

Communities Overview and Scrutiny Committee

Wednesday 9 November 2022

Minutes

Attendance

Committee Members

Councillor Jeff Clarke (Chair)
Councillor Jonathan Chilvers (Vice-Chair)
Councillor Richard Baxter-Payne
Councillor Jenny Fradgley
Councillor Dave Humphreys
Councillor Marian Humphreys
Councillor Bhagwant Singh Pandher
Councillor Tim Sinclair
Councillor Andrew Wright

Portfolio Holders

Councillor Andy Crump, Portfolio Holder for Fire & Rescue and Community Safety
Councillor Wallace Redford, Portfolio Holder for Transport & Planning
Councillor Heather Timms, Portfolio Holder for Environment, Climate and Culture

Officers

David Ayton-Hill, Assistant Director - Communities
Louise Church, Delivery Lead - Admissions
Jagjit Mahal, Delivery Lead Flood Risk Management
Isabelle Moorhouse, Democratic Services Officer
Margaret Smith, Lead Commissioner - Transport Planning
Scott Tompkins, Assistant Director for Environment Services

1. General

(1) Apologies

Councillor Mejar Singh who was substituted by Councillor Marian Humphreys
Councillor Martin Watson (Portfolio Holder for Economy)

(2) Disclosures of Pecuniary and Non-Pecuniary Interests

None.

(3) Chair's Announcements

The Chair wished the Leader of the Council a swift recovery following her operation.

(4) Minutes of Previous Meeting

The minutes of the previous meeting were approved as a correct record.

2. Public Speaking

None.

3. Questions to Portfolio Holder

In response to Councillor Bhagwant Pandher, Councillor Wallace Redford (Portfolio Holder – Transport & Planning) agreed to get an update on the puffin crossing on Coventry Road in Exhall. Councillor Pandher noted that this crossing was meant to be installed a few years ago.

(1) Economic Development Update

David Ayton-Hill (Assistant Director – Communities) informed the committee that:

- Warwickshire County Council (WCC) won two out of four awards at the Federation of Small Business Awards (Best Business Friendly Council and best Business Support Programme in the Midlands)
- Three events were held for businesses to help them during the current emergency and economic crisis
- The manufacturing event was cancelled because not enough businesses signed up for it; this event was being run by the University of Warwick
- They were planning to get feedback on why businesses did not sign up for these events
- Members were asked to help make these events public knowledge to boost business attendance from their area
- An agriculture event was planned but not enough people were signed up for it yet
- The launched a green recovery grant scheme from Covid recovery funds to provide free energy audits for businesses
- Grants to help implement energy efficiency measures within those businesses were also made available. £300,000 were put into these schemes
- These grants were to help businesses who were struggling with energy bills and had difficulties from the impact of Covid-19. There was a uptake of businesses signing up for these schemes
- WCC had a short period to respond to central government's investment zones initiative. WCC put forward several sites in Warwickshire to be considered but this new scheme may be scrapped by central government in their November financial statement

In response to Councillor Tim Sinclair, David Ayton-Hill said that some aspects were difficult to put into a table to compare things regionally and simple enough to understand. David Ayton-Hill requested that Councillor Sinclair work with them on this table so it would be easy enough to understand.

4. Flood Drainage Policies

Scott Thompkins (Assistant Director – Environmental Services) informed the committee that this paper was a result of a motion passed by Full Council in December 2021. Meeting were held with the Environmental Agency (EA) and Severn Trent (ST) which helped cooperation moving forward.

Jagjit Mahal (Delivery Lead Flood Risk Management) added that:

- In addition to the meeting with EA and ST, several operational meetings were held with ST to discuss sewer flooding issues as this was not in WCC's remit so they cannot resolve it
- Regular scheduled meetings were held to talk through these operational issues and get more frequent updates than they had before
- The paper included some key achievements that County Highways had in terms of their drainage works, and the Flood Risk Team had in terms of what they managed to do over the past five years
- The paper outlined some key partners that had a role to play with flood risk in Warwickshire some of their key responsibilities
- National Highways got some feedback from national public satisfaction surveys that were included in the paper too

In response to Councillor Jenny Fradgley, Scott Tompkins said that reoccurring drainage problems were in this remit and climate change was exacerbating this. Highway infrastructure was built to survive a typical 1 in 10 year event, and drainage systems were judged on how long it took for puddles to disappear off roads. County Highways had their recent NHT Survey results back and this showed that Warwickshire was No1 in the country for keeping their drains clean from a customer service point of view.

Councillor Redford added that any drainage problem should be reported to the relevant locality officer as soon as possible so it could be actioned or through the Council's website.

Councillor Jonathan Chilvers informed the committee that there was a good map on Compass which showed flood risk in areas cross-county per km². In response to Councillor Chilvers, Jagjit Mahal stated that mini-suds/retrofit-suds were there to help provide additional capacity as it is very difficult to increase capacity of historic drainage systems. Examples of retrofit SuDS being used elsewhere were 'rain gardens', 'tree pits', or permeable paving which held water until it could be properly disposed of into drains at a slower rate. WCC did not get involved with driveway flooding, but national policy stated that all driveways that were hard standing should either have a permeable surface or drainage system.

Scott Tompkins added that nationally, gullies used to be cleaned out up to four times annually, but this was reduced in most authorities when austerity started in the 2000s. Most were only cleared out when they needed to be. WCC has resisted this change and clears gullies up to three times annually on a risk management basis; they were able to do this due to budget management. New legislation was due to come out regarding suds in 2023 which would mean the Council's Flood Risk Management Team would have the responsibility to maintain and adopt SuDS. WCC would get no additional funding to manage this so it will be a financial burden. Before this legislation, WCC's current role is to check the design of sustainable drainage on major developments.

Following a supplementary from Councillor Chilvers, Jagjit Mahal stated that they started to draw up locations where frequent flooding occurred on highways and to residential properties from highways. Severn Trent Water were being worked with on this and they were planning to meet with Balfour Beatty's (Balfour's) to assist with the design and construction of temporary flood water holders.

In response to Councillor Sinclair, Scott Tompkins stated that in 2021 there was an issue with Poor performance from a subcontractor of Balfour's as they were not making enough money from the contract for the work they were doing; therefore, performance dipped. Balfour's changed subcontractor and WCC put more money in, so this increased performance. He agreed to clarify the performance figures on page 39, which appear to be calculated incorrectly in the report pack for the committee².

Following a supplementary from Councillor Sinclair, Scott Tompkins reiterated that WCC had a good working relationship with ST, but it was up to the OSC if they wanted to invite them to a future meeting.

Councillor Sinclair formally proposed that the OSC invite Severn Trent to a future meeting of Communities OSC. This was seconded by Councillor Dave Humphreys.

Councillor Chilvers proposed an amendment to extend the invite to the Environmental Agency to discuss any mismanagement.

This amendment was accepted by Councillor Sinclair.

Vote

The Communities OSC voted unanimously in favour for Severn Trent and the Environmental Agency to be invited to a future meeting of the OSC.

Resolved

That Severn Trent and the Environmental Agency be invited to attend a meeting of the Communities OSC.

In response to Councillor Richard Baxter-Payne, Jagjit Mahal said that they spoke to Severn Trent Water around their staff turnarounds, and they were picking up longstanding issues from the past. He agreed to pick up any specific issues directly with Severn Trent Water.

In response to Councillor Marian Humphreys, Scott Tompkins stated that the new legislation would focus on drainage in new housing estates. For other areas, the team had a list of areas to prioritise that flooded frequently or internally. They were working through this to getting funding and schemes out to areas who needed this fixed.

The Chair requested that the Flood Team engage with any issues with raw sewage.

In response to Councillor Jonathan Chilvers, Jagjit Mahal noted that their work was mainly reactive, and they focused on areas that were more likely to get flooded internally. WCC do serve notices and use enforcement powers to remind people of their responsibilities under the Land Drainage Act 1991 to keep ditches and culverts clear. People emptying ditches on their land into rivers may increase the problem as flows get to rivers more quickly. Therefore, natural flood management was being looked at, with examples dotted around the county. This was to stop properties getting flooded by slowing the flow in the upper catchment.

Councillor Andy Crump (Portfolio Holder – Fire & Rescue and Community Safety) informed the committee that he attended flood risk forums with ST and EA. They both improved their communication, especially the EA who were working with trading standards over water pollution in Wellesbourne division. The forum's purpose was to protect as many properties as possible, there were a few schemes around the county that needed community engagement. Help was needed from councillors in these communities to help with engagement from enough properties to make

the schemes viable. He praised ST and EA being invited to a future meeting as there were issues with accountability and staffing within their organisations. He suggested that proposed questions be put into categories as residents had issues with the lack of communication. He praised the work done by the officers of this paper and the work done.

The Chair concurred with this.

In response to Councillor Pandher, Scott Tompkins stated that WCC do not have any authority to get ST to fix pipes in a specific timeframe. ST are allowed emergency access to the network to fix problems. The only enforcement WCC had was to impose enforcement fines if they overstayed their welcome on the network. This influenced them to fix things in a certain amount of time.

5. EV Charging Points - Task and Finish Group Findings

Councillor Sinclair (who sat on the TFG) informed the committee that:

- In February's Communities OSC they committee voted to monitor the roll-out of the charging points in a TFG
- Monthly meetings were held between May-July 2022 and a range of concerns were considered across several subjects
- The TFG made eight recommendations that focused on ensuring equality of EV charging points cross-county and how to increase the amount of charging points
- In 2020 1% of vehicles were EVs, in 2030 this is expected to increase to 41%, 70% of charging points were predicted to be in private residencies so the Council needed to make up the rest
- A comprehensive network needed to be set up before this to encourage drivers to switch to EVs
- The eight recommendations are;
 - o That elected members are updated regularly on a quarterly basis of the roll-out.
 - o That officers should continue to seek funding opportunities to support that (a bid was planned for the Local Electric Vehicle Infrastructure Fund)
 - o Officers provide more information of the EV network to the public
 - o Nuneaton and Bedworth are prioritised with EV points as they were behind on a charge points per 100,000 residents
 - o Officers would monitor trials elsewhere e.g. the gully solution for charging with on-street parking
 - o Members write to central government to ask for a change in the required planning act so that charging points could be closer to the highway's boundary
 - o Increase staff resourcing when funding permitted (the suggestion was a three-year fixed contract for an engineer to take on this work)
 - o Look into traffic regulation orders (TROs) that allow EV only parking

