



## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS)

MEETING HELD AT THE TOWN HALL, SOUTHPORT  
ON MONDAY 19TH FEBRUARY, 2024

PRESENT: Councillor Dowd (in the Chair)  
Councillors Corcoran, Dodd, McKee, Catie Page,  
Sir Ron Watson and Webster

ALSO PRESENT: Councillors Fairclough, Keith, Pugh and Veidman

### 38. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Harvey, Lloyd-Johnson and Christine Maher.

### 39. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

### 40. MINUTES OF THE PREVIOUS MEETING

RESOLVED:

That the Minutes of the meeting held on 16 January 2024 be confirmed as a correct record.

### 41. ADOPTION OF HESKETH ROAD CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN (WITH BOUNDARY CHANGE)

The Committee considered (a) the report of the Chief Legal and Democratic Officer, which set out the decision of the Cabinet Member – Planning and Building Control in relation to the Adoption of Hesketh Road Conservation Area Appraisal and Management Plan (with boundary change) and the reasons why the decision had been called-in; and (b) the report of the Chief Planning Officer which was considered by the Cabinet Member – Planning and Building Control in relation to this matter.

The decision taken by the Cabinet Member – Planning and Building Control on 22 December 2023 in relation to this matter was as follows:

#### Decision Made:

- (1) the adoption of the Hesketh Road Conservation Area Appraisal and Management Plan as a background planning document where there contents will be a material consideration in the determination of planning applications, be approved; and
- (2) the proposed amendments to Hesketh Road Conservation Area

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

shown on the plan appended as Annex 2, under the provisions of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, be approved.

### **Reason for Decision:**

That Cabinet Member approves the documents to fulfil the Council's statutory duties under the Planning (Listed Buildings and Conservation Areas) Act 1990.

### **Alternative Options Considered:**

The alternative options are:

-That no Conservation Area Appraisal nor Management Plan are carried out which would not be in the best interests of preserving and enhancing Hesketh Road Conservation Area.

-That the proposed boundary extension is not approved which means that the current boundary will be retained as it is.

The decision was subsequently called-in by Councillors Lloyd-Johnson, Keith and Pugh.

Paul Fraser, Senior Democratic Services Officer reported on the validity of the call-in and highlighted that the call-in requisition:

- had been received within the specified call-in period;
- had been signed by three Members of the Council who were not Members of the Cabinet, in accordance with the provisions in Chapter 6, Paragraph 38(a) of the Council's Constitution; and
- referred to a specific decision made by the Cabinet Member – Planning and Building Control and provided reasons for call in, in accordance with Chapter 6, paragraph 40 of the Constitution.

Councillor Keith, on behalf of Councillors Lloyd-Johnson and Pugh addressed the Committee and outlined and amplified the reasons for the call-in as follows:

- (1) Bearing in mind the significant legal complications and consequences of this decision we seek to gain better understanding of the decision and its implications.
- (2) We wish to question the manifestly weak and unsubstantiated reasoning. We therefore wish to question the soundness of the decision based on facts taken or not taken into account.
- (3) We believe an unnecessary outcome has been arrived at without adequate scrutiny and therefore conflicts with existing frameworks and policies and prompting us to question whether the decision conforms with agreed policies.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

Councillor Veidman, Cabinet Member – Planning and Building Control explained the decision and the reasons why it was taken by him. Councillor Veidman indicated that the Council had a statutory duty to preserve and enhance the conservation area; that this was an on-going process and that the views of all stakeholders were taken into account during the appraisal; that many discussions were held with the golf club but that ultimately a decision had to be taken to introduce further protections to the conservation area; and that he did not consider that his decision would in any way hinder the golf club from carrying out its activities. Councillor Veidman concluded that he was pleased to hear of the golf club's intention to preserve buildings on its site.

Derek McKenzie, Chief Planning Officer reported on the issues and the reasons for his recommendation and advice to the Cabinet Member – Planning and Building Control. Mr. McKenzie agreed with Councillor Veidman's comments and indicated that the Council had a statutory duty to designate and review conservation areas under the Planning (Listed Buildings and Conservation Areas) Act 1990 and had a good track record of meeting this obligation in order to preserve the Borough's heritage; That he considered that the proposed conservation area extension met all of the criteria for making such designations, and that the Council had been consistent in its arguments for this; that he believed that the Council had followed the correct procedure for making such designations, and had gone over and above in terms of assisting the golf club by extending the consultation period to accommodate a formal objection, meeting members on site, the Council's tree officer giving advice on trees, and agreeing to a number of textual changes in the appraisal, and making a balanced recommendation to the Cabinet member; and that the particular objections by the Golf Club had not been ignored, it was just that they were not material or relevant to the decision-making process.

No questions/comments were posed by Members of the Committee in relation to the call-in.

Councillor Veidman, Cabinet Member – Planning and Building Control then summed up his position. Councillor Veidman indicated that his decision delivered objectives to preserve and enhance the conservation area; and that he considered that there was no negative impact on the golf club undertaking its activities.

Councillor Keith, on behalf of Councillors Lloyd-Johnson and Pugh summed up the position of the call-in Members. Councillor Keith acknowledged that there was a good relationship between the Council and the golf club but that more dialogue was needed for clarity as to how the Management Plan would work; that there was no danger to the Ireland buildings as the Council owned them and these could therefore be protected under the terms of the lease; and that there was also a covenant in place that the buildings could not be demolished.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

A Motion was moved by Councillor Corcoran and seconded by Councillor Catie Page, that the Committee is not concerned about the decision made by the Cabinet Member – Planning and Building Control.

The Democratic Services Officer officiated the vote and the Chair declared that the Motion was carried by 7 votes to 0 and it was unanimously

RESOLVED: That

- (1) the validity of the call-in be accepted; and
- (2) the Committee is not concerned and accepts the decision made by the Cabinet Member – Planning and Building Control in relation to the Adoption of Hesketh Road Conservation Area Appraisal and Management Plan (with boundary change).

### **42. NORTH SOUTH ACTIVE TRAVEL ROUTE IN SOUTHPORT – NEXT STEPS**

The Committee considered (a) the report of the Chief Legal and Democratic Officer, which set out the decision of the Cabinet Member – Locality Services in relation to the North South Active Travel Route in Southport – Next Steps and the reasons why the decision had been called-in; and (b) the report of the Assistant Director of Place (Highways and Public Protection) which was considered by the Cabinet Member – Locality Services in relation to this matter.

The decision taken by the Cabinet Member – Locality Services on 11 January 2024 in relation to this matter was as follows:

#### **Decision Made:**

That

- (1) the retention of the current Southport route be approved;
- (2) the progression of the further work identified within the report to explore short, medium, and longer-term improvements to the route, including better incorporating active travel provision within wider public realm improvements within the town centre be supported;
- (3) the commissioning by the Assistant Director of Place (Highways and Public Protection) of a Stage 4 Road Safety Audit for the routes be approved, and implementation of any minor modifications recommended;
- (4) an application to the Secretary of State for an extension of the current Temporary Traffic Regulation Order, to allow the period of consultation and consideration relating to a permanent Traffic Regulation Order to be completed, be supported; and

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

- (5) the process for advertising Permanent Traffic Regulation Order as set out in the Report be approved.

### **Reason for Decision:**

Cabinet Member had previously approved the scheme noting that they would be delivered using Temporary Traffic Regulation Orders (TTRO) and be subject to monitoring and evaluation prior to any decision over whether they be retained as permanent. The current TTRO expires in early 2024 and therefore it is appropriate to now determine whether the scheme is retained, modified or removed, in order to enable the formal consultation process associated with any permanent TRO to be undertaken.

Should Cabinet Member accept the recommendations identified above, then resources can be allocated to progressing the further actions identified and included within the development of a Pipeline of projects to help inform the City Region Combined Authority in their bid for future funding.

### **Alternative Options Considered and Rejected:**

The option of removing the scheme in its entirety has been considered. This option has not been recommended as the data captured shows substantial use of the facility by cyclists since implementation, and very substantial numbers of pedestrians and motor vehicles, supporting the need for safe, and attractive provision for people walking, cycling and wheeling, as well as those driving motor vehicles within our town centres. The report also demonstrates a strong link to national, regional and local strategy objectives.

It is acknowledged that some improvements could be made, further improving safety, attractiveness and addressing some of the issues raised. Proposed actions are set out in the report, but these will take time and funding to develop and deliver. As such it is considered sensible to retain the scheme in its current form whilst these improvements are developed.

The decision was subsequently called-in by Councillors Pugh, Shaw and Brodie-Browne.

Paul Fraser, Senior Democratic Services Officer reported on the validity of the call-in and highlighted that the call-in requisition:

- had been received within the specified call-in period;
- had been signed by three Members of the Council who were not Members of the Cabinet, in accordance with the provisions in Chapter 6, Paragraph 38(a) of the Council's Constitution; and
- referred to a specific decision made by the Cabinet Member – Locality Services and provided reasons for call in, in accordance with Chapter 6, paragraph 40 of the Constitution.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

Councillor Pugh, on behalf of Councillors Shaw and Brodie-Browne addressed the Committee and outlined and amplified the reasons for the call-in as follows:

- (1) Bearing in mind the significant complications and consequences of this decision we seek to gain a better understanding of the decision and its implications.
- (2) We wish to question the manifestly weak reasoning behind the decision given the report does not adequately address the crucial issues of modal shift, traffic diversion and business impact.
- (3) We believe the decision has been made on the basis of a consultation process that provides only limited support for retaining the status quo and is itself flawed.

Councillor Fairclough, Cabinet Member – Locality Services explained the decision and the reasons why it was taken by him. Councillor Fairclough advised that his decision authorised the retention of the current North-South Active Travel Route in Southport; that the route runs between the junction of Park Road and Queen’s Road in the north, through the town centre, to the junction of Talbot Street and Aughton Road in the south; that it was made up of a mix of “share with care” areas, quiet streets and segregated cycle lanes, depending upon the nature of the roads and the highway space available; and that a decision had been taken to authorise short, medium and long-term work to explore and implement improvements, including addressing the few areas of dissatisfaction and improving the appearance of the route as part of better public realm.

Councillor Fairclough explained the reasoning behind his decision which included the Council declaration of a Climate Emergency and its commitment to reduce carbon emissions, by making the Council’s activities net-zero by 2030 and ensuring all strategic decisions were in line with this; that research had shown that most car journeys were less than 5 miles and in urban areas, more than 40% were under 2 miles and that for many people, these journeys could be walked or cycled; that the Council’s Climate Change Emergency Plan committed the Council to explore the expansion of sustainable transport networks and facilities, such as cycle routes; and that his decision was not just about carbon reduction though, and aimed to improve air quality and public health.

Councillor Fairclough concluded that there was a need to create better balanced towns, with safer, more convenient and more enjoyable walking, wheeling and cycling, facilities, particularly for shorter journeys and everyday activities; that the scheme was introduced in 2020 with government funding, as part of a national programme to create temporary “pop-up” routes to help people to continue with everyday activities during the Covid-19 Pandemic; and that, unfortunately, government requirements, and the urgency to act, prevented any meaningful consultation prior to implementation and this undoubtedly contributed to some initial objection to the scheme.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

Peter Moore, Assistant Director of Place (Highways and Public Protection) reported on the issues and the reasons for his recommendation and advice to the Cabinet Member – Locality Services.

Mr. Moore indicated that the first reason for the recommendations to retain and improve the scheme was the good strategic fit with key local, regional and national climate change, transport and public health strategic objectives; that this linked in to the Southport Town Deal commitment to create new, accessible, well-connected, high quality, public spaces, providing priority for walking and cycling, in support of clean growth; and that this commitment was a direct response to feedback from people who said they wanted to be able to walk and cycle more easily and safely in the town, and it was believed this scheme could contribute to that, particularly if the scheme could be integrated into improved public realm.

The second reason for the recommendations was the use of the scheme. The Monitoring and Evaluation Plan for the scheme was developed and undertaken in line with Department for Transport Guidance for assessing Active Travel schemes and this included the timing of the evaluation, which was in line with changed government guidance. The resultant monitoring and evaluation data was predominantly positive, and it was believed that the few areas of dissatisfaction could be addressed. The data showed that the route was well used, with approximately 2.3m pedestrian journeys, 1m vehicle journeys and 157,000 cycling journeys; grouped together, 72% or more than 7 in 10 of the journeys in this area, were Active Travel Journeys; this level of use supported the need for good, safe walking, wheeling and cycling infrastructure; the substantial number of vehicle journeys on shared sections, specifically supported the retention, and improvement of the segregated section on Houghton Street, and the traffic reduction measures on other sections, in order to adequately protect cyclists; that looking at the times and reasons, showed that the majority of these active travel journeys (64%) were everyday journeys to the shops, services, work or education; that people walking, wheeling and cycling on the route were surveyed and more than 80% were happy with the route and 25% said they were encouraged to use the route more since the scheme was put in; and that it was predicted that the presence of the current infrastructure, and future improvements, would encourage more users over time.

The third reason for the recommendations was improved road safety. The report compared road accident data in the three years prior to and since implementation; and the data showed that there had been a 40% reduction in injuries on Houghton Street and a 75% reduction on Queens Road since the scheme was introduced. In both periods, all but one of the injured people were cyclists, so this represented a reduction from 10 injured cyclists to 3. The injuries that had occurred with the scheme in place, were all at junctions, and Members should note from the proposed short, medium and longer-term actions, that this would be a specific focus for enhancements. The scheme has made it easier, safer and more comfortable for people to do these active travel journeys and the removal of the scheme would have the opposite effects.

## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

The final reason was the realistic scope for further improvement and opportunities to address the few areas causing dissatisfaction; and the Cabinet Member's decision authorised officers to explore and implement short, medium and longer-term actions, and officers were confident that through these actions they would be able to address the few points of dissatisfaction and the suggested areas for improvement identified through the consultation and engagement undertaken.

Councillor Pugh, lead call-in Member, Councillor Fairclough, Cabinet Member – Locality Services and Peter Moore, Assistant Director of Place (Highways and Public Protection) responded to questions/comments posed by Members of the Committee in relation to the call-in concerning:

- the pressure of Covid-19 driving the introduction of the Active Travel Route schemes
- the Department of Transport stipulation that funding would be clawed- back, or future grant payments being adjusted downwards, if work was not started within four weeks of receiving the allocation; and the monitoring regime in place by Active Travel England
- statistical information containing multiple counting of pedestrians, cycles and vehicles making repeated journeys
- the on-going revenue implications for the maintenance of cycle lane schemes and the impact on other highway maintenance budgets
- business closures were occurring all over Southport and not just in areas where cycle lanes had been introduced
- the impact of the cycle lanes in Hoghton Street on parking provision for patrons of the Southport Little Theatre
- School Streets pilots as part of the active travel scheme
- Improvements to the Coastal Road cycle path
- Improvements to infrastructure to ensure everyone had an attractive and safe choice to walk, wheel or ride

Councillor Fairclough, Cabinet Member – Locality Services then summed up his position and indicated that people would like to cycle more but required better infrastructure to make them feel safer doing so; there was a need for an integrated transport system and this scheme could form part of this; and that importantly, there was a need to improve air quality for all and improve safety on our roads.

Councillor Pugh, on behalf of Councillors Shaw and Brodie-Browne summed up the position of the call-in Members. Councillor Pugh indicated that he was in favour of cycle routes but the report did not demonstrate that objectives with the scheme had been met and no measure of increased cycling or declining car use was presented; that the response rate to the consultation exercise was poor; regarding accidents, an investigation should be undertaken by an organisation such as the Royal Society for the Prevention of Accidents; the climate emergency need to reduce emissions was acknowledged but the report did not provide evidence that the scheme was achieving this; vehicle drivers were, in



## OVERVIEW AND SCRUTINY COMMITTEE (REGENERATION AND SKILLS) - MONDAY 19TH FEBRUARY, 2024

some instances, having to take longer journeys to reach their destinations thereby causing more pollution; it was stated that that officers did not have adequate resources to evaluate traffic movements associated with the scheme but a full and proper evaluation was required; the inclusion in statistics of lots of shoppers using Chapel Street did not prove the scheme to be a success.

A Motion was moved by Councillor McKee and seconded by Councillor Catie Page that the Committee is not concerned about the decision made by the Cabinet Member – Locality Services.

The Democratic Services Officer officiated the vote and the Chair declared that the Motion was carried by 5 votes to 2 and it was

RESOLVED: That

- (1) the validity of the call-in be accepted; and
- (2) the Committee is not concerned and accepts the decision made by the Cabinet Member – Locality Services in relation to the North South Active Travel Route in Southport – Next Steps.