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REGENERATION AND ENVIRONMENT POLICY AND PERFORMANCE COMMITTEE

Monday, 22 September 2014

Present: Councillor M Sullivan (Chair)

Councillors KJ Williams A Leech
D Mitchell S Niblock
S Williams G Ellis
J Crabtree J Hale
R Gregson A Hodson

Deputies: Councillors I Williams (In place of J Stapleton)
E Boulton (In place of Tracey Smith)
J Salter (In place of M Daniel)

Cabinet Members: Councillors G Davies,
B Mooney and
S Whittingham

In attendance: Councillors P Doughty
P Gilchrist
G Watt

10 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, pursuant to paragraph 18 of the Overview and Scrutiny Procedure Rules, 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.

Councillor John Salter declared his personal interest in agenda item 5 – Wirral Apprenticeship Programme Scrutiny Review (see minute 14 post) by virtue of him having recently employed an apprentice.

Councillor Dave Mitchell declared his personal interest in agenda item 8 – Investing in Wirral's Infrastructure (see minute 17 post) by virtue of him having seconded the Motion carried by the Council.

11 MINUTES

Resolved – That the minutes of the meeting held on 22 July 2014 be approved

12 FUTURE COUNCIL

The Committee considered a Briefing Note, which provided a summary of the discussion and agreement at a meeting of the Policy and Performance Committee Chairs and Spokespersons held on 3 September 2014, which had been convened to agree a common approach across all Policy and Performance Committees to scrutinising the proposals that come forward from the Future Council Programme. The Briefing Note indicated that Members had considered the successful approach taken in 2013/2014 and the Scrutiny Review that was undertaken by the Regeneration and Environment Committee upon the 'What Really Matters' consultation, and the impact of 2013/2014 budget options and potential options for 2014/2015. There had been broad agreement that the approach should form the blueprint for scrutinising budget options this year and, for 2015/2016, it was agreed that each Committee should operate independently but also, deliver a consistent outcome based upon the following principles –

- A task and finish approach is adopted with the three Policy and Performance Committees setting up a scrutiny panel to review the options that fall under their remit.
- Each committee to determine the number of Members on its panel and the number of sessions required.
- The panel should have an initial scoping meeting once the budget options are published to agree which options they wish to scrutinise and who they want to speak to i.e. Council Officers / external advisors.
- The panel should determine the preferred days/times for the Q and A sessions i.e. full evidence day, or a number of workshop sessions.
- Cabinet leads should be invited to observe sessions.
- In line with all task and finish scrutiny work, notes will be taken and a report with recommendations will be taken back to full committee for discussion and approval.

The Chair commended the proposed approach to Future Council scrutiny and referred to the need for the process to be streamlined, in view of the timescales involved. He also requested that volunteers for the Task and Finish Group should contact him directly.

Resolved – That the approach to Scrutinising Future Council Budget Options set out in the Briefing Note, be endorsed.

13 CAR PARKING SCRUTINY REVIEW

At the invitation of the Chair, Councillor Paul Doughty introduced the Car Parking Scrutiny Review Final Report, which had been undertaken by a Task and Finish Panel that he had chaired and which also comprised Councillors Alan Brighouse, Jim Crabtree, Leah Fraser, Anita Leech, Jerry Williams and Steve Williams.

The detailed report set out the context for the Review and set out its scope and methodology. It recognised that the pressures on retail and commercial centres were many and varied and that a Car Parking Strategy should be supportive of the economic sustainability of each of the centres. Following research and discussion of the approach taken by other, similar local authorities, the Panel had proposed a number of 'Objectives' and 'Principles' to provide a guiding framework for any future Strategy and considered that they were in full harmony with the Council's Corporate Plan. He highlighted the findings of the Panel, which had resulted in a range of recommendations for consideration, related to pricing, technology and demand based decision making. It had not been the role of the Panel to formulate a Car Parking Strategy but it was hoped that its recommendations would provide a suitable framework. Councillor Doughty thanked the Members of the Panel and the support officers for the considerable work they had undertaken. He also drew the attention of the Committee to a minor error in Table 1.2 of the Review and circulated a correction.

