



ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE

Monday 15 July 2024

REPORT TITLE:	APPOINTMENT OF PANELS, STATUTORY / ADVISORY COMMITTEES AND WORKING PARTIES 2023/24
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

The purpose of this report is to enable Environment, Climate Emergency and Transport Committee to review the continuing need for various panels, statutory/ advisory Committees and working parties, and to appoint Members and named deputies to serve on those (including the statutory committees and panels) that are to be retained in 2023/24. The report will also enable the Committee to appoint members and possibly named deputies to the Wirral Flood and Water Partnership for 2024/25

This matter affects all Wards within the Borough and is not a Key Decision.

RECOMMENDATION/S

The Environment Climate Emergency and Transport Committee is recommended to:

1. Authorise the Monitoring Officer as proper officer to carry out the wishes of the Group Leaders in allocating Members to membership of the Active Travel Forum, the Wirral Climate Change Group, the Wirral Flood and Water Partnership, and the Hilbre Island Management Committee to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members.
2. Give consideration to the proposal to appoint a cross party group of Members to conduct a policy development review in accordance with the approach outlined at appendix 1 of the report.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The Committee is required to appoint the membership of various panels, statutory/ advisory committees and working parties, which fall under its remit at the start of each Municipal Year.
- 1.2 The key drivers for refreshing policy development work at Committees is the move to a Whole Council Election Scheme in May 2023 and the new four-year Council Plan agreed by Council on 4th December 2023. The Council Plan provides an opportunity to establish a new way of strategically 'working together' across the organisation to deliver the Council Plan vision '*working together to promote fairness and opportunity for people and communities*' and the associated Council Plan enabling and delivery themes:

Enabling Theme:

- Working together to create a more efficient, effective and accessible Council.

Delivery Themes:

- Working together to improve early help for children and families.
- Working together to promote independence and healthier lives.
- Working together to deliver people-focused regeneration.
- Working together to protect our environment.
- Working together to create safe, resilient and engaged communities.

2.0 OTHER OPTIONS CONSIDERED

Active Travel Forum

- 2.1 Potential options which the Committee could investigate, and potential consequences, include:
- 2.1.1 Not continuing the Forum, but it currently allows a wide range of stakeholders to engage in round-table discussions about potential and planned schemes and developments. This has the benefit of allowing external stakeholders to be aware of and influence Council plans.
- 2.1.2 Not include Members on the Forum. If this option were followed, the Forum could produce a regular report to be presented to the Members Working Group and/or the Chair of the Forum be invited to present to Members on a regular basis.
- 2.1.3 To vary the numbers of Members.

Wirral Climate Change Group

- 2.2 Potential options which the Committee could investigate, and potential consequences, include:

- 2.2.1 Not support the Partnership. This group started life as a 100% Council body (originally called the Nottingham Declaration Group). It has evolved over time, with Council support, to a partnership with a more independent voice. The original Cool strategy (2014-19), endorsed by Council, included an objective to this end. It's no longer in our gift to disband the body and as a partnership the other partners might choose to carry on without us, but if both officers and Members were withdrawn, that would likely result in the demise of the partnership. However, that would not be inevitable and it could well carry on without us and evolve further. It is conceivable that without our influence/support it might continue 'as is' or evolve into something different e.g. a hostile advocacy group. By ending our relationship we would lose the opportunities it currently presents, notably to tackle the climate crisis in a joined up way, to add value greater than the sum of the parts, to help secure resources to address common issues that we might be excluded from accessing directly, to share good practice and experience, and gather wider information about local action and its impact. In the light of the Council's climate commitments, withdrawing from the partnership at this stage would run counter to the Council's direction and its stated policy intent "to support positive engagement with partner organisations and residents". It would likely be perceived negatively and could damage relationships and our reputation. Other local authorities who recently declared climate emergencies, but stopped supporting such bodies in the past, are now setting up such partnerships again. Climate change is a 'more than Council' problem which tends to promote such 'more than Council' approaches.
- 2.2.2 Vary the numbers of Members. That is a decision to be made by this Committee and would then require a change to the Council's Constitution.

Hilbre Island Management Committee

- 2.3 For the Hilbre Island Nature Reserve Management Committee, potential options which the Committee could investigate, and potential consequences, include:
- 2.3.1 Not being involved in the Committee, although it does provide an opportunity for stakeholders to meet to discuss issues regarding the island.
- 2.3.2 Not include Members on the Committee, although the inclusion of Members allows the Committee to ensure that any developments are in line with the wider aims of the Council.
- 2.3.3 To vary the numbers of Members. That is a decision to be made by this Committee and would then require a change to the Council's Constitution.

Wirral Flood and Water Partnership

- 2.4 Disbanding the Partnership, although being a partnership the group could continue in the absence of Councillors and allows the Committee to ensure that any developments are in line with the wider aims of the Council. If there is no flood risk or if there were changes in the national governance arrangements for flood risk another body could take responsibility, but these options were unlikely and could be reconsidered if they occurred.

- 2.4.1 To vary the number of Members. It is useful if an appointed Member has some background knowledge to be able to understand the issues being reported on.

Policy Development

- 3.3 Potential options which the Committee could investigate, and potential consequences, include:
- 3.3.1 Not conducting policy development work. However, policy development work is clearly stated in The Council's Constitution and not conducting this type of work can be viewed by the sector as being indicative of wider governance and service failure issues (it is also considered good practice). Given the new Council Plan has now been approved, Members now have a clear strategic framework to conduct effective policy development work. It is important as it engenders transparency and enables the Council to be accountable to residents. It can help the Council achieve best value; support further improvement and best practice; and enable locally adopted, enforceable recommendations and policies which deliver better outcomes for the wider community.

3.0 BACKGROUND INFORMATION

- 3.1 The following bodies were retained or created in 2021/22 to assist the Committee in its work.

Active Travel Forum

Role

- 3.1.1 A joint forum bringing together Health and Transportation colleagues with interested public and private organisations and individuals, to support active travel as a simple, low cost and effective way for people to access life opportunities whilst increasing levels of physical activity in their day to day life. The Forum's role is to ensure ideas are put forward regularly so that relevant schemes are developed that respond to and meet local needs, taking into account the wider City Region priorities. An annual workshop will be held to update members on the context of these priorities and present and future funding streams. The forum is comprised of 4 Members, this has previously been 1 representative from each political group.

Vision

- 3.1.2 To improve the health of Wirral residents by promoting active travel modes as the natural choice for shorter journeys, or as part of a longer journey in Wirral – regardless of age, gender, fitness level or income.

3.1.3 Objectives

- (1) To be a Wirral wide forum to consider the positive and collective roles of walking and cycling in our future integrated transport system, and their role in delivering Public Health outcomes.

- (2) To provide a holistic view to enable active travel journeys in Wirral by supporting promotional and behavioural change programmes as well as capital infrastructure programmes.
- (3) To encourage and promote increased levels of active travel in Wirral by collectively addressing barriers to active travel, including attitudes, knowledge and awareness, social and cultural norms and habits.
- (4) To facilitate the exchange of ideas and best practice between pedestrians and cyclists in general to encourage and promote increased levels of active travel, and achieve health outcomes in order to improve quality of life for all.
- (5) To promote a Wirral wide forum to support a strategic approach to facilitating active travel across the Borough as part of the delivery of Merseyside's Local Transport Plan for Growth, including linkages to the public transport network.
- (6) To support agencies and individuals to enable Wirral to be a safer place for all users of active travel modes.
- (7) To support Officers in the delivery of proposals, schemes and policies (including road safety) that may impact upon active travel users in the Borough and the development of a strategic active travel delivery plan/strategy as part of building an evidence base and business case for future funding applications as appropriate.
- (8) To provide a collective voice to responding to consultations on policies and proposals that will impact upon pedestrians and cyclists in Wirral, and wider Liverpool City Region as appropriate.

Wirral Climate Change Group (now known as The Cool Wirral Partnership)

Purpose

- 3.2.1 The Cool Wirral Partnership exists as a forum to champion and help co-ordinate action in Wirral to tackle the climate crisis.

Scope of work

- 3.2.2 To:-

- Develop the local strategic approach to climate change in Wirral;
- Help co-ordinate local climate-related action;
- Seek investment to help meet local climate-related goals;
- Monitor and report progress;
- Act as a local independent 'voice' for climate-related action;
- Encourage a wide range of stakeholders to engage in climate action in support of agreed local strategic objectives
- Act as point of contact for those with an interest in climate action in the wider community

- Act as a forum to share good practice and foster learning between partners;
- Assist Wirral Council to fulfil its commitments concerning climate change.

