

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Thursday, 30 November 2017

Present: Councillor P Stuart (Chair)

Councillors	S Foulkes	B Berry
	T Jones	A Hodson
	B Kenny	I Lewis
	C Muspratt	T Pilgrim
	T Smith	C Carubia
	W Ward	P Doughty (In place of L Reecejones)
	A Sykes	

Apologies: Councillors T Usher

26 MINUTES' SILENCE

Members stood for a minute's silence in tribute to the late Councillor Walter Smith, who had recently passed away.

27 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Usher and L Reecejones who had a deputy standing in for her.

28 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 items on the 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 items to be considered and, if so, to declare it and state the nature of the whipping arrangement.

Councillor B Berry declared a personal interest in item 3, 'Notice of Motion: Tougher Action in Fly Tipping' by virtue of having seconded the motion at the Council meeting held on 16 October 2017.

29 **MINUTES**

Members were requested to receive the minutes of the Environment Overview and Scrutiny Committee meeting held on 21 September 2017.

Resolved – That the minutes of the meeting held on 21 September 2017 be approved.

30 **NOTICE OF MOTION - TOUGHER ACTION IN FLY TIPPING**

Councillor B Berry declared a personal interest in this matter by virtue of having seconded the motion at the Council meeting held on 16 October 2017.

The Chair reported that at the meeting of the Council held on 16 October 2017 (minute 68 (2) refers) the following Notice of Motion proposed by Councillor David Burgess-Joyce and seconded by Councillor Bruce Berry was referred by the Civic Mayor to this Committee for consideration -

TOUGHER ACTION IN FLY TIPPING

“Council notes that between 2013 and 2016 3,648 tonnes of fly tipped waste was removed costing the Council taxpayer £584,285.85.

Council further notes the damage that fly-tipping causes to Wirral’s natural environment and wildlife and the statement from Keep Britain Tidy imploring that “It’s got to be easy for people to do the right thing otherwise we will see an increase in fly-tipping.”

Therefore the Council requests that the Cabinet Member for Environment considers:

1. Investing in CCTV and automatic number plate recognition technology (ANPR) to help police fly tipping hotspots, such as Carr Lane and Lingham Lane in Moreton.
2. Instructing officers to ensure that all fly tipped waste, whether hazardous or non-hazardous is removed within three working days.”

In accordance with Standing Order 7(6), Councillor David Burgess-Joyce had been invited to attend the meeting in order for him to explain the Motion.

Councillor Burgess-Joyce elaborated on the Motion and suggested that in line with other Local Authorities, heavier measures should be in place such as a ‘naming and shaming’ policy being adopted. He believed that fines of between £150 and £400 would not be effective for serial offenders and that Wirral would be blighted by fly tipping should it continue.

Members discussed encouraging residents to use the 'Eric' service. Suggestions were made in respect of offering a service to collect waste at a reasonable cost or to hold a register of contractors.

A number of Members raised concerns in respect of fully endorsing the recommendations as they considered more information and facts were required including costs, the effect of removing the brown bin, costs of CCTV and resources. Members also suggested working together with officers to identify hotspots.

Members also raised concerns around the fact that should CCTV be installed, this could result in the problem being moved elsewhere.

In response to questions from Members, the Team Leader – Environmental Enforcement confirmed that income is recouped from Fixed Penalty Notices, however if the perpetrator is taken to Court that incomes from fines etc goes to Central Government.

The Strategic Commissioner – Environment advised that the installation of CCTV would have resource implications and advised Members that work was ongoing to educate people in order to develop a complementary approach.

Members suggested a more detailed report be brought back to a future meeting of this Committee.

Councillor David Burgess-Joyce reiterated his belief that a 'naming and shaming' policy should be adopted as he believed this would result in a reduction of the £584,285.85 costs.

On a motion proposed by Councillor S Foulkes, seconded by Councillor A Sykes, it was -

RESOLVED: That

- (1) the Notice of Motion be noted; and**
- (2) the Strategic Commissioner – Environment provide a more detailed report to a future meeting of the Committee.**

31 **REVIEW OF LITTER AND DOG FOULING ENFORCEMENT ARRANGEMENTS**

The Committee considered a joint presentation from Sue Bannister, Team Leader for Environmental Enforcement and Sandra Lovell-Struthers, Kingdom Services Group Limited.