A Member referred to considerable increased parking charges, particularly in Heswall and West Kirby and expressed a view that such increases were detrimental to the local economy. He also commented that it was not acceptable to charge Medical Centre patients for parking at West Kirby Concourse. As locations for increased parking charges were not specified in the Review, he could not support its recommendations.

The Chair indicated that the Review made no such recommendation and anticipated that the detail of any future Car Parking Strategy prepared by officers would be subject to consultation. He commented also that there had been cross party involvement in the Panel and he commended its recommendations.

Resolved (12:2) –

- (1) That the Scrutiny Review and its recommendations be endorsed.**
- (2) That the Review be referred to the Cabinet for approval.**

14 WIRRAL APPRENTICESHIP PROGRAMME SCRUTINY REVIEW

Further to minute 16 (17 September 2013), Councillor Anita Leech introduced the Wirral Apprentice Programme Scrutiny Review, which had been undertaken by a Panel she had chaired, which had also comprised of Councillors Eddie Boulton, Rob Gregson and former Councillor Mark Johnston. She confirmed that the purpose of the Review had been to ensure that funding allocated to the Apprentice Programme was being used effectively and was providing the best outcomes for apprentices through the exploitation of all available opportunities. The Panel had gathered evidence from a wide range of sources and had made a number of recommendations around key themes including the requirement for support of apprentices, the availability and quality of information and guidance available to young people, getting young people ready for work, the Wirral Apprentice Policy and barriers to those who were considering an apprenticeship. Councillor Leech thanked all of the Members of the Panel, in particular former Councillor Mark Johnston

and the scrutiny support officers, Tim Games and latterly Mike Lester, for their assistance.

Members thanked the Panel for a very comprehensive report and recognised the considerable work still required in the development, creation and accessibility of apprenticeships.

Resolved (13:0) (One abstention) –

- (1) That the Scrutiny Review and its recommendations be endorsed.**
- (2) That the Review be referred to the Cabinet for approval.**

15 **NOTICE OF MOTION – UNDERGROUND COAL GASIFICATION**

The Head of Legal and Member Services reported that at the meeting of the Council held on 14 July 2014 (minute 17 refers), the following Notice of Motion proposed by Councillor Geoffrey Watt and seconded by Councillor Gerry Ellis was referred by the Mayor to this Committee for consideration –

UNDERGROUND COAL GASIFICATION

- (1) Council recalls that at its meeting on 18th July 2011 it approved, with unanimous (all-party) support, a motion ‘Shale Gas Fracking’ (minute 28 refers) stating its opposition to shale gas or coal bed methane testing or extraction in Wirral until the Council was satisfied as to the safety of the process and the risk of adverse environmental impacts had been fully addressed.
See:
<http://democracy.wirral.gov.uk/documents/g3562/Printed%20minutes%2018th-Jul-2011%2018.15%20Council.pdf?T=1>*
- (2) It has subsequently emerged that conditional licences to explore for underground coal gasification under parts of the Dee Estuary, including the Hilbre Islands and a coastal strip from Caldy to Hoylake have been granted to Cluff Natural Resources Ltd and for an area just off the entire North Wirral Coast to Riverside Energy Ltd.*
- (3) Council notes that the Hilbre Islands are within the Dee Estuary Special Area of Conservation and Dee Estuary Special Protection Area (all part of a network of protected sites stretching across Europe called Natura 2000) and therefore covered by the Conservation of Habitats and Species Regulations which also covers the Dee Estuary Ramsar Site. They are also protected through national legislation under the Countryside and Rights of Way Act as a Site of Special Scientific Interest, as is the North Wirral Coast and the Mersey Narrows.*
- (4) Council notes that operations both onshore and above the low water mark would require planning approval to be granted by this authority and also that the Hilbre Islands and much of the coastal strip are within its ownership and thus under its control.*

