

## **Minutes of the Communities Overview and Scrutiny Committee meeting held on 15 January 2013**

### **Present:**

#### **Members of the Committee**

Councillors Richard Chattaway, Michael Doody, Claire Hopkinson, Barry Lobbett, Chris Saint, Ray Sweet, John Whitehouse (Chair), and Chris Williams

#### **Portfolio Holders**

Councillor Peter Butlin, Portfolio Holder for Transport and Highways

Councillor Alan Cockburn, Portfolio Holder for Sustainable Communities

Councillor Mike Gittus, Support Portfolio Holder for Community Safety

#### **Officers**

Monica Fogarty, Strategic Director for Communities

Simon Moseley, Assistant Lighting Engineer

Mike Cunningham, Principal Lighting Engineer

Steve Smith, Head of Property

Gary Phillips, Deputy Chief Fire Officer

Graeme Fitton, Head of Transport & Highways

#### **Other councillors**

Councillors Jim Foster, Martin Heatley, Julie Jackson, David Johnston, Tim Naylor, and June Tandy

20 members of the public attended the meeting.

### **1. General**

#### **(1) Apologies**

Councillor Claire Watson

Councillor Colin Hayfield, Portfolio Holder for Customers, Access and Physical Assets

Councillor Richard Hobbs, Portfolio Holder for Community Safety

#### **(2) Members' Disclosures of Pecuniary and Non-pecuniary Interests**

None.

#### **(3) Chair's announcements**

The Chair informed the Committee that a tour of the new Fire and Rescue HQ control room had been organised for 2pm to 4pm on 17 January.

#### **(4) Minutes of the previous meeting**

The minutes of the meeting held on 14 November 2012 were agreed as a true record of the meeting and were signed by the Chair.

#### **Matters arising**

Pg 1. The special meeting for consideration of the Long Term Waste Disposal report had to be rearranged - details to follow outside of the meeting.

Pg 2. Speed Limits – following recommendations from the Committee the Portfolio Holder agreed changes to the protocol that were circulated to members.

## **2. Public Question Time**

- 2.1 The Chair announced that as all public questions related to street lighting they would be taken under Item 4.

## **3. Questions to the Portfolio Holders**

### **3.1 Councillor Alan Cockburn, Portfolio Holder for Sustainable Communities**

The Chair asked the Portfolio Holder how the £400,000 fund for the development of market town initiatives, agreed at the last Full Council meeting, would be distributed. The Portfolio Holder responded that there was a formula for grading the level of investment and said he would circulate a briefing note to the Committee explaining the scheme in more detail.

### **3.2 Councillor Mike Gittus, Support Portfolio Holder for Community Safety**

Councillor Richard Chattaway asked the Support Portfolio Holder what impact the reduction in fire safety inspections has had on the Fire and Rescue Service's risk profile of Warwickshire. Gary Phillips, Deputy Chief Fire Officer, responded that due to a reduction in resources (2.5 full-time equivalent posts) the service had re-profiled and was prioritising the highest risk properties. All inspections would still be completed but the reduction in capacity had meant that they would take longer.

## **4. Street Lighting Q&A**

- 4.1 The Chair introduced the item and informed the Committee that the session would focus on the implementation of part-night lighting in Warwick District from 1 December, the cost savings, plans for summer time switch-off hours, and detailed changes and a review of scheme criteria.

- 4.2 Councillor Peter Butlin, Portfolio Holder for Transport and Highways, addressed the Committee and made the following points:

- Due to significant budget reductions from central government, cuts had to be made.
- Warwickshire County Council (WCC) consulted with the police and road safety organisations and based on their recommendations a number of areas including town centres, CCTV areas, footpaths away from main roads, and care homes will continue to have all night lighting.
- Part-night lighting in Warwickshire will deliver £500,000 of savings per year.
- Following the switch-off in Warwick District (12am to 5.30am) a number of representations were made by local business owners who had concerns about their workers getting home in the dark. After consulting with officers, the Portfolio Holder took the decision to move the timing of part-night lighting back an hour on weekends (1am to 6.30am).

- 4.3 The Chair clarified the sequence of events around the implementation. On 1 December part-night lighting was implemented in Warwick District. On 21 December a press release then informed people that the timing of the switch-off was to change from 12am-5.30am to 1am-6.30am. The WCC website had conflicting information (reported by a local blogger). It was reported that the new timings would carry on through the winter period. Then on 4 January a press release said that the timings had been changed to 12am-5.30am on weekdays and 1am-6.30am on weekends. In addition, there was no communication with local members about the changes.

