

ENVIRONMENT, CLIMATE EMERGENCY AND TRANSPORT COMMITTEE

Monday, 19 June 2023

Present: Councillor EA Grey (Chair)

Councillors	S Foulkes	M Booth
	A Ainsworth	G Davies
	G Jenkinson	N Graham
	P Jobson	Jason Walsh
	V Wilson	A Brame

1 WELCOME AND INTRODUCTION

The Chair welcomed attendees and viewers to the meeting and reminded everyone that the meeting was webcast and retained on the Council's website for two years.

The Chair asked those in attendance to observe a minutes silence in the memory of Pauline Fielding MBE who died on the 4th April 2023

2 APOLOGIES

There were no apologies for absence.

3 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST

Members were asked to declare any disclosable pecuniary interests and any other relevant interest and to state the nature of the interest.

Councillor Naomi Graham wished to state a non-pecuniary interest by virtue of her husbands employment and her volunteering. This was in relation to Sustainability Central

4 MINUTES

The Chair requested that the word 'accident' be changed to 'collision' or 'crash' in relation to the public questions on road safety.

Resolved – That subject to the above changes, the minutes of the meeting held on 4 March 2023 be approved and adopted as a correct record.

5 PUBLIC AND MEMBER QUESTIONS

5.1 Public Questions

The Chair indicated that 22 Public Questions had been received, those in attendance were invited to ask their question, but due to timings a written response was promised to those unable to attend.

Ian Farrell asked a question regarding a field around Woodchurch leisure centre which had previously been a wildflower meadow, but had recently been dug up. He queried if this could have been retained to counteract beach management. The Chair stated she was not aware that the Woodchurch field was as heavily protected as Hoylake Beach but noted that the Council had been successful in receiving a grant to build a 3g pitch there.

Don Naylor asked a question regarding the proposals for the HyNet North West regional energy network based around 'blue' (or fossil) hydrogen and carbon capture and storage (CCS) under Liverpool Bay. The Chair noted these concerns and asked that the information provided by Mr Naylor be shared with officers and Metro Mayor.

William Tomlinson asked a question regarding public consultation on 5g towers and 15-minute neighbourhoods, claiming a vast majority of the public know nothing about them. The Chair advised that Councillors are informed of 5g Mast Installation and are able to share this information with constituents. The Chair also noted that the public should be informed as to the principals of 15 Minute neighbourhoods and asked that an information statement is published to address this.

Niamh McGarry-Gribbin cited various studies which de-bunked climate change, and queried what credible scientific data is relied on to justify the plans for low traffic neighbourhoods and the goal for net zero carbon. The Chair responded to agree that anthropogenic climate change is not universally agreed upon. However, we must follow national and international law and the Gov has signed legally binding agreements to act on evidence provided by the overwhelming majority of scientists who tell us that climate change is real. The Chair agreed that we should provide credible evidence regarding LTN and our net zero ambitions.

Rebecca Lowe asked a question relating to concerns about the Fender Lane Cycle Path and stated that there was congestion from Bidston Tesco to Moreton roundabout and she had concerns as a local business owner that this increased traffic will affect business. Ms Lowe queried issues with safety, people crossing red lights and access for emergency vehicles. The Chair responded to say that emergency services had been consulted and had

reported any problems with emergency services accessing, but urged Ms Lowe to contact the police if she was aware of vehicles crossing red lights.

Wendy Bennett asked a question regarding the Pasture Road Cycle Lane Between Bidston and Moreton noting that she had rarely seen more than one or two cyclists on it or using it correctly and asked what had the impact on traffic congestion and safety been. The Chair responded to say that following a survey of traffic at this location, there would be an analysis of results. If the survey suggests officers needed to change anything that this would be considered.

Paul Kelly asked a question regarding a proposal to store carbon dioxide 'off shore' in Liverpool Bay and he would appreciate the Council informing residents which method is being proposing to use to store the carbon dioxide whilst it is on the Wirral. The Chair responded to say that the Business Group HyNet North West, had plans for carbon capture and storage in Liverpool Bay, after piping it across north Wales. They plan to pipe Hydrogen across Wirral. The Chair confirmed that that Council is not proposing to store CO2 anywhere except in trees and other vegetation.