The Team Leader for Environmental Enforcement advised Members that incorporated within the Wirral Plan was the aim to empower residents to take more responsibility for their actions, create great neighbourhoods, encourage positive behaviour and take action against environmental crime and anti-social behaviour.

It was reported that further to a survey being carried out, the perception was that 45% of people thought litter was a problem when this was actually in excess of 92% whereas 56% believed dog fouling was a major problem, however, only 2 in every 100 people failed to pick up and compliance was better in Wirral than other Authorities. Members were advised that fines would be issued in respect of littering and dog fouling as Wirral has a zero tolerance approach. Over 20,000 Fixed Penalty Notices in respect of litter had been issued since July 2015 and over 311 for dog fouling since May 2016. A decision had been taken to engage private enforcement as environment crime needed to be tackled and this would be supported with extensive educational campaigns.

Members were informed that Kingdom Services Group Limited was the successful bidder and the Team Leader for Environmental Enforcement provided details of the service they provided and the benefits of the outsourced model which included the number of Fixed Penalty Notices issued for littering offences since July which was 23,498 compared to 92 from Wirral and 311 for dog fouling compared to 5 from Wirral. The principal aim of the Contract was to change the behaviour and perception of residents and the achievement of the Wirral Plan. The reinvestment projects from Fixed Penalty income included Grot Spots and a dog fouling enforcement campaign video.

Sandra Lovell-Struthers, National Business Manager, Kingdom provided an overview of the company. She reported that there were over 350 officers in the Environmental Protection Section who worked with 45 Local Authorities. She explained that their officers acted as extra intelligence whilst on patrol and that they utilised specialised equipment. The Local Authority had full access to the system which provided data in respect of the percentages of Fixed Penalty Notices issued in specific areas, the type of offences and locations where the majority of littering occurred. It also provided the age, gender and ethnicity of the offenders. The footage would be kept safe in encrypted cameras, a complaints procedure was provided and the aim was to take as much work from the Local Authority as possible.

Members thanked Sue Bannister and Sandra Lovell-Struthers for their presentations.

In response to questions from Members, in respect of measuring whether streets in Birkenhead are any cleaner, it was reported that a further survey had been carried out and this could be compared to the perceptions of people recorded in the 2015 survey. Members were advised that the 2014 legislation

in respect of anti-social behaviour and the Police and Crime Act provided the opportunity to issue a litter Fixed Penalty Notice and this would be enacted in April 2018. It was reported that Enforcement Officers wear a uniform but that there were also some plain clothes officers and that should they encounter difficulties with people providing their details when asked they would refer to the fact that this would be an offence.

A Member raised concerns in respect of dog fouling on beaches and was advised that intelligence was relied upon to carry out operations and was assured patrols would cover these areas in future and that a Public Space Protection Order was under consideration. The fact that no feedback had been provided under the CRM system was raised and Members were advised that a better reporting system was being considered.

RESOLVED: That

- (1) the officers from Environmental Enforcement and Kingdom Services Group Limited be congratulated on their excellent presentation; and**
- (2) a follow-up report in respect of whether Birkenhead is any cleaner is brought back to a future meeting of this Committee.**

32 FEEDBACK FROM SITE VISITS TO PAVILIONS IN SPORTS GROUNDS

The Chair introduced a report upon feedback from a Member visit to a selection of sports pavilions in Wirral that had taken place on Wednesday 8 November 2017.

Members considered that the site visit had been useful in order that the differences in sites could be seen and urged officers to investigate using the capital bid to improve the standards of some facilities.

RESOLVED: That

- (1) the report be noted and endorsed; and**
- (2) the following recommendations be referred to the Cabinet Member for Environment:**
 - 1. Members welcomed the recent approval of the updated Playing Pitch Strategy and associated Action Plan. Members encouraged the Council to proactively seek all opportunities to secure external funding to enhance and upgrade the changing facilities at the Council's sports pitches.**

2. An update on progress made to implement the Playing Pitch Strategy and Action Plan be added to the Committee work programme for consideration at a future meeting.
3. The use of advertising or sponsorship at pavilions be explored as a potential additional income stream. Income could be used to improve the standard of facilities.
4. A survey of pavilion users be conducted to give Wirral sports clubs and others an opportunity to contribute views and opinions on the current and future use of pavilions. This may be used in order to better understand attitudes and behaviours and highlight any barriers to use. The results of this survey should be reported to the Environment Overview and Scrutiny Committee and should inform the Libraries, Leisure and Cultural Services Review and future decisions.

33 **LOCAL AUTHORITY POWERS TO REQUIRE DRIVERS TO SWITCH OFF ENGINES WHEN PARKED**

The Senior Manager, Environmental Health provided a report which sought to gain authorisation to enforce the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 in order to reduce polluting emissions from stationary vehicles. It was reported that vehicles idling while stationary caused unnecessary use of fuel, an increase in emissions and could also create a noise environment, especially for residents and businesses.

Members were informed that should a driver refuse to switch off when requested, fixed penalty notices of £20 could be issued to drivers who allowed their vehicle engines to run unnecessarily while the vehicle was stationary. The adoption of the legislation would support The Wirral Plan 20/20.

It was reported that twenty one locations across Wirral were monitored for Nitrogen Dioxide levels and that one site that had exceeded the national objective was that situated at the taxi rank in Liscard, however this did not require any statutory action as it was not a relevant exposure area.

Members were advised that during the last three years there had been ten complaints received by Environmental Health and seven complaints by the Licensing Section in respect of idling vehicle engines in various locations throughout the Borough. It was considered that adoption of enforcement powers would provide an opportunity for educative initiatives surrounding the issue of air quality.

In response to questions from Members, the Senior Manager, Environmental Health advised that £20 was the maximum penalty that could be charged, however the Council was considering converting this to a civil charge which would be £80. He advised that the Department of Transport Guidance must

be followed and that the first drive would be to educate people in respect of the issues.

RESOLVED: That

- (1) the Council adopts Part 6(3) of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;**
- (2) Schedule 4A Part 2 of the Council Constitution be amended in order to insert the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002; and**
- (3) an in house policy be implemented for drivers to switch off engines when parked, which should include drivers of Council vehicles and employees using their own vehicles for work purposes.**

34 PERFORMANCE MONITORING REPORT QUARTER 2 2017/2018

The Strategic Commissioner – Environment provided a report in respect of the 2017/18 Quarter 2 (July – September 2017) performance report for the Wirral Plan pledges under the remit of the Environment Overview and Scrutiny Committee.

The report 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.

RESOLVED:

That the report be noted.

35 FINANCIAL MONITORING REPORT QUARTER 2 2017/2018

The Senior Manager Corporate Finance introduced the report of the Assistant Director: Finance that set out the Council's revenue and capital monitoring position as at the close of quarter 2 2017/18.

He advised Members that the revenue forecast overspend was £0.9 million and that within Waste & Environment the £0.4 million overspend related to the planned saving in the cost of the Waste contract and that officers were working on a series of options that may deliver the required saving in subsequent years. He further informed Members that there was a £0.8 million projected overspend in Sports & Recreation, income levels at golf courses continued to fall below target and that there were a number of underspends across the Environment theme.

A Member referred to a request made at the last meeting of this Committee regarding information in relation to income and income collection in respect of all Council owned golf courses and details on the Council's commercial approach and requested that a response be provided to all Members of the Committee by January 2018.

In response, the Strategic Commissioner – Environment advised that it would be an urgent priority to provide a briefing note on this issue. He further advised that new budget options were being taken in respect of waste and sports and recreation.

Members discussed the Biffa contract and it was clarified that further to preliminary discussions in respect of savings, it had not always been possible to deliver the efficiencies subsequent to ideas that had been formulated by the client side.

RESOLVED: That

- (1) the financial monitoring report be noted;**
- (2) the performance of the capital projects and amendments to the programme within this area be noted; and**
- (3) the Strategic Commissioner – Environment provide further information in relation to income and income collection in respect of the Council's golf courses by January 2018.**

36 POLICY INFORM

The Chair introduced a report on the November Policy Inform Briefing paper which provided an overview of ongoing and recent national legislation, bills presented to Parliament and emerging policies.

RESOLVED:

That the report be noted.

37 WORK PROGRAMME UPDATE

The Chair provided a report which explained the process of developing and managing the scrutiny work programme for the municipal year. The Environment Overview and Scrutiny Committee, in cooperation with the other three Overview and Scrutiny Committees, was responsible for proposing and delivering an annual work programme.

The work programme would be formed from a combination of scrutiny reviews, standing items on committee agendas and requested officer reports. The report provided the committee with an opportunity to plan and regularly review its work across the municipal year.

RESOLVED:

That the Environment Overview and Scrutiny Committee Work Programme for 2017/18 be approved.