

INFRASTRUCTURE OVERVIEW & SCRUTINY PANEL

THURSDAY, 17 SEPTEMBER 2020

PRESENT: Councillors John Baldwin, Christine Bateson, Jon Davey (Vice-Chairman), Phil Haseler and Julian Sharpe (Chairman)

Also in attendance: Councillor Gurpreet Bhangra, Councillor Mandy Brar, Councillor Gerry Clark, Councillor Ross McWilliams, Councillor Samantha Rayner, Councillor Gurch Singh, Councillor Donna Stimson and Councillor Helen Taylor

Officers: Mark Beeley, Nikki Craig, Chris Joyce, Russell O'Keefe, Fatima Rehman, Adrien Waite and Christopher Wheeler

APPOINTMENT OF CHAIRMAN

The Vice Chairman said the public was able to submit topics related to infrastructure to the Panel for consideration. The Panel were informed that Councillor Baldwin was now a Panel Member.

Councillor Haseler nominated Councillor Sharpe to be Chairman, which was seconded by Councillor Bateson.

Councillor Baldwin said his interpretation of the Constitution suggested that the Vice Chairman who was elected in the first meeting of the year inherited the Chairman's position for the remainder of the municipal year. After taking advice from the clerk and host of the meeting that there was a requirement of electing a Chairman as per the Constitution, the Panel continued with the nomination.

RESOLVED; That Councillor Sharpe be Chairman of the Infrastructure Overview and Scrutiny Panel for the municipal year 2020/21.

APOLOGIES FOR ABSENCE

None.

DECLARATIONS OF INTEREST

None.

MINUTES

RESOLVED UNANIMOUSLY: That the minutes of the meeting held on 20th July 2020 be approved as a true and correct record, subject to the following changes:

- Councillor Sharpe said the Terms of Reference on technology could be discussed in the September 2020 meeting.
- Councillor Carroll said there was a need to be careful about the messaging that was being given to members of public regarding 5G.
- Councillor McWilliams said the Vice Chairman had made several party-political statements that were not part of scrutinising a policy.

ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

FLY TIPPING REVIEW

Christopher Wheeler, Service Improvement Manager - Commissioning and Communities, provided a verbal update. He said fly-tipping was increasing locally and nationally for the last few years and ranged from waste on recycling sites to fly tipping down country lanes. The borough had the authority to investigate and enforce against fly-tipping, particularly on the adopted highway, public rights of way and amenity lands. Fly-tipping on private land was the responsibility of the landowner.

The number of fly tips was measured every quarter as part of the performance monitoring. There were 216 fly tips in the fourth quarter of 2019/2020 and a total of 934 in 2019/2020. This was 79% above target and an increase from 2018/2019, which were also above target. Fly-tipping was bad for the environment and costly to collect and safely dispose waste.

The UK fines for littering Fixed Penalty Notices (FPN) ranged from £100 to a maximum of £50,000. There were two mobile cameras in the borough (Ham Lane, Old Windsor and Sutherland Grange, Maidenhead Road) specifically deployed to deter fly-tipping and to collect evidence for enforcement. Other locations for the cameras were trialled, including Wessex Way, Maidenhead.

There was a noticeable increase in fly-tipping during the lockdown period nationally. During the summer period, the borough carried out a campaign to communicate messages on social media and signposted fly-tipping hotspots to encourage the public to report fly-tipping. Waste that contained names and addresses were contacted with warning notices and pointed people at their duty of care for the safe disposal of waste.

The borough was going to enter a contract with District Enforcement in October 2020 with Neil Walter as the lead officer. The contractor would manage day-to-day enforcements such as littering, dog fouling and car littering. This would take up 75% of their time, with the remaining 25% would look at complex enforcement issues such as commercial duty of care. The contract was cost neutral because the contractor retained the FPN for littering and dog fouling. Cost saving would come from the enforcement, which would reduce fly-tipping and other offences, and in turn reduced costs in collection and disposal of waste.

Councillor Baldwin asked if the total of 216 fly tips was reported fly tips or an aggregation of reported and observed fly tips, and the Panel was informed it was the latter. Councillor Baldwin asked if the contractor had the authority to go to National Trust land and car park, and the Panel was informed they did not have the authority.

The Vice Chairman asked how many team members would be on the ground, and the Panel were informed that there would be four officers and a supervisor deployed across the borough issuing FPNs. There was a specialist team of four or five that would support with more complex cases and the duty of care of commercial waste in the back office.

Councillor Haseler asked if the contractor had their own cameras to be used in hotspot areas to detect offenders. The Panel was informed that the contractor did not have their own cameras, but they had their own system to gather intelligence, as well as on-street patrol. The borough was also reliant on residents and members of public to notify any fly-tipping by submitting details online with accompanying registration numbers or photographic evidence, which could be used for enforcement and prosecution. Councillor Haseler asked if there was budget to increase the number of cameras and the Panel was informed that this was not planned but could be suggested. The Panel was informed this was a new pilot contract therefore time was needed to allow it to be imbedded and would be a constantly reviewed service.

Councillor Bateson asked what offence would lead to a £50,000 fine, and the Panel was informed that this cost would be issued by the court for repeated fly-tipping offences and could not be assigned by officers.

The Panel noted the report.

Q1 PERFORMANCE REPORT

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ANNUAL COMPLAINTS REPORT

Nikki Craig, Head of HR, Corporate Projects and IT, introduced the report for April 2019 and March 2020. There was no requirement to publish information on complaints about services other than on adult and children's complaints and compliments, but the council made the decision to include the information in the annual report. 400 contacts made to the Compliments and Complaints team were complaints, of which 228 were for the services covered in Infrastructure. The largest reason for making a complaint was a lack of action. Timeliness in responding to complaints had reduced from 64% to 59% from 2018/2019 and 2019/2020. Timeliness in returning a reply in time in commissioning infrastructure was 61%, 15% in housing services and 37% in planning. 36% of the complaints were upheld or partially upheld. Of the services overlooked in the Infrastructure O&S Panel, 78% complaints were upheld; 53% of which were from the housing services and 10% from the planning services.

If a complainant remained dissatisfied and had exhausted the two stages of the corporate complaints process, they could go to the Local Government and Social Care Ombudsman (LGSCO). In 2019/20, 49 complaints and enquiries were registered with the LGSCO, 6 of which were under the commissioning infrastructure, none of which were upheld. 4 of the complaints were under the housing services, two of which were upheld. 9 complaints were under the planning services, two of which were returned for being premature, 5 were closed after initial enquiries, one was not upheld and one was upheld. Overall, the council had a decrease in compliments, with 440 compliments in 2019/2020. Of these, 68 were covered by the commissioning infrastructure teams, 10 by the housing services and 14 by the planning services.

The Chairman asked how the performance of the council compared to other councils. The Panel was informed that there was no data to work with as there was not a requirement to publish this data. Offline discussions with team members across councils suggested that other councils had similar compliments and complaint levels. The Chairman asked how the council compared to neighbouring boroughs with the data that was legally required, and the Panel was informed that this was difficult to answer as the data was not released yet.

The Chairman asked which of the measures was of most concern, and the Panel was informed that the lack of timeliness in responding was a concern. The council was able to ask for an extension in published timescales, and whilst last year was not as positive, the previous year was, and there was hoped for this year to be positive. The Chairman asked how much lack of timeliness was due to COVID-19, and the Panel was informed that some services improved during COVID-19. The LGSCO recognised that the response to COVID-19 had to take priority and therefore allowed an extension to timescale, though responses to complaints never halted in this time.

The Panel noted the report.

PLACE RECOVERY STRATEGY

Chris Joyce introduced the item to the Panel and said the report was going to Cabinet in September 2020. It covered the unprecedented impact of COVID-19 on the community, economy, health and unemployment. The positives from COVID-19 included the innovation

and collaboration within communities. There was a lack of knowledge about the pandemic, the long-term impacts of COVID-19 on all sectors, and there was a need to have a flexible strategy that could be updated as new information came forth.

The borough had worked in partnership with other local authorities on a regional and countywide level to set up principals to share best practice. The strategic framework was based on three objectives; empowering communities, building lasting relationships with businesses, and building great place to live and work in. Initial actions were set out, but there was a need to be flexible.

The Chairman asked which measure was most important for the Members to focus on in order to generate recovery in the borough. The Panel was informed that working closely with businesses would be helpful, as well as working with partners to create skills and programmes to support the projected rise in unemployment once the furlough scheme was underway. There was a need to re-skill people so they could go back in the workforce in order to reduce the impact on communities and the economy.

The Chairman asked if an assessment was done to evaluate the impact COVID-19 had on the redevelopment of Maidenhead town centre. The Panel was informed there was an economic impact on developers, however there was strong commitment from the developers regarding the housing schemes and Nicholson Town Centre. The Chairman asked if the office space plans were still followed through, or if there were planned to become a housing scheme or smaller flexible office environment. The Panel was informed that it was too soon to know the impact and there was a forecast of a reduced demand for office space.

Councillor Haseler asked how the council encouraged new retail offerings and businesses into the town, as retail spaces may be created but left empty. The Panel was informed that the borough worked with landlord and property owners to identify short-term pop up spaces, and different organisations and events would use to attract people, such as cultural exhibitions. On a longer-term basis, a place marketing strategy was identified which would show how to promote the borough as a place to visit, live and invest in. The area could be sold as a highly connected area with the Great Western railway and the arrival of the Elizabeth line, which would be attractive for businesses looking for satellite office space. Digital campaigns were also rolled out across the social media platforms to attract businesses by working in partnership with current businesses who could help identify the selling points of the borough.

Councillor Haseler asked how the council was going to maintain contact and possibly provide financial support to voluntary community support groups who supported vulnerable residents. The Panel was informed that strategically, the objective was to empower communities. On a short-term basis, Dan Brookman was working closely with group and maintained contact. If there was a need to move back to the response phase, the support groups could step up to help support the response activity. Heads of Services also came together to Asset-Based Community Development, which was about how the services worked closely with community groups and empower them to deliver services.

Councillor Baldwin asked what work needed to be done to build resilience in reserves as part of the Regional Recovery Strategy, with the potentiality of a second wave of COVID-19. The Panel was informed that all councils were reviewing their risk-based assumptions in their medium-term financial plans and make challenging decisions and were not materially affected. Councils were looking radically at the type of operating model for the council in future, the level of resourcing, and the level of income and funding required. The final position of the local authority was unknown until the government funding available for the borough. There was a need to build a significant resource for potential risks moving forward for the uncertain future. The economy had received an unprecedented shock and therefore the projections may not be accurate.

Councillor Baldwin asked if building resources was specific to reserves or other general elements of the plan, and the Panel was informed that it was regarding all the elements. This included the projection for the service levels, costs, key supply chains and what reserve level

was required to have a medium-term financial plan in place. Chris Joyce said the strategy was about using current resources on the priorities of the economy.

Councillor Bateson said the villages in the borough had done well during COVID-19 because they were more local and closer to the community and asked what support the businesses in the village would receive. The Panel was informed that a comprehensive business engagement programme was enrolled with small and large businesses across the borough to ensure they thrive. The impact of COVID-19 on the structure of the economy was unclear, with some sectors thriving whilst others that may struggle.

The Vice Chairman asked if business success and failure was being monitored, particularly if there was a new market space that could be supported by the borough to bring resources to the area. The Panel was informed that there was a focus on business engagement across the borough to collect qualitative data, as well as an economic data hub that collated data so the council could direct the actions based on the evidence from the data. There was an online digital community for businesses as part of digital strategy during the pandemic that was being tested as part of increasing business engagement activity.

The Vice Chairman said the movement of chairs in Windsor high street was a concern for some residents who became out of breath whilst walking along the high street. Councillor Clark, Lead Member Transport and Infrastructure, said the issue was raised and the removal was planned to allow enough seats remaining to ensure the social distancing restrictions were not breached. Councillor Rayner, Deputy Leader of the Council, Resident and Leisure Services, HR, IT, Legal, Performance Management and Windsor; Armed Forces Champion, said there were still seven of the ten benches on Peascod Street, and residents were interacted with over Facebook regarding this. Chris Joyce said Milton Keynes shopping centre had signs on the seating area as reserved for people who require them, which is something he and Councillor Clark were in discussion to implement.

The Chairman asked if information was being shared with other local areas regarding social distancing measures. The Panel was informed that the teams sat on several panels, such as The Berkshire Recovery Group and Strategic Recovery Group for Thames Valley. Town Managers sat on forums such as the Berkshire Strategic Transport Forum and other forums to share best practice.

The Panel noted the report.

ORDER OF BUSINESS

RESOLVED UNANIMOUSLY: That the order of business as detailed in the agenda be varied.

SINGULAR USE PLASTICS UPDATE

Chris Joyce updated the Panel that this item came on the agenda from the Communities O&S panel, with a view to provide a full report when appropriate. The council declared a motion around the plastic-free strategy and accepted the principles of plastic free communities in December 2018. The council formed the climate change working and steering group, with plastic-free incorporated as one of the commitments to the climate strategy. The consultation was due to end on 29 September 2020 and community groups, such as Plastic Free Windsor, were working with Councillors to create a draft strategy. The sustainability teams aim was to adopt the plastic free strategy as part of sign-off process for the Climate strategy.