Sandra Richards asked a question relating to Low Traffic Neighbourhoods and queried the restriction on freedom to travel outside the 'zones'. The Chair responded to say that there were no plans to restrict freedom to travel outside of Low Traffic Neighbourhoods and stated that further information on this will be published in due course.

Derek Holmes asked a question regarding the number of complaints the Council have received regarding the cessation of maintenance at Hoylake Beach, noting that it had been an amenity beach since before the Second World War. The Chair confirmed that she will get confirmation of that but noted that the Council had also previously been criticised for spraying and raking the beach. If Council resumed the practice now without permission, then it would be breaking the law and could face unlimited fines.

Nicola Verkade asked a question regarding Habitat Regulations Assessments (HRA) and when these are required for certain activities. It was suggested that the Council could add signage on Hoylake Prom reminding groups to check if their activity requires a HRA and how to apply. The Chair responded to confirm that signage is planned for the area and can include information on HRA.

Julien Priest asked a question regarding whether the recent application for Village Green status or a recently submitted legal challenge letter from a local Hoylake resident had had any detrimental effect or may delay the ongoing consultation process for future Hoylake foreshore management. The Chair confirmed that following Committee's resolution of November 2022, the officers have been undertaking the study of the 2 beach management options with MEAS and NE as directed by committee and will be reporting back to

Committee later this year. This work and timescale have not so far been affected by recent applications and challenges.

Charlotte Smith asked a question regarding the inclusion of beaches in the Chair's portfolio when she was a Cabinet Member in 2019, the decision to cease the existing beach maintenance plan and queried impartiality and whether this would have prejudiced and consultation process. The Chair responded to say that the Cabinet Member decision of 2019 was not 'arbitrary' but followed a long discussion with NE in which she was told that NE were investigating Wirral Council for potentially breaching their agreement with NE and for spraying and raking beyond that which was agreed, allegedly destroying protected habitats in the process. It was noted that the final consultation is yet to happen but that 2 options had been put forward by the Committee for consultation.

A supplementary question was asked regarding of pre-existing legislation and agreements regarding the beach, including the need to address blue health and human activities, which would negate the decision of the environmental chair and public consultation process, and if so why was this ignored. The chair responded to say a written answer would follow.

Kathleen Littler asked a question relating to the elderly population in Hoylake who may not have internet access and may be unaware of what is happening at Hoylake Beach in terms of beach management. Committee was asked to ensure that all members of the community are able to have a voice and suggested letters or leaflets are sent to inform and gauge local views. The Chair stated that the public engagement and consultation exercise included not just digital opportunities, but also in-person and face to face sessions with officers responsible for the beach, answering public questions and supplied paper copies of the consultation documents.

All question not asked at the meeting will be published as an addendum to the minutes.

5.2 Questions by Members

Councillor Vida Wilson stated that none of the Moreton West and Saughall Massie Councillors had received notification of the Fender Lane cycle lane in advance. The Chair responded to say that she had been advised that ward Councillors had been informed, and would make further enquiries.

6 CARBON BUDGET PERFORMANCE REPORT 2023/23

The Assistant Director for Climate Change and Environment introduced the report of the Director of Regeneration and Place. Members were informed that this was the third annual Carbon Budget Performance Report and covers the 2022/23 financial year. It showed actual emissions compared against the 2022/23 Carbon Budget Target. This allowed the Council to measure

progress towards its target of carbon net zero by 2030 as included in the Environment and Climate Emergency Policy.