Principal activities

3.2.3 To:-

- Oversee the development, progress, and review of local strategy to tackle the climate crisis
- Help to grow a wider network in support of local climate objectives working to raise awareness and encourage wider action
- Promote action in support of the strategy across Wirral, encouraging all those who support the strategy to identify their 'Locally Determined Contributions' and to share these action plans publicly
- Help progress joint actions to accelerate delivery of the strategy where action together can have more value and impact than action by a single organisation (initially focused on the 'early steps' identified in the Cool strategy).
- Gather and present data to inform action
- Produce annual reports on local progress that consider both actions taken in partnership and the 'Locally Determined Contributions' shared - and crucially any gap between actual and necessary reductions in emissions
- Organise a public annual climate emergency forum to report progress, share experience and encourage further action
- Arrange citizen panels on climate strategy topics where progress is limited. These panels will review the evidence and make further recommendations for action
- Help develop and support bids for funding to support implementation of climate strategy related actions
- Raise local climate change-related matters as necessary with other strategic bodies and partnerships in Wirral and the wider Liverpool City Region to help highlight links with other strategic priorities and help overcome barriers to progress
- Respond to related consultations to influence wider policy and practice; and
- Maintain a meeting programme to enable the exchange of good practice and learning and to oversee progress across all activities

Hilbre Island Nature Reserve Management Committee

Scope

3.3.1 To manage the nature reserve and to make appropriate recommendations for its preservation and maintenance. It usually met every 3-4 times a year before the COVID pandemic but has not met since. It is formed of key stakeholders and Councillors.

3.3.2 The committee is comprised of 8 Members and is not politically proportionate.

Wirral Flood and Water Partnership

- 3.4.1 The main purpose of the partnership is to achieve through joint working an effective management of flooding and coastal erosion incidents on Wirral; to take such collective measures in order to minimise the potential impact of such incidents; and to seek the implementation of more permanent and sustainable solutions to the mitigation or alleviation of flooding and coastal erosion. The partnership will also establish a formal link with Wirral Council's Overview & Scrutiny function, to provide appropriate governance and elected member oversight of local flood and coastal erosion risk management activities.
- 3.4.2 The partnership is comprised of 4 Members; this has previously been 1 Member from each political group.

Policy Development Work

Purpose

- 3.5.1 The purpose of policy development work is to achieve positive outcomes for local people by undertaking a thorough, targeted examination of the council's service provision and procedures (or those services or activities carried out by external organisations which affect the Borough of Wirral or any of its inhabitants). However, it is not possible to examine every service or activity in detail, so it is important for the Policy and Service Committees to prioritise and plan its work programme for the year to be taken forward through the committee, or a dedicated task and finish group.

Scope

- 3.5.2 The Council's Constitution (Part 4, Section 4) states that the Policy and Services Committees are to adopt policy development working practices when undertaking their functions to review the Council's actions or to review or otherwise scrutinise outside bodies and processes. The Policy and Services Committees may conduct policy development to:
- Review decisions made or actions taken by the Authority in so far as they have a direct impact on the role or functions of the Committee and the Committee can make recommendations to the relevant Committee on policies, budget and service delivery.
 - Undertake reviews and make recommendations on services or activities carried out by external organisations which affect the Borough of Wirral or any of its inhabitants where this does not fall within the role or remit of another service committee or where it relates to cross cutting issues, including the review and monitoring of contractual and operational performance of shared service partnerships, joint ventures and outside organisations to which the Council makes a resource contribution, focusing on examination of the benefits of the Council's contribution and the extent to which the body concerned makes a contribution to the achievement of the Council's priorities as outlined in the Council Plan 2023 - 2027.

Process

3.5.3 A suggested process for determining and prioritising policy development topics is outlined at Appendix 1. This includes:

- **Identify potential issues -**
 - Consulting with all Members of Policy and Service Committees, Senior Leaders and Council Officers.
 - Looking at Wirral Council Plan priorities, Directorate Business Plans, the Forward Plan of the Council, as well as the MTFS.
 - Considering events and decisions in the Council's calendar that could require an input from scrutiny, such as setting budgets.
 - Reviewing the Council's risk register - analysis of risk registers on an ongoing basis will mean that scrutiny can understand what the impacts might be if risks are likely to occur, and what steps can be taken to mitigate.
 - Evaluating previous Council performance and identifying any follow-up work required to previous scrutiny work.
 - Carrying out work to engage with local people, for example through surgeries, local media, opinion surveys and online forums.
 - Reviewing customer complaints to identify any reoccurring themes.
- **Prioritise topics -** Identify and prioritise potential scrutiny topics, considering the resources they would require and the level of impact they could achieve.
- **Plan policy development and scrutiny work -** Decide which policy topics to review and include them in the work programme.
- **Review and evaluate -** Review progress and evaluate outcomes to demonstrate the value added.

3.5.4 For every item on the policy development work programme, it should be clear:

- What is the issue/activity/project under consideration?
- What would the Policy and Service Committee be asked to do?
- What are the reasons for/expected benefits of policy development in this area?
- Strategic considerations (aligned to the new Council Plan and underpinning strategic framework).
- Is there a specific deadline for the piece of work?

4.0 FINANCIAL IMPLICATIONS

4.1 There are none arising directly from this report.

5.0 LEGAL IMPLICATIONS

5.1 There is a requirement under the Council's Constitution to appoint Members to various panels, advisory committees and working parties. The Active Travel Forum, the Wirral Climate Change Group (now known as The Cool Wirral Partnership), Wirral Flood and Water Partnership, and Hilbre Island Management Committee are not statutory, but are considered good practice for an authority to have a mechanism for engaging stakeholders.

- 5.2 Environment, Climate Emergency and Transport Committee's Terms of Reference now include the role 'as Coast protection authority and lead local flood authority'.
- 5.3 The Flood and Water Management Act 2010, hereafter 'the Act', aims to improve both flood and coastal erosion risk management and the way in which water resources are managed. It creates clearer roles and responsibilities through defining flood 'risk management authorities' (RMAs) and instils a risk-based approach to flood and water management. There is a lead role for local authorities in managing local flood risks (flooding from surface water, groundwater and ordinary watercourses) and a strategic overview role of all flood and coastal erosion risks for the Environment Agency.
- 5.4 The Act places a 'duty to cooperate' on the flood risk management authorities in the exercise of their functions. The way in which the Council delivers this is through working in partnership. In Wirral, the RMAs are; the Environment Agency, Highway Authority and Water & Sewerage Undertakers (United Utilities and Welsh Water).
- 5.5 Whilst no longer a requirement of The Act, best practice would require local authorities to ensure that adequate scrutiny arrangements are put in place. This includes arrangements to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.
- 5.6 The Act does not stipulate the form that these partnership arrangements should take; it is in this capacity that these Terms of Reference seek to formalise the role and responsibilities of the Wirral Flood & Water Management Partnership Group. They also set out how this Group operates in relation to the wider Merseyside Flood & Coastal Erosion Risk Management (FCERM) Partnership and the North West Regional Flood & Coastal Committee (RFCC).
- 5.7 In undertaking policy development work, the Committee shall have regard to the relevant Regulations, statutory and non-statutory guidance issued by the Secretary of State and best practice as issued by the Centre for Governance and Scrutiny (CfGS).

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

- 6.1 There are none arising directly from this report as the Group and Forum are arranged and serviced using existing staff resources.
- 6.2 If any of the options in section 2 were progressed this may increase the resource implications.
- 6.3 Membership of the policy review can consist of cross-party representation based on individual interest in the policy development topic and availability to commit to policy development meetings.
- 6.4 If the Committee so wishes, support will be provided by the relevant Lead Director to identify topics that could benefit from policy development (linked to work already underway in the Directorates). An Officer Team relevant to the policy development

topic selected will also be established to support Members to undertake the policy development review. This will consist of expertise from the relevant Directorate, Policy & Strategy support in relation to research development and to ensure strategic alignment (particularly through the new Council Plan), Democratic Services support to ensure policy development is captured through Committee work programming and project support as required.

7.0 RELEVANT RISKS

- 7.1 As these are non-statutory meetings, no risks have been identified from the recommendation.
- 7.2 Once appointed, the Partnership has a role which helps manage flood risks throughout the Borough.
- 7.3 As part of policy development work, Policy and Service Committees should consider what risks might arise from the implementation of any decisions. Analysis of risk registers on an ongoing basis will mean that policy development can understand what the impacts might be if risks are likely to occur, and what steps can be taken to mitigate those risks.

8.0 ENGAGEMENT/CONSULTATION

- 8.1 It is for political groups to decide how they wish to allocate their Committee places and policy development groups.

9.0 EQUALITY IMPLICATIONS

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help Council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
 - 9.1.2 There are none arising directly from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

- 10.1 There are none arising directly from this report.
- 10.2 The Partnership can help to mitigate increased flood risks which may be a consequence of climate change but the partnership and the decision recommended in this report do not have any direct climate change implications.

11.0 COMMUNITY WEALTH IMPLICATIONS

- 11.1 There are none arising directly from this report.

REPORT AUTHOR: Anna Perrett

email: annaperrett@wirral.gov.uk

APPENDICES

None.

BACKGROUND PAPERS

Previous reports on the appointment of panels, statutory / advisory committees and working parties and amendments made during the year and the Council's Constitution.

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE	19 June 2023
ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE	20 June 2022
Council (APPOINTMENTS AND NOMINATIONS TO OTHER BODIES AND ORGANISATIONS)	28 September 2020
Council (APPOINTMENT OF PANELS, STATUTORY / ADVISORY COMMITTEES AND WORKING PARTIES; AND MISCELLANEOUS APPOINTMENTS 2019 / 2020)	14 May 2019
Council (APPOINTMENTS TO STATUTORY AND ADVISORY COMMITTEES, WORKING PARTIES AND PANELS 2018/19)	15 May 2018