

**CORPORATE AND ENVIRONMENTAL  
OVERVIEW AND SCRUTINY COMMITTEE**

**HELD: 13 DECEMBER 2012**

Start: 7.30pm

Finish: 8.40pm

Councillors: Bailey (Chairman) Houlgrave (Vice Chairman)

Councillors: Mrs Atherley G Hodson  
Mrs Baybutt L Hodson  
Mrs Blake McKay  
Coyle Ms Melling  
Delaney Nolan  
Dereli Oliver  
Mrs C Evans Pope  
Fowler Mrs Stephenson  
Griffiths Wright

In attendance:  
Councillor

Pendleton

Officers:

Assistant Director Community Services (Mr D Tilleray)  
Customer Services Manager (Mrs H Morrison)  
Assistant Solicitor (Mrs T Sparrow)  
Planning Officer (Mr D Carr)  
Principal Overview and Scrutiny Officer (Mrs C A Jackson)

In attendance:

**41. APOLOGIES**

There were no apologies for absence. Councillor Fowler's apology for late arrival was noted.

**42. MEMBERSHIP OF THE COMMITTEE**

In accordance with Council Procedure Rule 4, Members noted the termination of membership of Councillor Mrs Kean and the appointment of Councillor Pope for this meeting only thereby giving effect to the wishes of the Political Groups.

**43. URGENT BUSINESS**

There were no items of urgent business.

**44. DECLARATIONS OF INTEREST**

Councillor Wright declared a non-pecuniary interest in relation to Agenda Item 11 (Item from the Members Update – Minutes of Lancashire County Council's Health Scrutiny Committee Meeting 16 October 2012) as his wife is an Associate Director of Public Health in Health Protection, Central Lancashire PCT.

**45. DECLARATIONS OF PARTY WHIP**

There were no declarations of a Party Whip.

**46. MINUTES**

RESOLVED: That the Minutes of the special meeting of the Corporate and Environmental Overview and Scrutiny Committee held on 25 October 2012 be received as a correct record and signed by the Chairman.

**47. MINUTES OF THE MEMBER DEVELOPMENT COMMISSION**

RESOLVED: That the Minutes of the Member Development Commission meeting held on 27 November 2012 be noted.

**48. COMPLAINTS MONITORING**

Consideration was given to the report of the Transformation Manager which presented data on complaints received by the Council from April 2011 to March 2012 as contained on pages 205 to 218 of the Book of Reports.

A discussion ensued in relation to the Council's definition of a complaint; the monitoring, identification and presentation of the complaints data.

The Customer Services Manager attended the meeting and responded to questions giving an explanation of the processes involved in relation to receipt, monitoring, capture and presentation of the complaints data.

It was agreed that the provision of information in relation to verbal complaints, particularly those received by telephone, the nature of the interactions and dissatisfaction would be useful when considering complaints monitoring reports.

RESOLVED: A. That in relation to the monitoring of complaints received by the Council that the matter be referred to Cabinet with a request that future reports on complaints monitoring include an overview of the level of verbal complaints received on telephone routes into the Council to see the nature of interactions and frustrations.

B. That the report be noted.

**49. CYCLING IN WEST LANCASHIRE**

Consideration was given to the following two items.

**50. CYCLING IN THE BOROUGH**

Members considered an update on behalf of the Borough Planner on cycling issues in the Borough raised at the previous meeting.

(a) Cycling bye-laws and town centre cycling

The Planning Officer (DC) reported. He explained that Lancashire County Council (LCC) are currently in consultation with the Borough Council to regulate vehicular movement in Ormskirk Town Centre.

Benefits cited included:

- Provision of a vital link with Ormskirk avoiding the busy town centre one way system
- Link to other existing and proposed cycle paths including the proposed link from the rail station to Edge Hill University.

Disadvantages cited included:

- Potential conflict between pedestrians and cyclists.
- Concern over blind/deaf and other disabled groups who may struggle to avoid cycles.

He went on to explain that many towns and cities, including Sheffield, Newcastle and Nottingham have allowed cycling on pedestrianised streets for 24 hours a day for some time. Whilst some towns and cities permit cycling on pedestrianised streets during quieter times of the day including York, Ipswich and Leeds.

It was also explained that research has been carried out by the Department for Transport (DfT) and this with other sources of evidence, has shown that accidents between pedestrian and cyclists are rarely generated in pedestrianised areas and observations have revealed no real factors to justify excluding cyclists from those areas.

The Assistant Solicitor (TS) explained that a LCC Traffic Regulation Order covers the prohibition of cycling in the town centre. She also explained the separate bye-law that specifically covers the movement of traffic, including cyclists, on Market Days.

In discussion Members made reference to:

- The approach adopted by some European countries, including Belgium, Holland and Norway.
- Use of designated cycling paths by cyclists.
- The indiscriminate use, as a thoroughfare, by other road users, including vans and cars of the pedestrian route through the town centre.
- The work being undertaken by LCC in relation to vehicle movement in the town centre.
- The feasibility/operation of rent-a-bike schemes.
- The hazards for cyclists on the ring road, particularly at the narrow section adjacent to Ormskirk Parish Church.
- Maintenance of roads, particularly pot-holes.

(b) Use of footpaths by cyclists

In his presentation the Planning Officer explained that cycling is currently prohibited on footpaths by law and that cycling on the footpaths can cause conflict with pedestrians. He went on to explain the reasons why cyclists choose to use the footpaths including lack of confidence on roads; to avoid traffic controls; poorly designed roads/junctions; poor road surfaces; dangerous roads and to avoid HGVs, heavy traffic. He also explained that the majority of injuries to cyclists occur at junctions.

In discussion Members made reference to:

- Occurrence of injuries resulting from cyclists collisions on public footpaths.
- Regulations associated with young children cycling in town centres.
- Motorists behaviour towards cyclists.
- Lack of knowledge in relation to highway behaviour between motorists and cyclists.
- Relationship between pedestrians and cyclists for joint use of footpaths and common sense approach to that joint use.
- The law in relation to the use of mobility scooters on footpaths.

In response to the query regarding the rights of mobility scooters to use footpaths, the Assistant Solicitor undertook to circulate additional information to review Members.

(b) Use of subways by cyclists

The Planning Officer gave an overview on subway routes used by cyclists.

He explained that all subways in West Lancashire are in Skelmersdale. Subways are key routes for pedestrians and cyclists. They were built as key gateways to avoid crossing busy roads which segregated the town. In recent years the subways have attracted some antisocial behaviour; their appearance appears to be inhospitable and in poor condition.

He reported that the subways are key routes for pedestrians and cyclists and initiatives in relation to discouraging antisocial behaviour and refurbishment of the subways to make them more user friendly, were being considered.

In relation to the subways Members made reference to:

- The number of subways in Skelmersdale (86)
- The need for better signage and markings in the interior and exterior.
- The use of section 106 monies for refurbishments.
- Maintenance of lighting within them.
- Patrolling of the subways to help address anti-social behaviour.

(d) Lowering of raised kerbs at junctions

In relation to the lowering of raised kerbs the following points were noted :

- Any junction change would be subject to consultation with LCC as the responsible authority.
- Lower kerbs at junctions allows for the free flow of cycle traffic and increases access for disabled groups as well as cyclists.

In discussion Members made reference to:

- Attracting support for cycling initiatives through schemes, for example the West Lancashire and Sefton Local Sustainable Transport Fund.

As a result of consideration of the above items the following recommendation was agreed for inclusion in the final review report.

RESOLVED: That in relation to cycling in the pedestrian area of Ormskirk town centre, that a request be made to LCC (as the Highway Authority) to consider amendment to the Traffic Order that restricts cyclists from cycling in that area, for a pilot period.

## **51. PROJECT PLAN**

Members reviewed the Project Plan. It was agreed that the project was now nearing completion and that a draft final report on the review be prepared for consideration by the Committee at the next scheduled meeting to be held on 21 February 2013.

RESOLVED: A. That the review of the Project Plan be noted.

B. That arrangements be made for the draft final report of the review 'Cycling in West Lancashire' to be prepared for consideration at the meeting of the Committee scheduled to take place on 21 February 2013.

## **52. MEMBERS ITEMS**

There are no items under this heading.

## **53. ITEMS FROM THE MEMBERS UPDATE - MINUTES OF LANCASHIRE COUNTY COUNCIL'S HEALTH SCRUTINY COMMITTEE MEETING 16 OCTOBER 2012.**

Consideration was given to the request for further information relating to the Minutes of the Lancashire County Council's (LCC) Health Scrutiny Meeting 16 October 2012 relating particularly to the Update on the Transfer of Public Health to LCC (Minute 4 refers) as contained on pages 223 to 232 of the Book of Reports.

Councillor Dereli sought further information on issues raised at Minute 4 particularly the reference to liaison / operation of the Clinical Commissioning Groups (CCGs) and the Borough Council.

The Assistant Director Community Services gave an overview of the current position in relation to consultation as a result of the PCTs being abolished on 31 March 2013, as part of the Health and Social Care Act 2013, and the transfer of public health responsibilities to the County Council. He referred to the new arrangements that were being put in place, including the establishment of Health and Well Being Boards, explaining that the current thematic groups under the LSP would be re-aligned to provide a West Lancashire Health and Well-Being Board at local level with similar aims and objectives to the work at LCC. He also informed the Committee that a presentation to Members, originally scheduled for October, would now be held on 16 January 2013 which would include contributions from the Assistant Director of Public Health, the West Lancashire GP consortia and the Chief Executive of the Southport and Ormskirk NHS Trust.

He explained that the new public health arrangements would have little impact on Environmental Health, Leisure Services and Housing.

During discussion questions and comments were noted in relation to:

- The role of the Clinical Commissioning Groups (CCGs).
- NHS principles, local health services and arrangements under the new regime.
- Local level opportunities for representation, input and participation.
- The proposed meeting in January 2012 – opportunities to pose questions and raise concerns.

RESOLVED: That the presentation to be held on 16 January 2012 in relation to changes to public health provision be noted.

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Chairman