(5) *Therefore, Council:*

- (a) *Confirms its opposition to Unconventional Gas Extraction, including Underground Coal Gasification, Coal Bed Methane and Fracking, under Wirral, its offshore coastal waters and the Dee and Mersey estuaries until such time as the Council is satisfied as to the safety of the process and that the risk of adverse environmental impacts have been fully addressed.*
- (b) *Instructs the Chief Executive to write to the Secretary of State for Energy and Climate Change and to Wirral's four Members of Parliament, informing him and them of this decision.*
- (c) *Instructs the Chief Executive to write to Wirral's neighbouring coastal local authorities (Sefton, Liverpool, Halton, Cheshire West & Chester, and Flintshire) informing them of this decision and inviting them to pass an equivalent resolution with the intention of protecting our shared environment.*

In accordance with Standing Order 7 (6), Councillor Watt had been invited to attend the meeting in order for him to be given an opportunity to explain the Motion. Councillor Watt indicated that the Motion was largely self-explanatory and, in the light of recent publicity regarding underground coal gasification, requested the Council to re-affirm its opposition to such activities in the Dee and Mersey estuaries.

Councillor Mitchell indicated that he had seconded the original motion 'Shale Gas Fracking', which had previously been approved by the Council (minute 20 (18 July 2011) refers). He referred to environmental concerns arising from such activities in the USA and elsewhere and he highlighted the importance of alternative, Green, energy.

The Chair noted Members' objection to the politicisation of the issue, particularly in West Wirral and recognised that the public required clarification of the potential impact of such activities. The Strategic Director for Regeneration and Environment confirmed that officers were very clear of the views of the Council. However, in response to a question from the Chair, he stated that should the Council refuse permission to erect structures to enable fracking, the applicant could appeal to the Secretary of State. He further added that a recent bill in the Queen's Speech would allow fracking to take place underground without the surface land owners' permission. It was therefore vital that Members were aware of any decisions of neighbouring authorities, particularly in the Dee Estuary.

Resolved – That the Notice of Motion be supported and the Council be advised accordingly.

16 NOTICE OF MOTION – PRIVATE RENTED SECTOR REFORM

The Head of Legal and Member Services reported that at the meeting of the Council held on 14 July 2014 (minute 17 refers), the following Notice of Motion proposed by Councillor George Davies and seconded by Councillor Matt Daniel was referred by the Mayor to this Committee for consideration.

PRIVATE RENTED SECTOR REFORM

Council re-affirms its support for the Selective Landlord Licensing Scheme proposed in the 2014/2015 Labour Group budget. It also welcomes the significant proposals put forward by the Labour Party in relation to preventing tenants being ripped-off by unscrupulous landlords and providing them with long term security they desperately need. More specifically –

- *The introduction of longer term three year tenancies*
- *The banning of letting agents fees to tenants, saving them on average £350*
- *Predictable rents with Landlords only allowed to review them once every year with an upper ceiling to prevent excessive rises.*

In accordance with Standing Order 7 (6), Councillor Davies had been invited and attended the meeting to explain the Motion.

In response to a question from a Member as to what extent the Motion would be binding in law, the Head of Legal and Member Services confirmed that the Council could adopt such a Scheme, if it wished to do so.

Resolved (9:5) – That the Notice of Motion be supported and the Council be advised accordingly.

17 **INVESTING IN WIRRAL'S INFRASTRUCTURE**

The Head of Legal and Member Services reported that at its meeting held on 14 July 2014 (minute 33 refers), the Council debated the Notice of Motion 'Investing in Wirral's Infrastructure', which had been proposed by Councillor Phil Gilchrist and seconded by Councillor Dave Mitchell. Consideration was also given to an amendment proposed by Councillor Stuart Whittingham and seconded by Councillor Phil Davies.

