities to all our residents, regardless of age or income"; and

"We will review the borough's leisure and cultural offer to make it fit for the future and optimise the use of public spaces, parks and gardens across Wirral as community assets."

The presentation informed that:

- Overall there had been good progress towards Pledge delivery at Quarter 2;
- Opportunities were being taken to re-invigorate governance arrangements, and to update / sharpen performance measures and action plans as part of move to the Council's New Operating Model; and that

- A key transformation project to aid and influence delivery of Pledge had recently commenced – this would include key project milestones during next 12 months.

Members expressed their views and ideas for principles of future scrutiny and the challenges faced. Amongst the topics discussed, Committee Members commented on the review of the Council's Library Service; the number, cost and reasons for employment of consultants; Birkenhead First project; the importance of volunteers; and the Council's role in, and co-operation with Liverpool City Region on leisure and culture matters – particularly given the scope to develop these areas to help combat social isolation.

Members also commented on the subject of sustainable transport – access for those with disabilities – and the inconsistent approach to access for the disabled to certain leisure facilities.

The Chair thanked the Strategic Commissioner for Environment for his presentation and updates on the topics raised by Members of the Committee.

Resolved – That the Wirral Plan Pledge Update in respect of the Wirral Leisure Strategy and the Wirral Culture Strategy be noted.

35 **2016/17 QUARTER 2 - FINANCIAL MONITORING**

The Committee considered the report of the Assistant Director: Finance (Section 151 Officer) that provided the projected revenue and capital position for 2016/17 as at the close of Quarter 2 (30 September 2016) and due for consideration by Cabinet on 8 December 2016.

The Environment Overview and Scrutiny Committee noted that the quarter two revenue forecast an overall underspend of £0.2 million for the year (£1.1 million overspend was forecast at quarter 1) and that the Families and Wellbeing overspend had increased during the period but had been compensated for by increased savings within treasury management.

The Committee further noted that the quarter two capital report had updated the capital programme and reflected significant re-profiling of schemes between years to reduce the 2016/17 capital programme to £38.1 million and that expenditure after the second quarter concluded was £10.6 million.

Resolved - That the report and appendices be noted.

36 **ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE - WORK PROGRAMME UPDATE**

The Environment Overview and Scrutiny Committee noted the report of the Chair that updated Members on the current position regarding the Committee's work programme as agreed for the 2016/17 municipal year.

The report informed on the process of developing and managing the scrutiny work programme for the municipal year. Members noted that the Environment Overview & Scrutiny Committee, in cooperation with the other two Overview & Scrutiny Committees, was responsible for proposing and delivering an annual work programme and that the work programme should align with the corporate priorities of the Council, in particular the delivery of the Wirral Plan pledges which fell within the remit of the Committee.

Members noted that the report provided an update regarding progress made since the last Committee meeting held on 21 September 2016 and that the current work programme was made up of a combination of scrutiny reviews, standing items and requested officer reports, providing the committee with an opportunity to plan and regularly review its work across the municipal year.

The Chair informed that a task and finish review of the Modern Slavery Act will commence in January 2017 and requested nominations for Members who wished to participate in the review. The following Councillors expressed their interest in taking part as Members of the Task and Finish Panel:

Chris Carubia (LD)
Moira McLaughlin (L)
Julie McManus (L)
Chris Meaden (L)
Tracey Pilgrim (C)

Resolved - That

- 1) **the Environment Overview & Scrutiny Committee Work Programme and direction of travel for 2016/17 be approved; and**
- 2) **a Task and Finish Panel be established to undertake a review into the topic of the Modern Slavery Act, comprising of the following Members:**

Chris Carubia (LD)
Moira McLaughlin (L)
Julie McManus (L)
Chris Meaden (L)
Tracey Pilgrim (C)