- 4.4 Councillor Sarah Boad addressed the Committee and said that there were failings in communicating the changes to elected members. Councillor Boad also noted that she had sent comments to the street lighting department but had not received a reply. The Portfolio Holder said that communication could have been better and admitted that he should have consulted more widely on the changes. The Portfolio Holder said that he would endeavour to keep further changes to a minimum.
- 4.5 Councillor Chris Saint addressed the Committee and said that there was anxiety about the changes in his locality. Members of the public were unsure about the dates and timings of the switch-off and were concerned about their personal safety.
- 4.6 Councillor Richard Chattaway asked the Portfolio Holder when the decision was made to issue the first press release. The Portfolio Holder responded that he had consulted with officers and made the decision to move the timing of the switch off back one hour (from 12am-5.30am to 1am-6.30am). It was decided that the change should be implemented as quickly as possible so members were informed via press release.
- 4.7 Councillor June Tandy reiterated that informing members of the changes via press release was not satisfactory. When Councillor Tandy made a complaint about the press release she was told that the decision to change the timings was made by Strategic Director not the Portfolio Holder. The Strategic Director was not empowered to make that decision. (Legal Services have since clarified that it was the Portfolio Holder who made the decision, in consultation with officers.)
- 4.8 Councillor Claire Hopkinson asked why there had not been a more thorough trial period to properly address the pressing issues of loss of economy, crime, and safety.
- 4.9 A member of the public from Nuneaton & Bedworth asked the Portfolio Holder why street lights were switched off in areas where there were a lot of elderly people. The Portfolio Holder responded that the Police had advised that care homes should remain lit all night, but could not keep lights on around the homes of all elderly people in the County.
- 4.10 Dan Saving, a former Parish Councillor, asked the Portfolio Holder if the Police were consulted about vehicular and pedestrian safety, and also asked if he was aware that the Road Safety Act relies on adequate street lighting. The Portfolio Holder responded that the Police were consulted regarding the original policy but not the subsequent changes to the timings. He did, however, meet with the police after the changes were made and they were happy with the progress that had been made. The Police have monthly meeting with officers to report any incidents.
- 4.11 Councillor Richard Chattaway said that minutes of meetings between the Police and WCC officers showed that the police have 'no definitive stance on street lighting' and proposed that a letter was sent to the Chief Constable and Police and Crime Commissioner to clarify if they are in favour of part-night street lighting. The Portfolio Holder responded that the Police were 'fully on-board' with WCC and the part-night lighting policy. The Chair agreed that seeing the minutes of the meetings between the Portfolio Holder and the Police would help to address concerns.
- 4.12 Moira-Ann Grainger, Warwick District Councillor, addressed the Committee and said that no residents had sent her any complaints following the introduction of part-night lighting in Warwick District. The Police had reported that there was no change in the level of crime. However, the timing of the implementation, over the Christmas period,

had been problematic - February 2013 would have been more sensible. Communication with both Councillors and members of the public also needed to improve. Councillor Grainger asked the Portfolio Holder to work with returning University students who had concerns about the policy and would make valuable contributions. The Portfolio Holder said he would take those comments on board and will look into working with students.

- 4.13 Birgitta Ashworth, a member of Leamington & Warwick Friends of the Earth, addressed the Committee and said that Friends of the Earth supported part-night lighting because of the significant reductions that the policy would make to the Council's CO2 levels.
- 4.14 Ann Gay, a resident of Bedworth, addressed the Committee and said that if lights were kept on around care homes they should be kept on around the homes of elderly people as well. The Portfolio Holder responded that care homes have lights on all night because care-workers and medical staff come and go throughout the night.
- 4.15 Bill Lewis, a member of Rugby Neighbourhood Watch, asked the Portfolio Holder how much consultation had been done with Rugby Borough Council's Housing Department. The Portfolio Holder responded that all District and Borough Councils had been informed of the changes but not consulted with. However, the scheme could be adjusted based on feedback and would be judged against the existing criteria.
- 4.16 Andy Thomas, a member of the South Warwickshire association of driving instructors asked the Portfolio Holder if he was aware that part-night lighting contradicted parts of the Highway Code – for example, parking at night facing traffic in areas with no street lighting was illegal. The Portfolio Holder responded that whether streetlights were on or off, the law still applies. The Chair requested a written statement from officers clarifying the legal position on these matters.
- 4.17 Councillor Mike Gittus addressed the Committee and said that residents in his area welcomed the switch-off and asked why it could not be implemented sooner. The Portfolio Holder responded that the phasing of the switch-offs was because some areas are still awaiting installation of the switching gear that facilitated part-night lighting.
- 4.18 Councillor Tim Naylor asked how Councillors, Community Forums, and residents could have an input into which lights remained on all night. The Portfolio Holder responded that members of the public can get in touch via the website, phone, or through their local councillor. He said WCC was very willing to listen to any suggestions. There will be a full review of the scheme and the criteria in October 2013.
- 4.19 Councillor Richard Chattaway asked when the decision was made to change the timings and who was consulted. The Portfolio Holder responded that concerned Councillors made representations on Friday 14 December. Local Businesses had registered their concerns with Councillors about their staff getting home from late shifts in the dark. The Portfolio Holder had consulted with officers and agreed a trial change 1-6am. WCC Communications was not clear that the change of timings was a trial period only, that was a mistake.
- 4.20 Councillor Sarah Boad asked if any consideration was given to the numbers of people affected by the changes. Councillor Boad also asked what the evidence base

