

# ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Wednesday, 13 March 2019

Present:

Councillor T Jones (Chair)

Councillors	S Foulkes	C Muspratt
	A Brame	T Smith
	K Cannon	A Sykes
	G Ellis	B Berry
	B Kenny	A Hodson
	C Meaden	L Grey (for J Bird)
		C Hodson (for T Cox)

Apologies

Councillors	J Bird	T Cox
	T Cottier	

44 **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST / PARTY WHIP**

There were no declarations of interest.

There were no declarations made in respect of the application of a party whipping arrangement.

45 **MINUTES**

**RESOLVED:**

**That the Minutes of the meetings of the Environment Overview and Scrutiny Committee held on 15 January (special meeting), 30 January and 7 February 2019 (special meeting) be approved as correct records.**

46 **VARIATION OF ORDER**

The Chair indicated that agenda item 4 (Overview of Trade Waste Enforcement) would have precedence over the remaining items of business.

47 **OVERVIEW OF TRADE WASTE ENFORCEMENT**

The Interim Director: Highways and Streetscene advised that this item had been included on the agenda to provide an update on trade waste enforcement. However, as Members would be aware, a decision had been

made to seek by mutual consent the termination of the contract with Kingdom for environmental enforcement. Trade waste enforcement was undertaken through that contract and so it would not be appropriate to give the presentation. The Committee was also reminded of its recent consideration of a proposed Public Spaces Protection Order (PSPO) that, if pursued, would have been enforced by Kingdom.

Members were reminded that the current environmental protection policy had been approved in March 2016 and Kingdom had been contracted to enforce the policy on a zero tolerance approach. This policy would now be subject to a full review undertaken with full engagement, including an approach of driving behaviour change to deliver the Council's environmental protection Pledge. With regard to this Committee's consideration of the PSPO, it was proposed that this issue return to the Overview and Scrutiny Committee for further consideration.

The four decisions taken by the Cabinet Member were confirmed as being –

- Officers were authorised to agree a termination of the Council's Contract with Kingdom Services Group Limited for the delivery of environmental enforcement;
- a further report was to be brought to the Cabinet and/or the Cabinet Member concerning an interim position with regard to environmental enforcement and education;
- following extensive consultation with the public, Members and Overview and Scrutiny, a further report would be brought to the Cabinet to recommend a policy of environmental enforcement and education; and
- following consideration of the PSPO proposals by the Overview and Scrutiny Committee on 15 January 2019, the Committee be asked to do a further piece of work to consider the way forward in this regard.

The Committee was further reminded that an extraordinary Meeting of the Council was to be held on Monday 18 March 2019 to discuss these matters, the Chair advising that this Committee should not pre-empt the debate to be held at that meeting.

#### **RESOLVED:**

**That the report be noted.**

#### **48 LOCAL PLAN UPDATE**

The Assistant Director – Major Growth Projects and Housing Delivery reported on recent progress with the development of the Local Plan -

- the Council had published a summary of Development Plan consultation responses on 28 February 2019. All responses were available on the Council's website and listed all comments received.

The Council would not be giving a view on these comments at this stage;

- the Secretary of State's letter of 28 January 2019 to the Leader of the Council gave a Direction for an Action Plan for the delivery of a Local Plan to be produced by 8 April 2019. Work was progressing on this and on other information points required by the Secretary of State; and
- work continued to update the evidence base and technical studies required to support the submission of the Local Plan.

Further to the special meeting of the Committee held on 7 February 2019, the Cabinet Member for Housing and Planning had written to Group Leaders with regard to the Local Plan Advisory Group. The Group Leaders had accepted the invitation and meetings of the Group would be organised when it had been factored into the supporting work for preparing the Local Plan. A briefing for all Members on the Plan would be scheduled in the near future, and a session would be held after the local elections specifically on the Local Plan.

The Committee was advised of two recent consultation responses issued by the Government relevant to this consideration -

- with regard to household projection figures, the Government had indicated that the 2014 Office of National Statistics (ONS) figures should continue to be used. The Government had indicated that they held a number of issues with regard to the ONS figures published in September 2018; and
- the Government had announced a 'housing delivery test', included in the National Planning Policy Framework as a test of the number of houses built and delivered each year. Under the Regulations the Secretary of State could require action plans and impose penalties where targets were not being met. Wirral's performance for the previous year had been measured at 73% and an action plan had been required by August 2019 to show how the authority intended to improve this position. A report on this issue would be presented in the near future.

With regard to resourcing and capacity, the recruitment of all additional support for the Forward Planning Team was now complete and all staff would be in post over the coming weeks.

**RESOLVED:**

**That the report be noted.**

49 **FINANCIAL MONITORING REPORT QUARTER 3 2018/19**

The Senior Manager Corporate Finance presented a report that set out financial monitoring information for Environment as at the close of Quarter 3 of the 2018/19 financial year. The report provided Members with the detail to

scrutinise budget performance for this area of activity, the financial information provided including –

- performance against the Revenue Budget (including savings, income and debt); and
- performance against the Capital Budget.

In introducing the report, the Senior Manager Corporate Finance gave a presentation highlighting the ‘headlines’ related to the Environment budget; advising on the budget positions relating to budget headings for Environment; Housing and Planning; and Leisure and Recreation, including principal issues for budget variance; and providing detail on the 2018/19 capital programme.

In response to a query concerning the reported non-achievement of savings and a shortfall in anticipated income in Waste and Environment and any implications these matters might have for the following year, the Senior Manager advised that the savings issue related to a shortfall on an old budget saving related to a negotiated contract, and that the income shortfall would be targeted through further promotion.

Confirmation was provided to Members that re-profiling of the capital programme did not result in schemes currently in the programme being dropped. It would, however, mean that some would be rolled forward into the following year. The process for determining the 2019/20 Capital Programme before its submission to Cabinet and Council for approval and adoption was considered, the Chair noting that a review of the process to include more opportunity for non-Cabinet Members to have an input was underway. Councillor Ellis asked about progression of a particular scheme at West Kirby, the Officer undertaking to respond on this matter.

#### **RESOLVED:**

**That the report be noted.**

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#### **SMOKEFREE WIRRAL**

The Committee received a report providing detail on Wirral Partnership’s Smokefree Strategy and some of the key challenges and opportunities in helping local people live a tobacco free life, helping to make smoking less acceptable and putting young people off starting. In introducing the report, the Acting Director for Health and Wellbeing and the Senior Public Health Manager gave a presentation providing further context to the Smokefree Strategy and its part in Wirral Together as a developing relationship between the Council, partner agencies and the community.

In 2018, Wirral Partners participated in the Public Health England CLearR improvement process to ensure that local action on tobacco control was achieving our vision, that our resources were being invested wisely on

tobacco control and smoking cessation, and that local strategies were delivering. This assessment had resulted in 12 recommendations that were outlined in the submitted report. Also in 2018 the NHS Long Term Plan had been published with an emphasis on the prevention of poor health and had advocated particular actions for the health service in stepping up their work in this area.

Taken together, the Smokefree Wirral Strategy, the CLear assessment and the NHS Long Term Plan provided opportunities for developing excellence in local tobacco control, including -

- encouraging a clean, healthy environment with a focus on children and young people's settings;
- opportunities for local businesses and organisations to operate smokefree sites; and
- the development of regeneration plans to include smokefree parks, play areas, high streets, areas of beaches and country parks, NHS sites and Council sites.

In response to a query, it was confirmed that figures did show that people on the east of the Borough were more likely to die younger than those on the west, and that smoking rates were higher on the east side. There were various inequality issues associated with this, and the challenge was to have a different conversation or offer across the various communities.

A Member queried how it was intended to achieve the objective of creating healthy smoke free environments when people might talk about liberties and rights. Officers noted that the Strategy was aspirational, and that the Service would work with those who were willing. It was noted that progression of smoking cessation had been an incremental process, but that smoke-free legislation could be regarded as being successful. With regard to secondary smoking, in response to a query the Acting Director undertook to forward any information available as to the health impacts on non-smokers of legislation preventing in-door smoking in public spaces.

In noting progress in smoking cessation, a Member queried how the message was put over to young people not to smoke in the first place. It was acknowledged that the prevention message needed to be strong, advised that services do see young people and prevention work had been carried out, and noted that work needed to be undertaken in family settings also. With regard to schools, while some work was undertaken it was acknowledged that not as much work was done in these settings as in the past due to the changing nature of school structures. However, the public health contract was being re-commissioned and it was intended to include this issue alongside others such as drugs, alcohol and inappropriate sexual behaviour.

Members queried the use and contribution of e-cigarettes in tackling smoking. The Acting Director advised that views were mixed on this issue, but suggested that e-cigarettes were one way of providing help to people who

wished to quit smoking. However, it was necessary to ensure that e-cigarettes do not become a gateway to smoking. Further to reference to Wirral's stop smoking service ABL, it was reported that people could self-refer or be referred by a GP. It was noted that people were four times more likely to stay quitted if they used a behaviour support service.

A Member queried whether it was possible for the Committee to agree to the recommendations of the CLear report without sight of the full report. The Committee was advised that the full report was awaiting sign-offs and that it could be submitted in the future should Members so wish. Regarding this future submission, a Member requested that information be presented with a Ward breakdown.

Concluding, the Acting Director advised that all Councillors would shortly be receiving correspondence from Cancer Research UK about Councils disinvesting in services in this area. Members were asked to note that this Council retained services and had been commended for its local services.

**RESOLVED: That**

**(1) the Smokefree Wirral Strategy update be noted, along with the opportunities presented by the Strategy and the NHS Long Term Plan for developing excellence in local tobacco control; and**

**(2) the Committee give further consideration to the CLear report and the recommendations contained therein.**

51 **2018/19 QUARTER 3 WIRRAL PLAN PERFORMANCE**

The Committee received a report presenting the 2018/19 Quarter 3 (October - December 2018) performance report for the Wirral Plan Pledges under the remit of the Environment Overview and Scrutiny Committee. The performance report, which was included as an Appendix to the submitted report, provided a description of progress in Quarter 3 as well as providing available data in relation to a range of outcome indicators and supporting measures.

The performance report contained details of the progress made, and overviews of that progress from the Lead Cabinet Member, in respect of individual measures being pursued with regard to the following Wirral Plan Pledges pertinent to the Committee -

- Leisure and cultural opportunities for all;
- Wirral residents live healthier lives;
- Community services are joined up and accessible;
- Good quality housing that meets the needs of residents;
- Wirral's neighbourhoods are safe; and
- Attractive local environment for Wirral residents

**RESOLVED:**

**That the report be noted.**

52 **ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME**

A report by the Chair of the Committee explained the process of developing and managing the Scrutiny Work Programme for the Municipal Year. Members were advised that this Committee, in cooperation with the other three Overview and Scrutiny Committees, is responsible for proposing and delivering an annual Scrutiny Work Programme that should align with the corporate priorities of the Council, in particular the delivery of the Wirral Plan pledges.

The Chair's report provided an update regarding progress made since the ordinary meeting of the Committee held on 30 January 2019, and the appended work programme had been made up of a combination of scrutiny reviews, workshops, standing items and requested Officer reports. The Committee was reminded that further work would ensue in relation to the environmental protection policy as referenced in Minute 47 above, and this would be considered further in the Committee's work programming session to be held at the start of the new Municipal Year.

**RESOLVED:**

**That the updated Environment Overview and Scrutiny Committee work programme for 2018/19, as amended, be approved.**