

ECONOMY AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

17 October 2019 at 6.00pm at the Council House, Walsall

Committee Members Present: Councillor L. Harrison (Chair)
Councillor A. Hicken (Vice–Chair)
Councillor P. Bott
Councillor K. Ferguson
Councillor M. Follows
Councillor S. Johal
Councillor P. Kaur
Councillor I. Shires
Councillor M. Ward

Other Members Present: Councillor G. Ali
Councillor L. Jeavons
Councillor T. Jukes
Councillor R. Worrall

Officers Present:

Steve Pretty	Head of Planning, Engineering and Transportation
Mark Lavender	Head of Programme Management
Matt Crowton	Transportation Major Projects and Strategy Manager
Shawn Fleet	Group Manager - Planning
Matt Powis	Democratic Services Officer

Other Persons Present: Andrew Moulton Lead Petitioner
Sarah Middleton Chief Executive of Black Country Consortium

16/19 Apologies

Apologies for absence were received from Councillors S. Craddock and G. Singh Sohal.

17/19 Substitution

Councillor K. Ferguson substituted on behalf of Councillor S. Craddock and Councillor S. Johal substituted on behalf of Councillor G. Singh Sohal.

18/19 Declarations of Interest and Party Whip

There were no declarations of interest or party whips

19/19 Local Government (Access to Information) Act 1985 (as amended)

There were no items to consider in private session.

20/19 **Section 106 Funding**

Following a request by the Committee, Members received an update on Section 106 contributions by the Planning Group Manager.

Members noted that historically, monitoring and reporting on Section 106 funding was undertaken by an officer within the Councils Strategic Planning Team to ensure with compliance with policies. However, following an organisational restructure, relevant Section 106 responsibilities were shared across Clean and Green, Strategic Housing (affordable housing), Education and Highways directorates.

The Committee was guided through the Section 106 process which was set out as follows:

- Initial stages of negotiating with developers on funding;
- Negotiating specific contributions from developers;
- Consultation with Elected Members;
- Receiving spending contributions.

It was noted that traditionally, the Council was restricted from combining six or more agreements into a single pool. However, in September 2019, the Government carried out a review of the Community Infrastructure Legislation (CIL) regulations which removed pooling controls thus allowing multiple contributions into a single pot.

The Council had undertaken an internal review to streamline Section 106 monitoring services utilising Microsoft Office 365. It was noted that the Council would provide an update on the internal review at a future meeting of the Committee.

The Committee noted that there were 37 secured schemes totalling £861,940 with some contributions spent or committed on specific projects.

A question and answer session took place, the principal points from the ensuing discussion were as follows:-

- A Member expressed concerns about the absence of area action plans which would identify potential projects for Section 106 funding in each locality area;
- A Member sought clarification on whether the Council challenges viability assessments when negotiated Section 106 agreements. In response, the Group Manager of Planning confirmed that there was a consultation process with the District Valuer on viability assessments;
- Concerns were raised about the lack consultation with Elected Members over Section 106 funding;

- The Council was implementing a clawback mechanism which would allow developers to delay Section 106 contributions pending the completion of sales;
- The Committee noted the importance of development management plans that require developers to maintain the local environment. It was highlighted that the Council challenges developers that fail to comply with their planning commitments.

Members expressed concerns about the absence of Portfolio Holders at the meeting and stressed the importance of holding the Executive to account.

The Committee thanked officers for their attendance.

Resolved:

That, an update on Section 106 Funding be presented to a future meeting of the Committee.

21/19 Petition: A Marked, Safe Route along National Cycling Route 5

The Committee considered a petition in regard to a Marked, Safe Route along National Cycling Route 5 which received more than 500 signatures. The Chair outlined the format for the item and invited the petition organiser to introduce their petition.