The Vice Chairman asked how many responses there were from the consultation so far, and the Panel was informed there were currently 40 responses, with an increase in responses expected closer to the deadline. A series of engagement activities were also underway, with an attendance to various meetings and panels to raise awareness by Chris Joyce, Councillor Donna Stimson, Lead Member - Climate Change, Sustainability, Parks and Countryside, and

Olivia McGregor, Service Lead - Sustainability and Climate Change. Two webinars were also undertaken to ask questions about the consultation, as well as a business webinar for businesses to present their plans for carbon net zero. Technical difficulties meant the webinar had to be rearranged. The consultation gave an opportunity to engage with the community and collate willing volunteers to remain involved in the climate strategy. The strategy needed to be delivered by empowering the community to become carbon zero.

The Panel noted the report.

5G T&FG SCOPING DOCUMENT

Chris Joyce introduced the item and informed the Panel that various items were identified in the last Work Programme meeting around digital infrastructure. This included 5G, broadband and smart cities. As identified in the climate and place recovery strategy items, there was a need for a digital infrastructure strategy, which was being worked on with the local enterprise partnership. Work was to be commissioned to look at some priorities for Berkshire. The paper set out the process for developing a digital infrastructure strategy with options for the panel to undertake, including a task and finish group or to pick up the item at the panel. This could be at the information stage where the baselines and objective were being set, at a later stage during options, or at the end stages when the strategy had been prepared to scrutinise.

The Chairman said this was a wide agenda topic and felt it would be useful to understand what technologies would be implemented and benefit the borough. Chris Joyce said there was a lot of technology around smart cities, including technology for electric vehicle charging that was connected to the internet and autonomous vehicles, but there was less focus on the technology and more on the infrastructure needed to take advantage of the technology. Whilst Berkshire was well connected with the traditional infrastructure, it was not well connected to broadband and the digital network.

The Chairman asked what technologies were of most benefit to residents that was not currently available to the borough. The Panel was informed that the fundamental base infrastructure that could enable connectivity such as fibre broadband, 5G and mobile connectivity was important. Without this, the borough could not take advantage of the technological developments.

Councillor Haseler said 1.3 and 2.2 of the report highlighted a lot of work that needed to be done and suggested the officers to do the groundwork because of their expertise, before bringing the item to the Panel to scrutinise. The Chairman agreed and said he felt it was too early to set up a Task & Finish Group (T&FG).

The Vice Chairman said there was a concern in the lack of resident input in the process, as officers would be assisted by government policy. He said telecom polls were being deployed by telecom companies and the T&FG would be more inclusive of residents to have their say. The Chairman said the consultation period would allow resident participation and the possibility of a T&FG was not ruled out.

Chris Joyce suggested for officers to speak to Councillor Clark as lead member and the team in order to develop a timeline and strategy, which could then be brought to the panel. The Chairman and Councillors Haseler, Bateson and Baldwin agreed. Councillor Baldwin said there was a need to get a policy which could then be properly scrutinised.

ACTION: Chris Joyce to provide the Panel with a timeline and strategy for digital infrastructure in a future meeting.

The Panel noted the report.

WORK PROGRAMME

The Chairman introduced the item and said there were many items to discuss in the November 2020 meeting. The Vice Chairman suggested to keep all the topics and stop the meeting should the Panel decide.

Chris Joyce informed the panel that several the items were highways related, which could be combined by Ben Smith, Head of Commissioning – Infrastructure, and then be brought to the panel meeting. He suggested delaying the Modern Road Infrastructure item, as it was premature.

Councillor Haseler suggested to place a time limit on each item to ensure conversations were focused and was agreed by the Chairman and Councillor Bateson. The Vice Chairman said a time limit could be placed on the presentation of the item by officers, but not on the debate by Members. Councillor Baldwin did not support the time limitation on Members scrutiny of reports. He suggested the Chairman to manage any repetitive or irrelevant discussions as his role. The Vice Chairman suggested scheduling more meetings if there were lots of items undiscussed, and the Chairman said this was an option if it was appropriate.

The Chairman proposed to reschedule the modern road infrastructure and social housing item for January 2021 and officers to agree the items possible to deliver in November 2020. Officers were to propose dates to reschedule any items that could not be discussed in the next meeting.

ACTION: Modern Road Infrastructure and Social Housing item be rescheduled for January 2021. Officers to propose agenda items for November 2020, and meeting dates for any remaining items be proposed.

The Vice Chairman said he liked the interactive map for A308 and encouraged consultation engagement.

The Chairman thanked the officers and Members.

The meeting, which began at 6.15 pm, finished at 8.50 pm

CHAIRMAN.....

DATE.....