The Carbon Budget emissions limit for 2022/23 was 5,944 tonnes CO₂e. Net actual emissions were 5,661 tonnes CO₂e which is 283 tonnes CO₂e below the limit set for the year. It is expected that future Carbon Budget targets will become progressively more difficult to achieve and considerable effort will be needed to remain on-track. The Carbon Budget sets an emissions limit of 4,505 tonnes CO₂e for 2023/24 – a reduction of 1,003 tonnes CO₂e in comparison to 2022/23 performance. This reduction will only be achieved if fossil fuel use for heating is reduced significantly. The reduction in emissions over 2021/22 has been achieved because of green electricity purchase and reduced use of energy in Council assets. Emissions associated with use of electrical energy have also reduced because of adjustments to Government conversion factors. Although the target has been met, the reduction of emissions associated with use of fossil fuels is identified as a key issue that needs to be prioritised.

Actions to preserve current performance and achieve further reductions are described. Steps to include more emissions sources for the next re-baselining are noted and documented. Longer-term issues that will have to be addressed to meet the 2030 target are noted.

Progress of the actions was summarised within the report, which looks ahead to priority actions the next 12 months to ensure that the Council remains on track to deliver its carbon budget targets. Members were informed that the single most important action for the Council to undertake in the coming years is the decarbonisation of its buildings to reach net zero.

Members queried the achievability of the targets for all Council Departments and if performance indicators were in place. Members were informed that the first carbon budget targets were introduced in 2010 and was refreshed in 2019 to meet net zero targets. Some will meet targets more easily, but officers are working closely with departments to ensure that the right actions are taken to meet targets, however it is not prescriptive.

Resolved, that - Council's performance and progress towards its target of carbon net zero by 2030 be noted and a copy of this report be sent to all Members.

7 ENVIRONMENT & CLIMATE EMERGENCY ACTION PLAN PROGRESS REPORT 2022/23

The Climate Emergency Manager presented the report of the Director of Neighbourhood Services. Members were informed that Wirral Council declared an Environment and Climate Emergency at an extraordinary meeting

of full Council on 15 July 2019 and through this committed to action the ecological and climate crisis we face.

The Council developed an Environment and Climate Emergency Action Plan (ECEAP) in response to the declaration. This report provides the second update on the Council's response to the declared environment and climate emergency and progress on the Environment and Climate Emergency Action Plan, covering the 2022/23 financial year. The Environment & Climate Emergency Action Plan supports the delivery of the Environment and Climate Emergency Policy and the Wirral Plan 2021-2026 'Sustainable Environment' theme; 'Working towards a clean-energy, sustainable borough that leads the way in its response to the climate emergency and is environmentally friendly' and the Active and Healthy Lives theme: 'Working to provide happy, active and healthy lives for all'.

Members queried a wide range of topics from tree, electric charging points and planting architecture in parks, to new Council Premises. Also discussed was how the vulnerable could be protected against the implications of climate change.

Members also discussed the Carbon Literacy training provided to Members and Officers and discussed this being available to all report writers. It was requested that a copy of the report be circulated to all Members.

Resolved – that,

- 1. the progress of the Environment & Climate Emergency actions undertaken in 2022/23 be noted; and**
- 2. the priority actions for 2023/24 be endorsed.**

8 PARKING ENFORCEMENT CONTRACT RENEWAL OPTIONS

The Assistant Director for Highways and Infrastructure presented the report of the Director for Neighbourhood Services. Members were informed that the Council has a legal duty to maintain the safe flow of traffic on its network under the Traffic Management Act 2004.

Part of this duty was to deliver a Parking Service which includes the enforcement of on and off-street parking restrictions, the initial processing of penalty charge notices up to and including Notice to Owner stage and the issuing of resident, country park and staff parking permits and parking dispensations. The service also provided emergency cover for the school crossing patrol service. The incumbent contractor is NSL Limited, Registration No. 06033060. The Council have worked with NSL for almost 20 years.

The purpose of this report was to seek approval for a 5-year extension to the Council's current parking enforcement contract with NSL Limited.

Members queried efficiencies including a reduction in staff, the length of contract and length of time to bring the service back in house, querying associated benefits. Members requested more detailed reporting being brought back to committee in the next few years to look at options. Also discussed was key performance indicators and contract compliance. Members also noted residents' complaints about parking on double yellow lines not being ticketed.

On a motion by the chair, seconded by Councillor Jenkinson it was,

Resolved – that,

- 1. The extension of the current contract for parking enforcement services with NSL Limited, Registration No. 06033060 for a further period of 5 years be approved.**
- 2. A report be brought back to Committee in advance of the 2026 review, looking at in-house and hybrid provision.**

9 DEVELOPMENT OF A WIRRAL PARKING STRATEGY

The Lead Commissioner for Transport and Technology introduced the report of the Director of Regeneration and Place, which provided Members with an update regarding the on-going work to develop a parking strategy for the borough and sets out the results of phase 1 of public and stakeholder consultation.

The report also seeks approval to undertake phase 2 of consultation. A further report will be submitted to this Committee in December 2023 for consideration of the feedback from the phase 2 consultation and seeking approval for the adoption of a parking strategy.

Members discussed the report and noted that some car parks were significantly underused and opportunities for rationalisation. Residents Controlled parking zones, especially in busy areas around Schools were flagged as something that needs addressing and traffic displacement. Also discussed was dynamic pricing and price management as well as the possible impact on local shopping areas. Members queried the consultation process and getting the comms right, this included adding a section on the Council Website about current consultation.

Resolved – that the Director of Regeneration and Place be authorised to undertake further consultation in Summer 2023 on the potential

interventions (as identified in Section 3.11 of this report) to be considered for inclusion in a Wirral Parking Strategy.

10 **GROUNDS MAINTENANCE MACHINERY – AWARD OF CONTRACT**

The Strategic Manager for Parks and Gardens introduced the report of the Director of Neighbourhoods.

This report requested that the Environment, Climate Emergency and Transport Committee approve the purchase of Parks Machinery, following a recent competitive tender exercise, from the Parks Machinery Capital included in the Council's Capital Programme. This report supports two key priorities in the delivery of the Wirral Plan: -

- Sustainable Environment – the Parks Machinery will be used to manage parks and open spaces, including the management of woodland, beaches, and rewilding / pollinator areas.
- Active & Healthy Lives – The Parks Machinery will be used to maintain the significant number of play pitches within the borough and recreational parkland.

Members were informed that The Parks & Countryside Service used a wide variety of machinery to maintain Wirral's parks and open spaces, play pitches, cemeteries, highway verges and beaches. The majority of machinery was 10 years old or older and has reached the end of its useful life and needs to be replaced.

Members queried the purchase of the beach rake, but not the tractor. Members were informed that the rake was required and that purchasing a tractor would follow. Members noted that some of the equipment used by parks and countryside was past its best, and highlighted how important it is to maintain outside spaces.

Resolved – that the Director of Neighbourhoods be authorised, following the recent competitive tender exercise, to award the contracts to purchase the Grounds Maintenance Machinery detailed in this report from the highest scoring bidders in accordance with the Most Economically Advantageous Tenderer Criteria.

11 **FUTURE OF PARKS TENNIS - IMPLEMENTATION AND PROCUREMENT OF THE FUTURE OPERATING MODEL UPDATE**

The Engagement and Modernisation officer for Leisure Services presented the report of the Director of Neighbourhood Services. The report provided the Committee with an update on the sustainable operating model and programmes of inclusive tennis activity that prevented low income from being

an obstacle to participation in tennis across the borough. The report included details of how the model supported social inclusion and overall participation in relation to the acceptance of the Lawn Tennis Association's (LTA) capital grant funding for tennis court improvement works across Wirral, presented to Committee on 21st July 2022. It also provided an update on the current progress of the tennis court improvement works across Wirral.

Members queried re-surfacing issues at Irby Park, Arrowe Park and New Ferry Park. It was noted that these issues had been reserved. Members also queried charging structures and communications. Members were informed that grant funding bid had been secured to ensure residents could access kit. In terms of payment to access these facilities, Members were assured that the fee could be paid monthly. Also queried was Whitfield Common but were informed that Lawn Tennis Associated this did not extent to these Tennis Courts, but officers assured that various options were being considered.