The Committee received a presentation from Andrew Moulton (Lead Petitioner) and Councillor Worrall which introduced the petition for the Council to consider cycling improvements to complement the National Cycle Network Route (NCN) 5 in North Walsall. The Committee was informed of the following points:

- All cycling networks should provide safe access for all pedestrians, mobility scooters and all cyclists. In addition, all people with or without various types and degrees of disability must be taken into account through consultation and design when considering any barriers;
- Barriers on National Cycling Route 5 were preventing inclusive accessibility on the cycling route;
- Current standards on the mainstream road cycling network presented real risks for adapted cyclists. Positive points of the NCN network include:
 1. Safe environment for all cyclist and pedestrians;
 2. Easy to ride, walk and run with a good ground surface;
 3. Located near residential areas;
 4. Relaxing and scenic route;
 5. Possible direct route in to Walsall Town Centre;
 6. No traffic or direct contact with vehicle fumes;
- The Committee received a demonstration of a modified 'P' Barrier which enables RADAR key users to unlock and lock the barrier allowing access for all. It was noted that this barrier required no regular maintenance;
- Four movable 'P' posts were required across the NCN 5 network;

The Transportation Major Projects and Strategy Manager confirmed that the Council supported the development of the movable 'P' post to open the route to adapted cyclists. He confirmed that improvements to NCN 5 could utilise funding from the 'Better Streets Community Fund' which was launched to assist local streets by making them a better place to live and move in. The Council was preparing to carry out feasibility assessment on proposal and invited the Lead Petitioner to take part in discussions.

The Lead Petitioner welcomed the response and highlighted that the movable 'P' post was made of a high quality metal which requires minimum maintenance. He confirmed that the prototype was made by a local designer and supplier.

Following the presentation from the Lead Petitioner, a question and answer session took place as follows:-

- A Member sought clarification on whether the Lead Petitioner had approached the Disability Forum about the issues of inaccessibility on the NCN network. In response, the Lead Petitioner confirmed that the forum had been positive for the community allowing disability groups to come together to discuss issues. However, he highlighted that the forum was disbanded and re-establishing the forum required significant resources. A Member requested that a Scrutiny Committee investigate the re-establishment of the Disability Forum in Walsall;
- Members expressed concerns about the escalation of anti-social behaviour on the national cycling routes;
- A Member sought clarification on how many users utilise NCN 5. In response, whilst there was not a definitive figure, a survey was carried out between 9.00a.m and 11.00a.m over a 4 week period calculated that over 200 individuals used the network. However, he stressed that the number of users could be higher due to the size of the network;
- Members sought clarification on whether all disability users would be able to utilise the 'P' post. In response, the Lead Petitioner believed the 'P' post would benefit all users of the network;
- Councillor Worrall highlighted the importance of strong cycling links to the town centre to enable healthier transport options which would benefit everyone. In response, the Transportation Major Projects and Strategy Manager welcomed new cycling routes in Walsall and that the Council was working with Transport for West Midlands (TfWM) on the development of the cycling network in the Borough;
- The Committee noted the importance of the cycling network when tackling climate change and developing a long term strategy for cycling in Walsall.

The Chair welcomed proposals on this issue and requested that the Committee receive an update at a future meeting. In response to this, a Member requested that the Committee discuss the Lichfield to Brownhills cycling route as part of this piece of work.

Resolved:

- 1. That, the Council undertake an initial feasibility study to consider the suitability of improvement works to National Cycle Network Route 5;**

- 2. That an update report be presented at a future meeting of the Committee which include details on the Lichfield to Brownhills Cycling Route;**
- 3. That, the Committee request the Social Care and Health Overview and Scrutiny Committee to consider the reestablishment of the Disability Forum in Walsall.**

22/19 Petition: Request a traffic management plan to reduce incidences of speeding on Beechdale

The Committee considered a petition in regard to a request for a traffic management plan to reduce incidences of speeding on Beechdale which had received more than 500 signatures. The Chair outlined the format for the item and invited the petition organiser to introduce their petition.

Councillor Jeavons and Councillor Jukes (Lead Petitioners) introduced the petition which called for the Council to consider a traffic management plan for the Beechdale estate following a recent fatal incident and concerns over road safety.

Councillor Jeavons informed the Committee about the incident which occurred on Cavendish Road on Thursday, 12 September 2019. He highlighted that speeding and dangerous driving were issues affecting the entire estate. Whilst the Police had requested residents to report all issues of speeding or dangerous driving, residents felt that the Council needed to undertake a traffic management plan to assist the community to lead safer lives.

There were concerns that without a complete traffic management plan, drivers would identify loopholes which avoid traffic calming measures.

Members noted that the estate was subject to a Public Spaces Protection Order (PSPO) which restricts incidences of nuisance, annoyance, alarm or distress involving any vehicle or person.

In response to the petition, the Head of Planning Engineering and Transportation informed the Committee that the Council undertakes speed surveys on all A and B roads annually and surveys C roads on alternate years. In March 2019, the Council undertook a speed survey in Beechdale which concluded that out of 4 roads surveyed, only Reedswood Way recorded an average speed above 30mph at 33.5mph. In addition, average speeds on all of the C classification roads on the estate had reduced compared to speed statistics in 2017. As a result, based on statistical information on speed and traffic incidences in the area had assessed the estate as a low priority for road safety measures when measured against other locations in the Borough.

As the incident on 12 September 2019 was a criminal matter, the Police was the sole responsible authority to deal with matters relating to crime and disorder. However, the Council recognised community concerns over road safety in the area and had recently considered Cavendish Road for the provision of a new

zebra crossing. However, the location failed to meet the criteria for funding based on Department for Transport guidance.

Due to community concerns, the Council authorised the use of vehicle activated speed signs (VASS) on Cavendish Road and other surrounding roads. In addition, the Police would take appropriate speed enforcement operations across the Beechdale area.

Following the responses from the Lead Petitioners and Head of Planning, Engineering and Transportation, a question and answer session took place as follows:-

- The Driver and Vehicle Licensing Agency (DVLA) was carrying out enforcement on the estate following issues with vehicle tax evasion;
- The Council urged the community to report any incidences of dangerous driving or speeding to the Police for action;
- Whilst the Council was unable to predict future traffic plans, the Council worked with the Highways Agency and Network Rail to understand traffic flows and demands so to accommodate appropriate improvement works and maintenance;
- A Member sought clarification on whether maximum speeds were recorded on the estate. In response, the Head of Planning, Engineering and Transportation confirmed that the Council undertakes annual speed studies across the road network which assists the Council and it's partners to undertake relevant enforcement based on evidence. However, the Council only records speed averages and incident data;
- A Member asked what the public could do to combat reports of speeding and dangerous driving. In response, the Head of Planning, Engineering and Transportation highlighted that any incidences of dangerous driving or speeding needed to be logged with the Police as recorded data assists the Police in understanding local data patterns and allows the Police to prioritise areas which require support;
- A Member sought clarification on whether average speed cameras were an option for speed enforcement in the Borough. In response, the Head of Planning, Engineering and Transportation confirmed that Birmingham and Sandwell had implemented average speed cameras which had worked effectively in reducing incidences of excessive speeding.
- The Council was committed to investigate speed reduction methods which worked for the Borough and tackling issues of drivers driving through red traffic lights;
- A Member enquired whether the speed limit for the entire estate could be reduced from 30mph to 20mph to assist with speed reduction measures. The Committee noted that a response would be provided in writing;
- A Member highlighted concerns about the crossing located next to Bloxwich Academy. It was requested that the Council establish a School Crossing Patrol on Bloxwich Lane, Beechdale to improve road safety in the area.

Following the debate it was **moved** by Councillor Ward and duly **seconded** by Councillor I Shires that:-

- *The Cabinet undertake a highways review on traffic management and speed reduction measures on the Beechdale Estate.*
- *A Community Speed Watch be established to monitor excessive speeding.*
- *The Committee establish a working group to examine driving culture in the Borough and investigate good practice.*
- *The Council establish a school crossing patrol on Bloxwich Lane, Beechdale to improve school crossing safety in the area.*

On being put to the vote the motion was declared carried.

Resolved:

- 1. That, the Cabinet:**
 - a. Undertake a highways review on traffic management and speed reduction measures on the Beechdale Estate;**
 - b. Establish a School Crossing Patrol on Bloxwich Lane, Beechdale to improve school crossing safety in the area.**
- 2. That, the Council empower the local community to organise a Community Speed Watch to monitor excessive speeding;**
- 3. That, a Working Group be established to examine driving culture in the Borough and investigate good driving practice.**

23/19 Presentation from Black Country Consortium

The Committee received a presentation from Sarah Middleton, Chief Executive of the Black Country Consortium and Mark Lavender, Head of Programme Management about the role of the Black Country Local Enterprise Partnership (LEP).

The Committee noted the following points:

- The LEP Board had made good progress achieving gender balance on the Board. However, the Board hoped to achieve an even 50:50 balance of male and female Board Members by July 2020;
- 11 spatial zones across the Black Country had identified pipeline opportunities to deliver growth;
- Gross Value Added (GVA) per head of population had increased to £18,254 which represented a +4.1% growth compared to 2.9% nationally;
- West Midlands Local Industrial Strategy identified four strategic market driven opportunities which remove barriers to productivity and growth;
- Employment Rate was 69.2% between January and December 2018. However, this was below the national average;
- The number of apprenticeships had declined in the Borough;
- Brownhills had the highest rank out of all of the Black Country towns for environmental factors including accessible greenspace, heat island, water quality and access to woodland;
- Since 2010, Walsall's carbon emissions had reduced by 22.5% which was lower than Black Country average of 24.5%;

- The LEP was working with Western Power to remove any obstacles for energy distribution to vital industrial sectors in the Black Country;
- As of October 2019, the total identified investments for Walsall was reported at £0.66bn;
- LEP funding had been used towards major projects in the Borough such as M6 Junction 10, Walsall College (IT Academy) and Phoenix 10.

A question and answer session took place and following on, the principal points from the ensuing discussion:-

- A Member sought clarification on brownfield regeneration in the Borough. In response, it was noted that the LEP utilised funding from the Land and Property Investment Fund to decontaminate brownfield land into other purposes. The Committee noted that funding had been used for the decontamination of the land for Phoenix 10.
- Members noted the significant investment into the Borough from the LEP. In reference to upgrade works at M6 Junction 10, a Member requested an update at a future meeting of the Committee;
- In regard to the Land and Property Investment Fund, it was noted that without sustainable funding, contaminated land would remain vacant for years;
- A Member sought clarification on whether Walsall received an adequate share of LEP funding. In response, the Committee noted that out of the four Black Country areas, Walsall received the biggest amount of funding.
- The development of a strategic funding pipeline had been critical for the LEP to attract funding and be ready for future funding from the Government;
- The Vice-Chair requested a breakdown of the Carbon Emission data per sector. In response, it was requested that this information be provided in writing;
- A Member sought clarification on how the LEP assists Councils and businesses to improve the environment. In response, the Chief Executive confirmed that the LEP gathers intelligence and seeks relevant funding from external agencies such as the Woodland Trust or Canal and River Trust for environmental projects;
- A Member informed the Committee about a local issue with Natural England removing tress from Brownhills Common. He highlighted that the trees contribute to the reduction of air pollution in the surrounding area. The Chief Executive requested that a response would be provided in writing;
- Members noted the previous the LEP's Assurance Framework on the Governance arrangements for LEP's across the country. The Head of Programme Management confirmed that as Council was the accountable body, it was responsible for scrutinising the LEP's work across the Black Country. As a result, it was requested that the Chief Executive of the Black Country Consortium be invited to attend the Committee annually.
- A Member enquired about the future of EU funding for the Black Country. In response, the Chief Executive confirmed that the future of EU funding would be provided by the UK Shared Prosperity Fund. However, it was noted that the LEP was awaiting on further clarification details from the Government in this respect;
- It was noted that only Local Authorities or Combined Authorities had the relevant powers in regard to compulsory purchase orders.

The Committee thanked Sarah Middleton and the Head of Programme Management for their attendance and praised the work carried out by the Black Country LEP.

Resolved:

- 1. That, the presentation be noted;**
- 2. That, information on the issues with tress on Brownhills Common relating to Natural England be provided to Members of the Committee in writing;**
- 3. That, information on the Carbon Emission data per sector be provided to Members in writing.**

24/19 Areas of focus – 2019/20

The Committee considered its areas of focus and the forward plans of Walsall Council, the Black Country Joint Executive Committee and West Midlands Combined Authority Board.

The Committee raised concerns regarding 'to follow' reports and the general lateness of reports to Committee meetings across the Council. In addition, Members expressed concerns over the absence of Portfolio Holders at Scrutiny meetings. It was requested that the Chair write to the Leader of the Council in this respect.

A discussion ensued about the Committee's Work Programme for 2019/20, it was requested that the following items be included onto the Committee's work programme:

- Update on the Moxley Park and Ride;
- Cycling Routes in Walsall;
- M6 Junction 10.

Resolved:

- 1. That, areas of focus 2019/20 and forward plans be noted;**
- 2. That, the following items be added to the Areas of Focus for 2019/20:**
 - a. Update on the Moxley Park and Ride;**
 - b. Cycling Routes in Walsall;**
 - c. M6 Junction 10.**

25/19 Date of next meeting

It was noted that the next meeting would take place on 21 November 2019.

Termination of Meeting

There being no further business, the meeting terminated 8.30p.m.

Signed:

Date: