

Environment and Urban Renewal Policy Performance Board PPB.

ANNUAL REPORT 2018/19

FOREWORD

This is my fifth year as Chair of the Environment and Urban Renewal Policy Performance Board PPB.

I'm grateful to PPB Members for their valuable contributions at meetings and in working parties. The quality of the discussions is always impressive and ensures that the PPB not only plays a role in informing and improving the Council's policies and procedures, but also helps with the design and delivery of the services we provide to our residents, employees and businesses in the borough.

One of the highlights during 2018/19 has been the scrutiny topic group which provides proactive input into the Council's future regeneration projects and priorities.

The role and remit of the PPB is wide ranging and we have covered a variety of specialist themes and topics during the last 12 months. I hope that the short summary outlined in this annual report adequately reflects this.

I am looking forward to the varied agenda of the new scrutiny year.

Councillor Bill Woolfall
Chair, Environment and Urban Renewal Policy and Performance Board

MEMBERSHIP AND RESPONSIBILITIES

The Board comprised eleven Councillors:-

Councillor Bill Woolfall (Chair)
Councillor Mike Fry (Vice-Chair)
Councillor Marjorie Bradshaw
Councillor Bob Gilligan
Councillor Harry Howard
Councillor Alan Lowe
Councillor Keith Morley
Councillor Paul Nolan
Councillor Joe Roberts
Councillor Pauline Sinnott
Councillor Angela Teeling

The Environment and Urban Renewal Policy and Performance Board seeks to further the Environmental and Urban Renewal of the Borough. It is also charged with scrutinising progress against the Corporate Plan in relation to the Urban Renewal

Priority. The Board is responsible for scrutinising performance and formulating policy in relation to the following areas:

- Highways, Transportation and Logistics (including road maintenance, street, lighting, road safety, traffic management, supported bus services and flood risk management)
- Landscape Services, Parks & Countryside, Cemeteries & Crematoria
- Environmental and Regulatory Services
- Major Projects
- Economic Regeneration and Business Development
- Waste Management and Waste Strategy
- Derelict and contaminated Land
- Housing Strategic Policy
- Sustainability, Climate Change and Biodiversity
- Physical Environment and Planning policies

REVIEW OF THE YEAR

The Board met 4 times during the Municipal Year 2018/19. The Board's work programme covered the scrutiny of relevant Executive Board decisions relevant to the Board's business, agreeing the Service Plans of the relevant Departments, together with monitoring performance against these Service Plans.

Some of the main activities and issues which have come before the Board during the year are set out below.

Public Spaces Protection Order – Dog Control

A new Public Spaces Protection Order (PSPO) was proposed to provide enhanced powers to tackle dog fouling and other forms of irresponsible dog ownership. Members were requested to endorse the control measures that would be contained within the proposed PSPO. It was noted that in addition to the existing four controls which were included within the current PSPO, the following two would be added:

- Restriction on the number of dogs walked at a time; and
- Evidence of the means to pick up dog faeces.

Liverpool City Region Highway Safety Inspection Framework

The Board endorsed a proposal for the Council to adopt the Liverpool City Region Highway Safety Inspection Framework. This was based on a revised UK code of practice for highways authorities, "Well Managed Highway Infrastructure" published by the UK Roads Liaison Group (UKRLG). The Board recommend the Executive Board adopt a revised Council Highways Safety Inspection Policy based on the LCR Framework.

Fixed Penalty Notices

The Board was advised that the following two new Regulations came into force on 1st April 2018:

- The Environmental Offences (Fixed Penalties) (England) Regs. 2017
- The Littering From Vehicles Outside London (Civil Penalties) Regs. 2018

These Regulations provided local authorities with the ability to increase the Fixed Penalty Notice amounts for a range of environmental offences and also gave local authorities increased powers to tackle littering from a vehicle. The Council's current Fixed Penalty Notice (FPN) level for the offences relating to littering, graffiti, fly posting and the distribution of printed matter was £80. Under the new regulations the Council could set a level of £150.

The Board recommended that the Council continued with the default level of £100 set by the new legislation. In addition, the Council had the discretion to offer a discount for early payment of an FPN. The Council had previously approved the time period for early payment discount as being within ten days. The amount payable for early payment in Halton was £75 and it was proposed that the Council continued with this amount and the discount period of ten days from the point of the FPN being issued.

With regard to the FPN amount that should be set for littering offences, Members' attention was drawn to the current FPN levels for dog fouling offences; which was £100, the maximum amount allowable under legislation. Therefore, it was proposed that maintaining FPN levels for a range of environmental offences at the default level of £100 would ensure that a consistent level of penalty charge was applied to both littering and dog fouling offences.

A report be presented to the Executive Board recommending that;

- a. The Fixed Penalty Notice amount for offences relating to littering, graffiti, fly-posting and distribution of printed matter be retained at the default amount of £100;
- b. The Fixed Penalty Notice amount discounted for early payment be retained at the current amount of £75; and,
- c. The time period for early payment discount is approved as being within ten days.

Holloway, Runcorn – Proposed Waiting Restriction Order

The Board considered details of a public consultation exercise on the introduction of waiting restrictions along Holloway in Runcorn. Local residents and their ward Councillors originally raised the proposal in order to address rail commuter parking issues around Runcorn Station. The following options to overcome the parking issues had been considered:

- Double yellow line parking restrictions - would restrict parking for everyone at all times and this was not desirable;
- Residents permit scheme - Residents parking schemes were considered by the Board in September 2009 and were discounted as an option (a summary of the current situation was included in Appendix B). There were currently no plans to introduce Residents Only Parking schemes within Halton; and
- Waiting Restriction Order – was considered to be the most appropriate option.

Therefore, a proposal to prohibit parking for an hour on each side of Holloway during the working week (Monday – Friday) (Appendix A) was advertised on 22nd February 2018, with a four week consultation period ending on 23rd March 2018. During the consultation period 17 objections were received from residents. The objections were summarised in the report but the general view was that the proposal of prohibiting parking for an hour on each side of Holloway during the working week (Monday – Friday) was not workable due to the necessity for residents to move their own vehicles during the day to avoid the waiting restrictions. In view of the objections received, the conclusion was that the restrictions should not be implemented, as although they would prevent commuter parking in the area, they would also have a disproportionate impact on local residents.

The Board determined that the proposal to introduce waiting restrictions on Holloway, Runcorn should not be supported on the grounds of the public objections received.

Environmental Improvement Initiatives

A presentation was given by the Divisional Manager - Waste & Environmental Improvement, who outlined to Members the measures being taken to help tackle incidents of environmental crime; such as littering and fly-tipping. Members noted the structure of the Environmental Improvement Team, their role and enforcement activity undertaken, environmental crime prevention methods and the varying levels of enforcement.

Additionally, the presentation provided the Board with examples of education awareness work carried out by the Team, the number of reported litter, dog fouling and fly tipping incidents and the enforcement action taken and the future use of Community Protection Notices by the Team.

Liverpool City Region Single Investment Fund (SIF)

The Board received a report which provided details on the publication of a Strategic Investment Fund Strategy for the Liverpool City Region Combined Authority (CA) and provided an update on the proposed relaunch of Single Investment Fund (SIF).

A recent review of the existing SIF process had identified a number of areas for improvement, ranging from limited capacity within the CA's Programme Management Team, to projects failing to provide enough information to satisfy the assessment process. The review had also concluded that existing projects within the project pipeline should be revisited to determine whether they could actually be delivered and or could meet the appraisal criteria.

The CA had now appointed a specialist development team to oversee the SIF process. The team had produced a SIF strategy document and the report highlighted details of the changes in approach within the new document.

It was noted that SIF would now be regarded as a recyclable fund, therefore projects may be funded by a loan only, a combination of loan and grant and in certain instances, grant.

Officers from Halton had met with the CA Investment Team to outline Halton's priorities and the Investment Team had visited Halton to share further specific details and information on potential projects. As a result Officers had been working to update the list of prioritised schemes which were based on the priorities identified in the Mersey Gateway Regeneration Plan Plus document, as well as schemes that accord with Halton's sustainable transport priorities.

Apart from SIF and Transformation Funding, the Government would be announcing Challenge Funds as part of the delivery of the Government's Industrial Strategy, these would be relevant to some of Halton's project pipeline.

Revised National Planning Policy Framework

The Board considered a report which provided a brief overview of the main changes included within the revised National Planning Policy Framework (NPPF) which was published by the Government in July 2018. The key part of the new NPPF was the presumption in favour of sustainable development and in particular the titled balance in Para 11 (d) (previously Para 14). Whilst no longer a 'golden thread' for plan-making and decision making, this would remain the key battleground where planning permission was sought on unallocated sites or for which the development plan supported a refusal of planning permission. Full details of the changes within the revised Policy in respect of the following areas, were outlined in the report:

- Greenbelt;
- Viability;
- Appropriate assessment – protection of habitats;
- Standard methodology;
- Small and medium sites;
- Affordable housing;
- Design;
- Heritage
- Town centres;
- Land assembly;
- Strategic and non strategic policies; and
- Transition.

Runcorn Regeneration Update: Delinking and Station Access

A report was presented which provided an update on the planned programmes that see the completion of the Silver Jubilee Bridge (SJB) maintenance works, deconstruction of SJB access road infrastructure in Runcorn ('delinking') and the delivery of enhanced access to enable the Runcorn Station area vision. Work at 'Widnes Loops' would be undertaken consecutively with the delinking works in

Runcorn. The presentation provided a detailed outline of the works to be undertaken, together with a timetable for completion.

Statement of Community Involvement (SCI) S018 Local Development Document

The Board considered a report which provided an update on the review of the Statement of Community Involvement (SCI), a town planning process document. The SCI set out how Councils would engage local communities and other interested parties in producing their Local Plan and determining planning applications.

As with other Local Development Documents, Government required that SCI's should be reviewed, at least every 5 years and the last SCI was adopted in 2013. The SCI would also be updated to include a number of legislative changes to the way that planning documents were prepared.

The Board discussed and received clarification on how Neighbourhood Plans are prepared by a qualifying body and submitted for approval and approved submission of the SCI to Executive Board for adoption.

Government Consultation on Shale Gas

A report to the Board advised on the Council's response to the Government's consultations on changes to the regulation of Shale Gas exploitation. Two consultations had been undertaken by two separate Government Departments. Members noted that permitted development rights (Parliament had already granted an England wide consent for this activity) for mining and minerals exploration and this covers boreholes, seismic surveys and excavations for minerals exploration.

As the consultation closed on 25th October 2018, it was not possible to report the responses to the Board prior to the consultation closing. Therefore. Members considered a copy of the respective responses submitted. It was noted that the Council had submitted objections to both consultations.

Arising from the discussion the Board requested that consideration should be given to arrange a seminar for all Members to discuss the implications around Shale Gas exploitation.

Runcorn Town Park Masterplan - Presentation

The Board received a presentation from the Divisional Manager Open Space Services, outlining the masterplan to improve Runcorn's Town Park. In a series of planned improvements to the park, three different hubs for the park would be created; one in the North, one in the Centre and on to the South. The presentation outlined the improvements to each individual hub which included improvements to entrances, car parks and paths and general maintenance and cleaning. Members noted images of the improvements at Town Park and details on the Environmental Fund that had been used to develop the park improvements.

Household Waste Duty of Care

The Board considered a report which set out details on householders legal “duty of care” to ensure they only give their waste to a licensed waste carrier and considered a proposed level of Fixed Penalty Notices (FPN) for any failure by a householder to comply with their legal obligations.

Under the Waste (Household Waste) Duty of Care (England and Wales) Regulations 2005, householders were required to take reasonable measures to ensure that household waste produced on their property was passed onto an authorised person. An authorised person was defined in legislation but was usually a local authority or a registered waste carrier. It was noted that a householders legal duty was set out in the Waste Duty of Care Code of Practice issued by DEFRA. Failure to comply with the legal obligations was a criminal offence and the primary circumstances where a householder would be deemed to have done so:

- Where an individual passed waste to an unauthorised waste carrier; and
- Where fly-tipped waste was traced back to an individual who was found to have failed to take reasonable steps to ensure that they had transferred the waste to an authorised waste carrier.

The Board was advised that under new regulations introduced in November 2018, an FPN could be issued as an alternative to prosecution. The FPN allowed a more proportionate approach to prosecution for a duty of care offence. Members considered if the default penalty of £200 should be retained or whether an alternative level should be set within the limits set by legislation.

With regard to the level of discount for early payment of an FPN issued for a duty of care offence. Whilst considering the discount, the Board was advised that the FPNs for littering offences applied a 25% discount if the full amount was paid within 10 days.

It was also noted that information would be provided to advise householders of their duty of care obligations in a number of ways; including information leaflets, social media, Inside Halton and by placing information on the Council’s website. In addition, information would be provided to householders who were looking to use a private contractor or any other person to remove waste from their property to ensure they met their legal obligations by carrying out checks beforehand to establish that they were a genuine and reputable company or individual.

Lead Local Flood Authority Section 19 Flood Investigation and Flood Hub

The Board received a report which reminded Members of the Council’s responsibilities as Lead Local Flood Authority (LLFA) under the Flood and Water

Management Act 2010. The report also highlighted the recent flood event at A557 Watkinson Way, Widnes and the Flood Hub website resource.

Annual Road Safety Statistics Report

The Board considered a report which gave details of road traffic collision and casualty numbers within the Borough in the year 2017.

The Board was advised that Appendix A to the report set out full details of the numbers of traffic collisions and casualties in the year 2017, and compared these figures with those from previous years. These results were very encouraging, with a decrease in casualty numbers of people slightly injured and of those killed/seriously (KSI) injured, compared to those figures for 2016. Overall Halton was one of the best performing local authorities both regionally and nationally in terms of casualty reduction in 2017.

In addition, the report highlighted the work the Road Safety Team would continue to undertake during the year with an extensive programme of education, training and publicity.

Regeneration Projects and Priorities Working Party

The Board established a Working Party to review the Regeneration Plan. This comprises projects that facilitate the development of a steady pipeline of regeneration and development opportunities over a 10-15 year period.

The Working Party has enabled Members to contribute to the design and development of future development regeneration schemes, with particular regard to the opportunities that would arise following the completion of the Mersey Gateway and handback of land that was no longer required for this project.

The Working Party has met on several occasions and has considered the following key impact areas and has provided initial comments on each to date. In particular:

- Runcorn/Runcorn Station Quarter;
- The Widnes Waterfront;
- Astmoor Business Park;
- Ditton Corridor; and
- West Runcorn Employment Growth Area.
- Halton Lea Healthy New Town;

A final report will be prepared for the meeting in June 2019.

Business Planning

A Business Planning Working Party was established to select a small number of priority topics to be fed into department business plans for 2019-20. It was noted that the following topics/areas of focus had been selected by the Working Party:

- Opportunities to co-ordinate maintenance activity with partners;
- Improved recycling of food waste;
- Tackling fly tipping;
- Awareness of environmental fund benefits; and
- City region regeneration fund.

Contact Person for this Committee

Members of the Public are welcome at the meetings of the Board. If you would like to know where and when meetings are to be held or if you would like any more information about the Board or its work please contact Tim Gibbs, Operational Director 0151 511 7664.