A further discussion was had on barriers to accessing tennis courts, including gating and fencing and ensuring that young people were still able to access the courts.

Resolved – that,

1.the amendment to the charging policy in paragraph 3.28 within the sustainable operating model to ensure that low income is not an obstacle to participation in tennis across the borough be approved.

2. the operating model as set out in paragraphs 3.26 to 3.28 of the report be implemented and a local operator with charges set in accordance with the principles contained in Option 3 in Appendix 4 as modified by paragraph 3.28 of the report be procured.

12 **ECET QUARTER 4 REVENUE AND CAPITAL MONITORING BUDGET REPORT**

The Senior Finance Business Partner introduced the report of the Director of Neighbourhood Services. The report provided a summary of the year-end revenue position for the 2022/23 financial year as at the end of March 2023 for the Environment, Climate Emergency and Transport Committee. The report also provided Members with an overview of budget performance to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets.

Members were informed that the year-end revenue outturn for 2022/23 represents an adverse position of £3.437m on the Committee net revenue budget of £63.761m.

Members noted that the delay in the parking strategy had caused a revenue shortfall and queried the projection for that and noted that some of this was due to home and hybrid working as well as the delayed car parking strategy. In terms of mitigations officers were looking at spend against supplies and contracts. Members also queried using one off reserves to bolster the budget and noted concerns regarding that. Members also queried reserves for energy efficiency and were informed that the budget was there to be spent. Various other underspends were discussed included the climate emergency and sought assurance that these items would be brought forward to 2023/24.

Resolved – that,

- 1. the draft, unaudited 2022/23 outturn adverse variance of £3.437m be noted.**
- 2. the draft, unaudited 2022/23 capital variance be noted.**
- 3. Agree the transfer to and use of earmarked reserves, as detailed in Appendix 2 be agreed;**
- 4. the progress on delivery of the 2022/23 savings programme be noted**

13 2023/24 BUDGET AND BUDGET MONITORING PROCESSES

The Director of Finance presented the report which set out how the 2023/24 budget will be monitored through the Committee system, which would facilitate the Policy and Services Committees (the Committees) to take ownership of their specific budgets and present appropriate challenge and scrutiny of Officers on the management and performance of those budgets.

Resolved – that,

- 1. The process for in-year monitoring of the 2023/24 budget be noted.**
- 2. a Budget Monitoring Panel be established to comprise of the Committee Chair and Spokespersons, with sessions to be led by the relevant Director/Assistant Director.**

14 APPOINTMENT TO WIRRAL FLOOD WATER MANAGEMENT COMMITTEE

The Head of Legal Services presented the report of the Director of Law and Governance which enabled the Committee to appoint members and possibly named deputies to the Wirral Flood and Water Partnership for 2023/24.

Resolved – that,

The Committee authorise the Monitoring Officer as proper officer to carry out the wishes of the political group leaders in allocating Members to membership of the Wirral Flood and Water Partnership and to appoint those Members with effect from the date at which the proper officer is advised of the names of such Members

15 APPOINTMENT OF PANELS, STATUTORY/ADVISORY COMMITTEES AND WORKING PARTIES

The Head of Legal Services presented the report of the Director of Law and Governance which enabled the 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.

Resolved – that,

The Committee authorised 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 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.

16 WORK PROGRAMME

The Head of Legal Services presented the Work Programme and informed Members that following the whole-Council elections, the newly composited Committee is invited to review the 2023-24 work programme moving into the 2023/24 municipal year. It is proposed that issues on the existing work programme that are for information purposes only can be considered via other means, such as briefing notes or workshops.

Members requested an update report or briefing on access to green space across the borough, as well as an update on Eco Schools.

Resolved – that the Environment Climate Emergency and Transport Committee work programme for the remainder of the 2023/24 municipal year be noted.

17 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC

Resolved – That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

18 **APPENDIX 1 FOR GROUNDS MAINTENANCE MACHINERY – AWARD OF CONTRACT**

Resolved – That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion