

Communities Overview & Scrutiny Committee

Wednesday, 12 February 2020

Minutes

Attendance

Committee Members

Councillor Alan Cockburn (Chair)
Councillor Dave Shilton (Vice-Chair)
Councillor Jenny Fradgley
Councillor Seb Gran
Councillor John Holland
Councillor Andy Jenns
Councillor Keith Kondakor
Councillor Bhagwant Singh Pandher
Councillor Caroline Phillips
Councillor Andrew Wright

Portfolio Holders

Councillor Peter Butlin (Portfolio Holder for Finance and Property)
Councillor Jeff Clarke (Portfolio Holder for Transport and Planning)
Councillor Andy Crump (Portfolio Holder for Fire and Community Safety)
Councillor Heather Timms (Portfolio Holder for Environment, Heritage and Culture)

Officers

David Ayton-Hill (Assistant Director – Communities)
Nicholas Dauncey (Principal Transport Planner)
Isabelle Moorhouse (Trainee Democratic Services Officer)
Janet Neale (Infrastructure Delivery Manager)
Andrew Pau (Strategy and Commissioning Manager (Waste & Environment))
Mark Ryder (Strategic Director for Communities)
Margaret Smith (Team Leader Transport Planning)
Paul Taylor (Traffic and Safety Manager)
Scott Tompkins (Assistant Director for Environment Services)

Public Speaker

Ms Linda Bromley

1. General

(1) Apologies

None

(2) Member's Disclosures of Pecuniary and Non-pecuniary Interests

None

(3) Chair's Announcements

The Chair thanked Tom McColgan, for his help with supporting the committee and wished him luck in his new job.

(4) Minutes of Previous Meeting

(I) Minutes of the meeting on 27 November 2019

The minutes were approved as a true record, subject to the following amendments; Councillor Keith Kondakor stated that on page 2 it should state Nuneaton and Bedworth Borough Council and not Bedworth Town Council.

(II) Minutes of the special meeting on 9 January 2020

These were agreed as a true record and signed by the Chair.

2. Public Speaking

Linda Bromley spoke on "What has happened to our Trading Standards service". She stated that in October 2019 she went to register a complaint with Trading Standards and discovered that the Citizens Advice Bureau now answer Trading Standards calls. Ms Bromley consulted with 'Which?' legal services and was advised that her complaint involved mis-selling which was covered by Consumer Acts and Regulations. Ms Bromley went through the Trading Standards complaints procedure, but her complaint was not addressed and there was no recourse to appeal and no other authority to complain to. She stated that her issue was within the remit of Trading Standards and she had not received any contact since 10th October 2019. Ms Bromley contacted them on the 31st January 2020 for an update on her complaint. She was advised that although all complaints are referred to Trading Standards, they may not all be investigated. The Citizen Advice advisor did not possess the relevant knowledge and she received incorrect advice for her complaint.

In response to Linda Bromley, Councillor Andy Crump (Portfolio Holder for Fire & Rescue and Community Safety), commended Warwickshire's Trading Standards for protecting the public. They investigated cases involving counterfeit goods and preventing commodities being sold to underage consumers. Councillor Crump concluded that for Ms Bromley's complaint to be acted upon, there would have to be a pattern of complaints. Councillor Crump stated that Trading Standards had a press release regarding rogue traders, and they are working hard on cyber fraud to protect vulnerable people.

Jonathon Toy, Service Manager (Trading Standards & Community Safety), confirmed that complaints for Trading Standards go through Citizens Advice and there are several resolution options that the service can pass on. He stated there is a resolution body which would take on and resolve a complaint. He continued that Warwickshire is not reducing its Trading Standards, but Ms Bromley's circumstances was not an issue that Trading Standards would take on.

3. Questions to Portfolio Holders

Following the briefing paper circulated to members on housing developments, Councillor John Holland requested the local plans and government population forecasts are put together for the June Communities OSC meeting. It was agreed this will go to the June Communities Chair and Spokes meeting instead.

In response to Councillor Caroline Phillips, Councillor Jeff Clarke (Portfolio Holder for Transport and Planning), stated that delegated budgets are being put through a new format to resolve ongoing delays. He agreed to investigate Councillor Philips' schemes after the meeting.

In response to the Chair, Scott Tompkins (Assistant Director for Environmental Services), informed the committee that a draft paper for the delivery on delegated budget schemes will go to Corporate Board and Cabinet in the spring. The new format will include officers having ownership for schemes so there will be one contact.

In response to Councillor Kondakor, Councillor Clarke stated that streetlights were only left on when requested by the Police and highways officers in windy weather conditions. Councillor Clarke agreed to have this reviewed for future adverse weather conditions.

In response to Councillor Dave Shilton, Councillor Clarke agreed to pursue an ongoing query with Stagecoach regarding bus timetables.

(1) Economic Development Update

David Ayton-Hill (Assistant Director of Communities) responded to a question from Councillor Kondakor, confirming that the UK Battery Industrialisation Centre (UKBIC) is a mixture of research and development (R&D) and small-scale manufacturing but this may increase in the future.

In response to the Chair, David Ayton-Hill confirmed that the Nuneaton town board is the governance arrangement that Nuneaton and Bedworth Borough Council will use to apply for a bid to the government for the towns' fund; the board needed to be set up to apply for the town fund. Councillor Peter Butlin, Councillor Bill Oler and Councillor Clarke are on the town board.

David Ayton-Hill noted that there have been more cars on the road despite the council promoting the opposite. He continued that Warwickshire's economy is benefitting from research and development into electric vehicles.

David Ayton-Hill agreed to circulate a briefing note on the sources of the components from the battery centre and the carbon footprint they produce. Councillor Peter Butlin (Portfolio Holder

for Finance and Property) stated that there remains a question mark over the ethical basis of some of the sources of battery components. Councillor Kondakor stated that Warwickshire should recycle batteries as the unethical materials would already be in the UK.

In response to Councillor Shilton, David Ayton-Hill stated an electric charging vehicle strategy is being developed and a grant has been received from the government to implement electric charging points in Warwickshire. He continued that they are working on a concession contract with a company where revenues would be shared with charging points and this will be rolled out.

4. Road Safety

Paul Taylor (Traffic and Safety Manager) presented the report. He advised the committee that the statistics show KSI's (killed or seriously injured) trended downwards in 2019 but this will not be confirmed until mid-2020.

Paul Taylor stated that there are reduced resources with safety initiatives, and they are left with difficult engineering work to carry out. Sites with a high collision rates have been identified; six sites have received funding to improve engineering amendments and four sites belong to Highways England who are being consulted with.

The engineering schemes undertaken are the council's responsibility and these are being worked on with its partners and investors.

The meeting was informed that Warwickshire has a successful education scheme which is delivered by the Police and Fire and Rescue service. A new governance structure for the Warwickshire Road Safety Partnership has been implemented; the Strategic Board meet twice annually, and the Operational Board will convene in the next few weeks. The Operational Board will be looking at gaps and overlaps across all partners and they are primarily focused on intervention schemes.

Paul Taylor stated they are allocated £350,000 for smaller casualty reduction schemes and CIF (Capital Investment Fund) allocated £5 million between 2018-2024; this funding is used for speed cameras and major schemes.

Paul Taylor stated officers can raise concerns with hard shoulders, smart motorways and recent serious accidents with Highways England who are in the Road Safety Partnership. He confirmed that the education strategies promote wearing bicycle helmets and encourage safe cycling.

Councillor Crump added that motor users and pedestrians need education on road safety. He added that the Fire and Rescue Service have problems with motorway congestion when attending traffic accidents; Councillor Crump is speaking with the Chief Fire Officer and will raise this issue with him.

Mark Ryder (Strategic Director for Communities) raised that the Department for Transport (DfT) have paused rolling out smart motorways, therefore speculation should be avoided until the DfT have completed their review of smart motorways.

Paul Taylor stated accidents tended to be worse in North Warwickshire due to the large concentration of people and traffic in the area but this is being resolved with the funding for the high collision areas.

Councillor Kondakor noted that the committee have not had the data broken down and it is useful to look at the different road users and look at fatalities on all roads.

The Chair asked for a breakdown of road casualties and KSIs.

In response to the Chair, Paul Taylor stated a design has been prepared to improve the Warwick to Harbury Road and it is parallel running with a large-scale development. The development may be funded by the council until the development funding is available.

Janet Neale (Infrastructure Development Manager) clarified that this junction is linked to the development of 3000 homes at Gaydon so it will be delivered through a S278 scheme. The scheme was approved before houses started development and it needs to be implemented when 120 houses are occupied. The scheme is on S278 rather than S106 because the risks of financial overspend are removed and fall on the developer rather than the council.

In response to the Chair, Paul Taylor stated there is a maintenance issue with vehicle activated road signs and there is a low budget for them. It was agreed that funding can be looked at for these signs.

Resolved

That the Communities Overview and Scrutiny Committee notes the report on road safety and requests that officers provide further details of the extent of serious (KSI) accidents on Warwickshire's roads.

5. Warwickshire Major Road Network (MRN) Proposed Programme and Priorities

Nicholas Dauncey (Principal Transport Planner) presented the report. He stated that the MRN are government designated strategic roads and it is the Council's role is to connect with the Strategic Road Network. Nicholas Dauncey stated the MRN is essential to maintain for economic growth and the DfT have set out objectives, including supporting housing delivery, supporting resilience on the strategic road network and supporting all road users. Special measures for cyclists, pedestrians and bus permeability are also expected in the scheme delivery.

The committee was informed that Midlands Connect is the responsible body for the MRN in Coventry and Warwickshire. Midlands Connect has stated that between 2020-2025, schemes with a good business case would be prioritised. Nicholas Dauncey stated they are currently prioritising the 2025-2030 funding so the council is in a position to put schemes forward that will receive funding. He added that they are also looking at other sources of funding to ensure the road schemes go ahead. Nicholas Dauncey stated that the report is to evaluate emerging schemes against National and Local Transport Plan objectives and Midlands Connect deliverability criteria.

He added that in view of the climate emergency declaration in Warwickshire, developers' schemes need to provide incentives for non-motorised road users to take advantage of the funding provided.

Nicholas Dauncey concluded that the County Council is looking at purchasing new air quality software to monitor this across Warwickshire.

In response to Councillor Shilton, Nicholas Dauncey stated that a construction management plan will be implemented in Kenilworth. He added they are looking at a review of the Local Transport Plan so aviation and air quality will be looked at.

In response to Councillor Kondakor, Nicholas Dauncey responded that as part of the Nuneaton transformation they are looking at developing a sustainable transport strategy and improve connectivity for cyclists and pedestrians; proposals would be brought to committee when they are made. He added that he will contact environmental officers at the district and borough councils regarding monitoring air quality effectively.

In response to Councillor Holland, Nicholas Dauncey stated that the requirements for the MRN will shift depending who uses the network. He concluded that they could segregate part of the road for vulnerable road users.

In response to Councillor Fradgley, Nicholas Dauncey stated that the schemes developed to date have dedicated foot and cycle bridges and he confirmed that the DfT expect cycle lanes as part of the MRN schemes.

Resolved

That the Communities Overview and Scrutiny Committee notes the contents of the report.

6. S106 Developer Contributions Update

Janet Neale summarised the published report. The last report predicted that the community infrastructure levy (CIL) funding would be implemented across the county by 2018 but it has only been implemented in Stratford-on-Avon and Warwick District. Janet Neale stated that the total amount of obligations contained within live S106 agreements as at 2019/20 is £304m which shows rapid development. She concluded that there are many different developments and they need to ensure they met the requirements for the S106; there will be a report for them by the end of the year.

In response to the Chair, Janet Neale stated that developers are rarely asked to contribute funding upfront as the developer needs to make money and the land is worth more after development.

In response to Councillor Andy Jenns, Janet Neale stated that it is up to the district and borough councils if they wish to roll out S106. She continued that boroughs usually wait until their local plan is developed as they cannot assess infrastructure cost. If the local council has adopted a Neighbourhood Plan, 25% of any CIL income collected in that area goes directly to them. If a local council does not have plan, they can get 15% on any CIL income which is capped at £100 per dwelling.

Janet Neale stated they have been working with the council's debt recovery regarding developers who do not pay S106 contributions on time; they contact developers 10 days before they are invoiced, and this cuts out some of the deadline.

Janet Neale agreed to circulate the breakdown spreadsheet for any councillors who wish to see it.

In response to Councillor Kondakor, Janet Neale replied that one reason for the differences in funding from education contributions across the county was the amount of school capacity in different parts of Warwickshire. Funding could only be secured if additional capacity was needed, which was now the case in the north of Warwickshire.

Resolved

That the Communities Overview and Scrutiny Committee notes the contents of the report and the current position relating to Section 106 and Developer Contributions.

7. Waste Management Review

Andrew Pau (Strategy and Commissioning Manager (Waste & Environment)) presented the item. The review started a year ago, but for a series of reasons the production of the final report was delayed, however, an action plan was provided. Andrew Pau stated that the government have had the first round of consultation on a new Resources and Waste Strategy for England, but this will not be published until the summer of 2020. He continued that the government's final strategy should be published in 2021. The action plan focused on household recycling and recycle centres which are managed by council. Some of these actions have already been completed and they intend to focus on the other actions by improving plans, reviewing the joint waste strategy and developing a new household Waste Recycling Centre Strategy. Andrew Pau concluded that a major part of the business is heavily dependent on the government's new Resources and Waste Strategy for England, therefore it is important to wait until this has been finalised.

In response to Councillor Shilton, Andrew Pau stated that recycling and composting are one of the core objectives of Warwickshire's Joint Waste Strategy which has been agreed by all districts and boroughs and the county. He continued that every household in the county have the maximum opportunity to recycle and waste is now prioritised due to the climate change agenda. Andrew Pau agreed more could be done with educating the disposal of electronic goods.

Councillor Kondakor observed that minimising waste needed to be looked at and there needs to be a data consistency with regards to other reports received by the committee.

Andrew Pau stated that they are focusing on minimising waste first and then maximising recycling and composting. Regarding maximising energy recovery with residual waste, the main methods of energy recovery are burning or landfilling; however, this is constrained by environmental and cost reasons. Andrew Pau continued that several authorities charge for green waste, but this increases home composting. He concluded this is manageable in the council.

Resolved

That the Communities Overview and Scrutiny Committee:

- 1) Notes the report including the recommendations and actions in the action plan attached.
- 2) Agrees the service area response and timetables as set out in the report.

Requests that a further report be presented to the committee after the government strategy has been published.

8. One Organisational Plan Quarterly Progress Report - Q3

David Ayton-Hill introduced the item and reminded the committee that the report provides an overview of key indicators and can be accessed through the new Power BI system. In response to Councillor Kondakor, David Ayton-Hill stated that they will look at where it is possible to accelerate and bring forward capital spend but it is not always possible.

David Ayton-Hill stated there are some key targets that have not been met, for example KSI's are higher and the GVA (Gross Value Added) is slightly lower than preferred but performance indicators have been met. David Ayton-Hill continued that savings in the communities' sector have been met, excluding the permit parking schemes due to this being delayed.

Resolved

The report was noted.

9. Communities OSC Work Programme

Members noted the work programme. With regards to the Local Transport Plan, the Chair stated the council is halfway through the 10-year plan and there have been huge changes within four years. The Chair continued that there will be a five-year review, and this will come back to the council. Mark Ryder added that they need to see when this can be fitted in for the committee and when they have enough information, this paper will be brought into programme.

With regards to air quality, results need to be collated and scrutinised before this comes to committee.

The Chair recommended that slippage comes back to scrutiny after the new monitoring process has been implemented for a few months. Mark Ryder concurred with this stating they are looking at how to report it. It was agreed this could come to the June committee meeting.

The committee was informed that the Chief Executive of the LEP (Local Enterprise Partnership) agreed to come back to Communities OSC to answer questions.

The Chair suggested that officers of the Air Quality Task and Finish Group come back to committee at the same time as the Air Quality Monitors.

Resolved

That the Communities Overview and Scrutiny Committee:

- 1) Notes the work programme
- 2) Requests that the LEP be invite to a future meeting of the committee.
- 3) That Officers of the Air Quality Task and Finish Group come back to committee to provide an update of their progress

10. Urgent Items

None.

11. Reports Containing Confidential or Exempt Information

The meeting went into a closed session for the Nuckle report item.

Councillor Kondakor expressed his disapproval of the Nuckle report being exempt due to public interest.

Resolved

That members of the public be excluded from the meeting for the items below on the grounds that their presence would involve the disclosure of confidential or exempt information as defined in Paragraph 3, Schedule 12A of the Local Government Act 1972 as amended.

12. Nuckle 1.2. Bay platform at Coventry station

Margaret Smith (Team Leader Transport Planning) presented the report.

Resolved

Communities Overview and Scrutiny Committee agreed the recommendations as laid out in the exempt minutes.