

**Environmental & Community Services Select Committee**

14 December 2015 – At a meeting of the Select Committee held at 10.30 a.m. at County Hall, Chichester.

Present: Mr Tyler (Chairman)

Mr Barrett-Miles\*  
Mrs Brunsdon  
Mr Circus

Dr Dennis\*  
Mr G Jones  
Mr M Jones\*

Mrs Phillips  
Mr J Rogers  
Mr Whittington

In attendance by invitation: Mr O'Brien (Cabinet Member for Highways and Transport) and Mr Barling (Cabinet Member for Residents' Services)

Apologies for absence were received from Mr S Oakley and Mr Rae

\* left the meeting at 12.55pm, 12.20pm and 12.45pm respectively

**Part I**

**Declarations of Interests**

116. In accordance with the code of conduct, the following personal interests were declared:

Mr J Rogers as a retired member of UNISON in relation to Pagham Harbour

Mr M Jones as a member of Crawley Borough Council in relation to Public Engagement and Consultation on the Future of the 3in1 Card Young Persons Travel Scheme

**Minutes of the last meeting of the Committee**

117. Resolved – that the minutes of the Environmental and Community Services Select Committee held on 18 November 2015 be approved as a correct record, and that they be signed by the Chairman.

**Cabinet Member's response to the Committee's recommendations on Traffic Regulation Orders**

118. The Committee noted the Cabinet Member's response to the Committee's recommendations on Traffic Regulation Orders (copy appended to signed minutes).

**Public Engagement and Consultation on the Future of the 3in1 Card Young Persons Travel Scheme**

119. The Committee considered a report by the Director of Highways and Transport and Head of Transport & Countryside (copy appended to signed minutes).

120. Andy Ekinsmyth, Head of Transport and Countryside and David Crockford, Team Leader, Mainstream and Passenger Transport, introduced the report which gave an overview of the results of the Young Persons Travel Survey (YPTS) carried out in October 2015 and proposals for consultation on future options for the scheme. Key points included:

- The proposal is to consult on various options for the 3in1 Scheme as part of the overall review. The three options have been informed by the key findings of the survey and may be refined prior to any decision on the future of the Scheme after the proposed consultation. The options are:
  - a) To keep the 3in1 Scheme as it is
  - b) To change the 3in1 Scheme to reflect legislative changes, affordability and Future West Sussex priorities
  - c) To cease funding the 3in1 Scheme
- The YPTS was widely circulated to engage with residents with a total of 1580 responses.
- The proposed consultation is intended to start in January 2016 and continue for a period of 12 weeks.
- A correction was highlighted in paragraph 3.2, Line 3 in the report as: -

“and that Apprentices are paid around £100, which can be used to pay for transport.”

121. The Committee made comments including those that follow. It:

- Recognised that the scheme was important and that, as discretionary spending, needed to be reviewed but queried the relevance of a public consultation at this point in time; in view of the fact that parents and users would want to keep such a money saving scheme. An officer advised that the decision has yet to be made but as the scheme is discretionary it needs to be looked at and consulted on to see if it is still delivering what was intended and was still affordable given the current financial situation.
- Raised concerns that the expected savings by the County Council are minimal, the mitigation reported is speculative, and unnecessary financial pressures would be put onto working residents already living on a margin. Questions were also raised over the cost of means-tested benefits and the availability of targeted assistance. An officer advised that savings could be in the region of £600k; that conversations with bus operators were on-

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going and that schools and colleges already carry out assessments for bursary applications.

- Welcomed the scheme as currently helping the young by being of financial benefit but noted that it could be reaching out to more people. Concerns were raised that most people surveyed were not aware of the scheme and previous marketing and publicity strategies were questioned. An officer advised that marketing was usually carried out by the bus operators in partnership with the County Council. Previous campaigns to raise awareness had involved team visits to schools and leaflet distribution.
- Raised concerns that the public has not been given a chance to determine what would be a reasonable amount to pay for the card, questioned how the current £50 charge had been determined and whether it was considered if this had been a deterrent to users. An officer advised that within the consultation the charge may be reviewed and that the current pricing had been set after looking at comparable charging by other local authorities running similar schemes. In addition the number of scheme users, potential income generated from charging for the scheme and the level of financial benefit to the average user informed the decision around the cost of the 3in1 card. Each card holder receives a financial benefit, and therefore represents a cost to the Council. The average net financial benefit is approximately £200 per annum to the over 16's and varies considerably for the under 16's but was approximately £150 per annum.
- Queried whether the County Council is liaising with bus operators prior to the consultation to see how costs can be reduced. An officer advised that while work is always carried out with the bus companies to ensure the best value, it is not possible for bus operators to comment publically for commercial reasons while the scheme is operational. Detailed discussions with them are on-going in parallel with the proposed public consultation. It is also the aim of the bus operators and the County Council to stimulate additional usage outside of school hours.
- Raised concerns that ceasing the scheme or a reduction in the costs would mean that parents would be asked to pay adult fare for those children aged 16 and still of GCSE age. An officer advised that this is a national issue and has been discussed with bus operators who acknowledge it. Bus operators do offer alternative ticket products outside of West Sussex where young persons concessionary schemes (such as 3in1) are not in operation for those reaching 16 and qualifying for an adult fare.
- Queried whether, if the scheme were changed, the process of change would be phased or immediate, and raised concerns over the impact on education and training of the young. It was suggested that more information is needed to see how many will be affected and if the influence of cheaper bus fares is a deciding factor in school or college location. An officer advised that the results from the proposed consultation would determine the extent and timescales for any proposed

changes and that any proposed changes would be brought back to the Committee before a decision is made.

- Welcomed the encouragement of bus usage by young people from the use of the card but noted that one of the impacts of ceasing the scheme could be the increased cost of bus fares for other users; as bus operators would need to make up the loss elsewhere. An officer advised that there should be no increase in fares as the principle of the scheme is that bus operators are no better and no worse off. Therefore if the scheme were removed, bus operators should not see a reduction in income.
- Noted that the scheme take up is predominantly from the geographical areas of Horsham, Crawley and Mid Sussex, so requested awareness that this may affect some areas more than others. Concerns were also raised that Crawley Young Persons Council (CYPC) were not actively engaged as the report states. An officer advised that whilst Crawley Borough Council were consulted, it has become apparent that the CYPC had not been specifically engaged in the YPTS. The proposed consultation would include the CYPC.
- Requested more information and precision within the consultation on what a revised scheme to reduce the costs would look like as set out in option B of the report. An officer advised that, if the proposed consultation were to proceed Option B would be more clearly laid out although noted that including such detail in the consultation may well limit the breadth of data that would be fed back.

122. Mr M Jones made the following proposal, seconded by Mrs Brunsdon which the Committee considered: - That the scheme is maintained as it is now.

A vote was held and the proposal was carried.

123. Resolved – That the Committee: Requests that the Cabinet Member maintains the scheme as it is now, and explores ways in which the scheme can be improved and enhanced to widen take-up, reflecting the current financial situation.

### **Road Safety Framework**

124. The Committee considered a report by Executive Director Communities and Public Protection and Director of Operations (copy appended to signed minutes).

125. Gavin Watts, Director of Operations and Assistant Chief Fire Officer and Andy Ekinsmyth, Head of Transport and Countryside introduced the report which gave an update on the development of a revised draft Road Safety Framework for West Sussex 2015-2026. It represents a change in emphasis for road safety activity, in particular the proposed adoption of Vision Zero, the sufficiency of forecasting milestones, and reporting/governance structures.

126. The Committee made comments including those that follow. It:

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- Welcomed the adoption of Vision Zero but queried how the proposed 25% milestone reduction in the number of KSI casualties against the national baseline average 2005-2009 by the year 2020 had been set and whether it was achievable, particularly given the number of KSI's rising from 2013-14, and the number of serious cyclist casualties increasing by 110%. An officer advised that there were complexities surrounding this figure and there may be limits about how quickly the milestone reductions may be achieved but the aspiration to reach this target was important.
- Recognised that all road users including car drivers, cyclists and pedestrians need to exert better behaviour, act more responsibly and noted the importance of behaviour change and social responsibility to others using the transport network. The safety systems installed on newer cars caused some drivers to travel at higher speeds, and lower fuel costs encouraged more drivers onto the road. An officer advised that behavioural change is exactly what the framework is trying to achieve, along with more focus on enforcement and technology. A strategy to encourage reducing car usage and encouraging alternative forms of transport can be explored.
- Requested the possibility of dealing with accident rates as opposed to absolute number of casualties and required clarity on the definition of seriously injured, as such statistics are recorded on police records which can lead to unexplained year on year figures. An officer advised that accident rates are available. The definition of a serious injury is clearly made in the national reporting methodology and are made by the attending police officer. It is noted however, that the police are reporting accurately and their assessment is the accepted definition. Efforts have been made to link Stats 19 (road casualty reporting) with hospital admission data in an attempt to more accurately record the severity of injury, but linking these records are currently difficult and this is a national problem.
- Queried if practical initiatives such as looking at more 20mph zones, extending the Kill Your Speed campaigns, reviving the Home Zone scheme or car sharing initiatives had been considered. An officer advised that greater engagement with communities will be under-taken. Some developments are built with Home Zone style features and always with safety in mind. Broader discussions within the framework include looking at fleet safety within work places.
- Raised concerns about the safety of young drivers speeding and using mobile devices. The idea of engagement via a programme of education, with the possibility of in-school training to make it more socially unacceptable to young people was discussed. An officer advised this is being considered in the draft West Sussex Road Safety Framework and was also being considered by the Department for Transport.
- Requested that older groups of road users also be a source of focus for education, how cycling and walking fit into the framework and what accident rates are available for cyclists on both urban and rural roads. An officer advised that the emphasis needs to be on those who are most at

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risk and this will include older groups. A key point is offering the opportunity to target such groups especially pedestrians and cyclists. Feedback can be given to the West Sussex Cycle Forum and other groups on request.

- Raised concerns that drivers with health problems may not necessarily declare them and whether there has been any engagement with GPs over the offering of advice to patients to help achieve healthy lifestyles such as taking up cycling. An officer advised, given recent events nationally that this is a national problem and therefore one that we should seek to influence the Department for Transport (DFT) to consider. If GPs have concerns about a patient's ability to drive they notify the appropriate national licensing authority. The West Sussex Road Safety Framework suggests adopting a holistic approach to public health and support adult cycle training. If an older motorist's car use is removed this can lead to an increase in social isolation, which may in turn increase pressures elsewhere in public service, therefore a joined up approach is required.
- Queried what areas are covered by engineering and planning and the drainage issues that occur under maintenance works causing the ponding of rainwater on new roads. An officer advised that accident reduction engineering interventions are looked at where there are sites that have a recorded history of accidents. Elsewhere maintenance issues on new or existing roads are investigated under existing maintenance regimes.
- Raised concerns that road layout problems have not been dealt with, including the potential danger of road edges and kerb height and accommodating high lorries or vans. An officer advised that typically road surface treatments such as surface dressing are thinly laid and so there is no need to adjust kerb height. Where thicker resurfacing is required, the previous surface is removed to maintain kerb height. However this is an issue that can be considered as part of the developing Highway Asset Management Plan.
- Queried whether the removal of some road signs in towns improves driver behaviour and raised concerns that there is no budget available for road sign cleaning. An officer advised that the removal of some signs and white lines has been successful in some areas in terms of reducing road casualties. This is because less visual guidance for drivers results in more thought and attention being paid to their driving and becoming more cautious as a result. The priority with road sign cleaning is with safety signs as opposed to directional signs.
- Raised concerns that the County Council might be implementing a policy with no clear plan as to how aspirations will be reached, and questioned what could be done now that hasn't been tried in the past. An officer advised that governance arrangements including reporting to the Committee annually would be implemented together with a clear action plan. This is an opportunity to make better use of national initiatives and focus on engaging with both individuals and communities, including partnership working. Funding is limited and campaigns that have already been used can be utilised more effectively.

127. Resolved – That the Committee:

- 1) Broadly welcomes Vision Zero, whilst recognising that the targets set are very ambitious.
- 2) Looks forward to commenting on the final vision document including the Action Plan and to scrutinising the Vision Zero results annually.

### **Pagham Harbour**

128. The Committee considered a report by the Director of Highways and Transport and Head of Transport & Countryside (copy appended to signed minutes).

129. Charlotte Weller, Countryside Services Manager and Adrian Thomas, Royal Society for the Protection of Birds (RSPB) introduced the report which provided an update on the management of Pagham Harbour Local Nature Reserve (PHLNR) since its transfer from West Sussex County Council (WSCC) to the RSPB in February 2012. A ten-year Service Level Agreement (SLA) between WSCC and the RSPB helps define the management of the Reserve and a five-year Management Plan outlines the work undertaken by the RSPB and its partners.

130. Dan Sartin, Branch Secretary, UNISON also addressed the Committee with a brief statement (copy appended to signed minutes) providing an update on the staffing welfare commitments given at the time of transfer. Key points were:

- UNISON was involved in the outsourcing discussions prior to the takeover.
- The Strategic Environmental Services Select Committee was reassured at its meeting in May 2011 by the commitments provided around staff welfare. However, of the five staff that were transferred across only one now remains.
- UNISON requested clarification on what has happened to the monies from staff savings and asked the Committee that there be an emphasis on contract management and staff welfare when outsourcing proposals are considered by Select Committees in future.

131. The Committee made comments including those that follow. It:

- Welcomed the management of the Harbour as an internationally important site for wetland wildlife but questioned whether key areas had been delivered; such as increased income and maintaining staffing. The Committee had previously been given assurances that pensions and staffing would fall within the protections afforded under Transfer of Undertakings (Protection of Employment) (TUPE) regulations; with concerns that raising efficiency for the RSPB had been to the detriment of some staff. An officer advised the County Council is confident the RSPB is managing the Harbour effectively and staff had been transferred in line with TUPE regulations. The transfer allowed WSCC to achieve necessary savings in relation to the management of PHLNR. Since the transfer,

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staffing had become the responsibility of the RSPB and when a staff redundancy occurred it was an RSPB employment matter.

- Questioned details of monies paid to the RSPB under the SLA, what the capital funds are being used for and if those amounts had been match-funded. An officer advised that as part of the SLA the RSPB was paid £25,000 per annum for the first four years. Under the terms of the SLA the RSPB is required to use reasonable endeavours to match fund this WSCC Capital investment. These funds will be used to improve the visitor facilities at PHLNR. The RSPB confirmed a project plan is in place which will deliver the infrastructure improvements. The money has been allocated to projects and grant applications are in place with various bodies to fulfil the match funding requirement. A fundraising officer has been employed, but, if funding bids are unsuccessful, the RSPB will allocate some of its own money. The RSPB is on course for delivering the programme of improvements.
- Queried how much income the RSPB brings in to manage Pagham Harbour, the level of savings realised through the single redundancy, and what the cost is to the County Council. An officer advised that any savings the RSPB might make will be looked at when it comes to renegotiating the SLA. In 2014-15 income was £218,000, in 2013-14 income was £230,000, and in 2012/13 income was £176K. The RSPB explained that there were more staff now employed to work on Pagham Harbour than under WSCC, and hence no such savings overall.
- Queried if the RSPB had made enhancements to the Visitor Centre as agreed under the existing SLA. An officer advised that improvements had been made, but some of the future plans were subject to planning delays as the Centre sits on an old landfill site.
- Queried how many visitors per year the Harbour currently receives in comparison to pre-transfer levels. At the time of the transfer this was estimated as 200,000 per year. An officer advised that overall there is no evidence to show a decrease in visitors.
- Queried if there had been any conflict between the RSPB and anglers over bye-laws that include fishing and bait digging and whether the existing bye-laws would benefit from a review. An officer advised that in 2013 the use of permits to restrict anglers had ceased, so fishing and bait digging is allowed for personal use. The County Council is responsible for the review and enforcement of bye-laws and as a number of them are defunct it is recognised the PHLNR bye-laws need to be updated. It was very much the last resort for WSCC to prosecute as taking action through educating people was seen to be more effective. If prosecution was required WSCC legal services would be used. The bye-law review is scheduled for 2016 following the Re-declaration of the PHLNR boundary in 2015.
- Queried how long the Boating Code of Conduct will take to develop and implement as there were concerns that inflatable boats and jet skis are being used in the Harbour, disturbing the wildlife inhabitants. An officer

advised there was already a Boating Code of Conduct in place which can be found both on the website and on-site. The Code was developed with the local community and stakeholders including Parish Councils and Pagham Yacht Club. The public are asked to report incidents directly to the RSPB Reserve Team if unauthorised jet skis or boats are seen in the Harbour.

- Raised concerns over car park capacity and the closure of the Pagham Spit car park, causing public access restrictions (including wheelchair users) to the Harbour and questioned if there were future plans to reopen the car park. An officer advised that Pagham Spit car park was leased by the County Council and was closed before the transfer and hence is not within the remit of the RSPB. The car park was closed at the request of the landowner and with the support of the local residents and Parish Council. Officers are aware of the issues this has caused and would always be willing to discuss a suitable resolution.
- Queried what the current plan is for the on-site cottage in the Harbour which had previously been inhabited by the Reserve Manager. An officer advised that the County Council owns the cottage which was previously in use by an employee for the 'betterment of his duties'. As the individual is no longer working in the role the property has been handed back to WSCC. Future plans include selling the land on the open market. The funds would then come back to the County Council.

132. Resolved - That the Committee: Notes the information within the report and agreed for it to come back to the Committee in 2 years.

### **Forward Plan of Key Decisions**

133. The Committee considered the Forward Plan January to April 2016 (copy appended to signed minutes).

134. Resolved – That the Forward Plan be noted.

### **Date of the Next Meeting**

135. The Committee noted that its next scheduled meeting will take place on 13 January 2016 at 10.30am at County Hall, Chichester.

### **Urgent Matters**

136. The Chairman informed the Committee that the P&F Select Committee had considered an item recently and he needed to update the Committee on exempt information as a matter of urgency.

### **Exclusion of Press and Public**

137. Resolved - That under Section 100(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as

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defined in Part I, of Schedule 12A, of the Act by virtue of the paragraph specified under the item and that, in all the circumstances of the case, the public interest in maintaining the exemption of that information outweighs the public interest in disclosing the information.

The meeting ended at 2.16pm

Chairman

### **Summary of Matters discussed in the absence of the Press and Public**

#### **Strategic Investment Purchase Update**

(Exempt, paragraph 3, Financial or business affairs of any person (including the authority))

An update was given by the Chairman relating to a site acquisition. The Committee considered the information and welcomed the update.