The Motion and amendment were both carried and the matter was referred to this Committee in order for it to be examined, with particular consideration to be given to the following issues and to report back to Council thereafter –

- (i). the level of investment in recent years;
- (ii). areas of strong performance within the service;
- (iii). the repairs backlog, including up to date condition survey data;
- (iv). the levels of safety intervention repairs on the highway network, and repudiation rates for claims against the Council;
- (v). proposals for the further development of the highways asset management strategy and plans, to reflect changes in industry guidance and best practice;
- (vi). the deliverability of a programme of sustained investment over several years to maintain the condition of the borough's highways in the context of severe cuts in the Council's overall budget by central government and the opportunity cost of delivering such a programme.

At the invitation of the Chair, Councillor Gilchrist provided an explanation of the amended Motion, which made specific recommendations to this

Committee. The Head of Environment and Regulation indicated that officers were aware of the Council's decision and were working on the provision of information to be presented for consideration.

Resolved – That a report be presented to a future meeting to allow consideration of the issues identified in the Notice of Motion.

18 **WIRRAL CLIMATE CHANGE STRATEGY 2014 - 2019**

The Strategic Director for Regeneration and Environment presented the report of the Deputy Chief Executive/Head of Universal and Infrastructure Services, which introduced a new Climate Change Strategy for Wirral that set a framework for action over the next five years to reduce green house pollution and to help ensure that Wirral adapted to unavoidable changes in the climate.

The report evidenced Wirral Council's long held commitment to action on climate change and indicated that the new Strategy had been developed via the Wirral Climate Change Group and been subject to extensive consultation with the public and partner organisations. The Strategy's goals were to substantially cut climate pollution associated with Wirral and to adapt Wirral to unavoidable climate change. It signalled the direction of travel needed, highlighted the context for action and identified a set of objectives to be met. To cut pollution the Strategy identified the following aims –

- to reduce demand for energy and make Wirral more energy efficient;
- to generate and source more of our local energy needs from 'renewable' sources;
- to use more sustainable modes of transport, more fuel-efficient vehicles and less polluting means of getting around;
- to reduce the indirect negative impacts that our decisions have for climate pollution in Wirral and elsewhere.

To adapt to unavoidable change the aim was –

- to identify the risks and vulnerabilities from expected changes and bring forward plans and actions to limit negative impacts and improve resilience.

In support of both goals the aim was –

- to build capacity for action by strengthening local networks and partnerships and by developing wider awareness and education initiatives.

The Strategy was endorsed by the Cabinet Member for Environment and Sustainability, who was in attendance and indicated that the report was to be considered by the Cabinet on 9 October 2014.

Resolved (12:2) – That the Wirral Climate Change Strategy 2014-2019 be endorsed as the agreed framework to encourage and co-ordinate local climate-related action in Wirral.

19 LIVERPOOL CITY REGION COMBINED AUTHORITY – SCRUTINY

The Chair advised that he and Councillor Anita Leech had been nominated by the Council as Members of the Liverpool City Region Combined Authority Scrutiny Panel and Councillor John Hale had been appointed as one of two Conservative opposition Members nominated from across Merseyside. The Chair indicated that the Panel was yet to meet and that as the nominated 'Authority Scrutiny Link', he would report back to future meetings of the Committee.

In response to a request from a Member, the Strategic Director for Regeneration and Environment agreed to circulate the complete list of Members to all Members of the Council for information.

Resolved – That the report be noted.

20 FINANCIAL MONITORING REPORT

The Strategic Director for Regeneration and Environment presented the report of the Director of Resources, which set out financial monitoring information for months 3/4 (June/July 2014), which had previously been reported to the Cabinet (minute 46 (11 September 2014) refers) as a means of providing regular, detailed updates on budget performance.

The Strategic Director commented upon those extracted sections of the Cabinet report, which were in the remit of the Committee and highlighted issues in relation to Environment and Regulation, Housing and Community Safety and Regeneration.

In response to questions from a Member, the Head of Environment and Regulation provided an update with regard to The Dell underpass. He commented also that the Council had approved the investment in vehicles, plant and equipment ordered in respect of parks schemes, in light of the decision three years ago to keep the service in-house. He assured Members that the investment was essential to deliver the service modernisation required.

Resolved – That the report be noted.

21 DIRECTORATE PLAN – PERFORMANCE MANAGEMENT REPORT

The Strategic Director for Regeneration and Environment presented an update for Members in relation to performance of the Regeneration and Environment Department against the delivery of the Directorate Plan 2014/2015 as at 31 July 2014. He commented that performance against 17 outcome measures indicated that 15 were RAG rated 'green' and the following two were rated as 'amber' –

- Reduce the number of people killed or seriously injured in Road Traffic Accidents (KSI)
- Percentage of working age people claiming out-of-work benefits

He outlined the reasons for the 'amber' ratings and indicated that with performance for both improving, he expected both indicators to meet the 2014/2015 end of year target. In response to a comment from a Member that with an ageing population it was important to monitor road crossings, the Strategic Director indicated that the greater than expected number of pedestrian KSI casualties was an issue across Merseyside. He commented upon a number of ongoing campaigns and indicated that officers were working closely with Merseyside Police to investigate the issue.

Resolved – That the report be noted.

22 DECISIONS TAKEN UNDER DELEGATED POWERS

The Strategic Director for Regeneration and Environment reported, in accordance with the Approved Scheme of Delegation, that he had accepted the following tenders under delegated powers, both of which were the lowest prices submitted in each case –

Project Title: Site Clearance/Demolition of 32-40 Milner Street, Birkenhead
Contract: Demolition of five former residential units, Milner St, Birkenhead
Contract Sum: £15,680 for demolition works
Contractor: Total Industrial Services
Funded from: Capital Programme

Project Title: Site Clearance/Demolition of 325-329 Borough Road, Birkenhead
Contract: Demolition of three former retail units with accommodation above, Borough Road, Birkenhead
Contract Sum: £25,800 for demolition works
Contractor: Total Industrial Services
Funded from: Capital Programme

Resolved – That the report be noted.

23 HIGHWAYS REPRESENTATION PANEL - MINUTES

The Head of Legal and Member Services presented the minutes of the meeting of the Highways and Traffic Representation Panel held on 12 September 2014. The Panel had considered a proposal to incorporate the parking lay-bys fronting 261-289 Woodchurch Road into the Prenton Resident Parking Scheme. In addition, the Panel had deferred consideration of the proposed revocation of a Traffic Regulation Order on Field Road Car Park, New Brighton, at the request of the lead petitioner.

Resolved – That the Committee recommends to the Cabinet Member for Highways and Transport that a 12 – month experimental traffic regulation order adding the parking lay- bys fronting 261 to 289 Woodchurch Road, Birkenhead to the Prenton Resident Parking Scheme (Zone E) be advertised and that the impact of the order be monitored

and representations considered during that period and appropriate amendments made if necessary prior to the order being made permanent.

24 SCRUTINY WORK PROGRAMME

The Chair presented an update on the current position regarding the Committee's Work Programme, which aligned with the corporate priorities of the Council and was made up of a variety 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. He set out those items contained within the Work Programme and commented that previous scrutiny reviews on Car Parking and the Wirral Apprenticeship Programme were presented separately for consideration (see minutes 13 and 14 ante).

He also proposed the introduction of 'Spotlight Sessions' during the year, for Members to meet in an informal setting to enable a topic to be explored with relevant officers or organisations in greater detail than time would allow during a formal Committee meeting. A short summary could then be provided to the Committee to allow any formal resolution to be agreed. He suggested that appropriate topics could be identified through formal Committee meetings or at agenda setting meetings held with the Chair, Vice-Chair and Group Spokespersons.

Resolved –

- (1) That the Work Programme for 2014/2015 be approved.**
 - (2) That the proposal for the introduction of 'spotlight sessions' be approved, as the need is identified by Members.**
-