was for taking the decision. The Portfolio Holder responded that the trial had been very successful and it made sense to continue with the new timings.

- 4.21 The Chair expressed concern that selective input from some Kenilworth members set policy for the rest of the County. There are significant variations in the patterns of work and social activities across the Districts and Boroughs – what suited Kenilworth might not be ideal for Nuneaton for example.
- 4.22 The Chair asked the Portfolio Holder to clarify the countywide policy after March 2013. The Portfolio Holder responded that the current pattern would be implemented across the whole County. A decision had not yet been made on summer time hours. A number of Councillors expressed concern that no decision had been taken and believed WCC should be planning ahead.
- 4.23 A member of the public from Bedworth informed the Committee that on the advice of Dan Byles MP he did a survey and learnt that his street housed high numbers of elderly people – around 75% of residents were over 60. The residents were concerned about their safety when part-night lighting was implemented. The Chair noted that fear of crime continued to be a big issue that needed addressing.
- 4.24 The Chair asked if the service was on track to deliver the promised budget savings. The Portfolio Holder responded that WCC was on track to deliver £105,000 in savings this financial year, partly as a result of the early switch-off. The overall savings programme was on track. In the thirty days that the lights have been off in Warwick District, the Council had saved £15,000.
- 4.25 Simon Moseley, Assistant Lighting Engineer, informed the Committee that the cost of energy for street lighting was the same throughout the year. WCC secured energy at a fixed unit cost on a yearly basis.
- 4.26 Councillor Tim Naylor asked the Portfolio Holder what the revenue implications were for borrowing the money invested in the scheme, and what the maintenance and replacement costs were. The Portfolio Holder responded that the maintenance costs were £80,000 per year and agreed to circulate the rest of the information to the Committee.
- 4.27 A member of the public said that unlit footpaths were a magnet for anti-social behaviour. The Portfolio Holder asked that he emailed him outside of the meeting to provide further details.
- 4.28 Councillor Julie Jackson addressed the Committee and said that residents in her area were very worried about the impending switch-off and asked the Portfolio Holder what the evidenced based rationale was for changing the timings.
- 4.29 The Chair closed the session and thanked everyone who attended for their time and valuable contributions. The Chair, on behalf of the Committee, also commended the street lighting team for their hard work.

#### **Resolved**

1. That the Portfolio Holder shares the minutes from his meetings with the Police regarding street lighting.
2. That officers produce a clear response to claims that part-night lighting contradicts the Highway Code and post it on the website and circulate it to the Committee.

3. That the street lighting team answer all questions that had been submitted to the Committee and the answers be circulated to the Committee.

## **5. Devolved Funding for Major Transport Schemes**

- 5.1 Councillor Alan Cockburn, Portfolio Holder for Sustainable Communities, presented the briefing note and informed members that the proposal was positive and would give Warwickshire more freedom to run local funding schemes. Previously WCC had to bid for schemes from the Department for Transport.
- 5.2 The Chair asked if the funding available, reported to be £20m, was the same money that was available for the previous scheme. The Portfolio Holder responded that there was no new money.
- 5.3 Councillor Chris Saint expressed concerns about the influence of the CWLEP and the issue of political balance. Coventry City Council shared a Local Transport Plan with Greater Birmingham and the Black Country. Centro operated across the Country. There was a risk that Warwickshire could be marginalised.
- 5.4 Councillor Richard Chattaway believed that there should be clear accountability for new schemes. The Local Transport Body should address the issue of accountability at their first meeting.
- 5.5 Monica Fogarty, Strategic Director for Communities, clarified that the Local Transport Body only concerned major schemes – smaller improvements would still be the responsibility of the County Council. Some governance issues are still unclear, we don't know who the Chair will be or if they will have a casting vote, however we would hope to avoid ever being in a situation where that was a problem.
- 5.6 The Chair requested that officers resolved questions of democratic accountability and governance and asked that the Local Transport Body give assurances of transparent decision making.

## **6. Fire & Rescue: Strategic Commissioning and Strategic Alliance Update**

- 6.1 Gary Phillips, Deputy Chief Fire Officer, introduced the report and informed members that the key issues throughout the Strategic Commissioning process were Whole-time Fire Fighters, Strategic Alliance with Northamptonshire, sharing prevention work, and combining services to make further efficiencies. The current Fire Control partnership with other localities had already resulted in significant procurement efficiencies. The Service was also looking at the possibility of joint training facilities, and a joint management team.
- 6.2 The Chair asked for an update on progress made on the fire control integration between Warwickshire and Northampton. Gary Phillips responded that the first stage was to share operational data, which has been completed. The second stage was to get both control rooms operating on a single platform – all hardware has been installed and will be operational in June. Northamptonshire expect to be at the same level in the next 12-18 months. A decision will be made in 2015 about whether to move to a single control room.
- 6.3 The Chair asked what work had been done on joint governance arrangements and how Strategic Alliance would change the nature of the local Fire Authority. Gary

Phillips informed members that WCC's Legal and HR teams are currently consulting on governance issue, developing a single structure for a joint Chief Officer. A report will go to Full Council in February addressing some of these issues.

6.4 Members expressed concerns about the outcome of the Strategic Alliance and believed that WCC needed to be clearer about what the outcomes would be.

**6.7 Resolved**

1. That the Communities Overview and Scrutiny Committee note the progress made to date with the Strategic Commissioning process in Warwickshire Fire and Rescue Service (WFRS) and the Strategic Alliance with Northamptonshire Fire and Rescue Service (NFRS).
2. That the Portfolio Holder meet with the party-spokes people to explore unresolved governance issues related to Strategic Alliance in more detail.

**7. Fire & Rescue: Integrated Risk Management Plan (IRMP)**

7.1 Gary Phillips, Deputy Chief Fire Officer, introduced the report and informed members that following the close of the consultation period the IRMP working group would go through the responses and put together an action plan for delivering the aims and priorities.

7.2 The Chair informed members that in Kenilworth Town Council's Action Plan 2013, there was a brief proposal for a new fire station on land at Thickthorn, and asked if the service could give a definitive statement on this matter. Gary Phillips responded that, as far as he was aware, no one from Kenilworth Town Council consulted with the Fire & Rescue Service about the proposal. The ideal position for a replacement Fire HQ would be south of Leamington Spa. If capital funding was so limited that the service could not afford a new station then the position of the Leamington Spa HQ was sufficient. Moving the station north to Kenilworth would not be a preferred option as it would have a negative impact on response times.

7.3 Steve Smith, Head of Property, addressed the Committee and informed members that the Fire Service had submitted bids for development of a new Fire HQ. Officers had rationalised the specification down, removing accommodation, and the training area, and brought the bid down by £5m. The total funding required from WCC was now £4.2m.

7.4 Councillor Mike Gittus asked why the land-swap deal with a major supermarket fell through. Steve Smith responded that ultimately the supermarket deal was not as good as it appeared to be, there was no training element and that would have meant WCC would have had to pay the balance. Ultimately it was decided that the deal was not a viable proposition.

7.5 Councillor Richard Chattaway requested a briefing note from Steve Smith on the progress made delivering a replacement Fire HQ, which was a key plank of the previous IRMP.

7.6 Councillor Richard Chattaway, Seconded by Councillor Ray Sweet, proposed that the Fire & Rescue Service brought a formal report to the Committee on the replacement of Leamington Fire HQ and it was resolved as set out below.

**7.7 Resolved**

1. That the Communities Overview and Scrutiny Committee support the Integrated Risk Management Plan (IRMP) 2013/17 Public Consultation exercise.
2. That officers produce a report into the replacement of the Leamington Fire & Rescue Headquarters, for the 13 March meeting.

**8. Work Programme 2013**

- 8.1 The Committee made the following additions to the work programme:
- Long Term Waste Disposal Report – special meeting to be organised before the March Cabinet meeting.
  - Rugby Western Relief Road – Lessons Learned and how WCC has implemented the recommendations of the task and finish group – 13 March 2013.
  - Fire & Rescue HQ report – 13 March 2013.

The Committee rose at 1:10pm

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Chair