In response to Councillor D Humphreys, Councillor Tim Sinclair stated that residents with EVs and on-street parking would be able to charge their cars from lampposts or the new gully system that was being investigated. The gully system allows a cable to be plugged into the house and go into the pavement to the car. The chargers themselves will be and will need to be a mixture of ultra-fast charging and trickle charging (charging overnight). These would need to be in different locations too.

Following a supplementary from Councillor D Humphreys, Margaret Smith (Lead Commissioner - Transport Planning) noted that there were grants for landlords who owned a carpark to put EV charging infrastructure in. One thing that was being looked at was EV charging points in

supermarkets so someone doing the weekly shop with an EV could charge their car at the same time. EV owners only needed to charge their cars once a week.

In response to Councillor Chilvers, Councillor Sinclair noted that they briefly spoke on EV charging points in supermarkets and WCC has a limited influence over getting supermarkets to implement EV charging points in their carparks. He concurred with the issue that his residents had with EV charging points being broken.

Margaret Smith stated that there were national issues with one of the providers (BP Pulse) but there were KPIs (key performance indicators) within their contract. These stated that their charging points must be working for a high percentage of the time and if they are not then WCC get compensation. Working charging points would make residents less anxious over switching to EVs.

In response to Councillor D Humphreys, Margaret Smith stated that the 41% statistic came from a report that WCC commissioned Cenex to do on EV charging points in Warwickshire. This was predicted because central government are going to ban the production of new petrol and diesel cars. It was unknown how long it would take for petrol stations to phase out either so increasing the amount of charging points would ease this transition.

In response to Councillor Sinclair, Margaret Smith agreed that BP Pulse will be spoken to about ensuring their charging points work.

Councillor Baxter-Payne noted that the debate being had in the meeting was like the meetings the TFG had. He supported recommendations five and eight as five would help residents who lived in terraced housing and a common issue, he noticed was non-EVs parking in EV charging point bays.

Councillor Redford suggested that the OSC receive an update on the rollout of EVs in future. The Chair suggested that this be a briefing note and be received after a year as one of the recommendations was for members to receive quarterly updates.

In response to the Chair, Margaret Smith stated that the TFG agreed that the TROs for EV-only bays would be rolled out incrementally. For example, a row of bays would not be all made to be EV-only. The situation would be monitored where necessary as there were concerns over this from both sides.

The Chair thanked the TFG for their work.

Vote

The Communities OSC voted unanimously for the recommendations in the report.

Resolved

That Communities Overview and Scrutiny Committee support the recommendations set out in in paragraph 5 of the Task and Finish Group's report attached at Appendix 1.

6. WRIF Update

David Ayton-Hill informed the committee that:

- There was already a member oversight group that monitored the WRIF (Warwickshire Recovery Investment Fund)

- The Business Investment Growth Fund had £19 million allocated to it over a five-year period. Its aim was to provide bigger loans to big companies who were looking to grow their business post-Covid
- The Property and Infrastructure Fund will be launched soon and this was worked on with CBRE advising on it so it has the desired impact on the market
- The Local Communities and Enterprise Fund was designed to provide small loans to smaller businesses or start-ups. These loans were more likely higher risk so there would be higher interest rates but more of them could be done. This was delivered by a third-party agent on behalf of WCC
- There was a concern from the group as the larger fund had less demand for loans. In just over a year, it only gave out one loan. Other businesses were interested but did not make it through to getting the loan
- Three companies were being spoken to on this fund
- The group had concerns over the communication plan because of the lack of loans given out
- The group requested an overview on the state of the economy which officers were doing for December's meeting, this would cover September and include whether there was a desire for loans still
- In September the economy changed a lot due to turbulence in the financial markets, which had a material impact on the WRIF as the cost of living increased
- They were planning a review of the WRIF, particularly the business investment growth strand because of the challenges in the market
- There was a concern over whether the WRIF needed adjusting to make sure it was still relevant to the market
- The findings will be presented to the group at December's meeting

In response to the Chair, David Ayton-Hill stated that the interest rate for a business depended on the strength of a business, their security and how long they wanted the loan for. The longer the period the higher the loan. The variable interest rates offered went from 6% to 11%, this was caused by the national increase in interest rates.

7. Average Speed Cameras

David Ayton-Hill informed the committee that:

- The note covered the implementation of the roll out on the average speed camera pilot scheme
- WCC secured funding to implement speed cameras across four routes in Warwickshire and it tracked speed averages
- If a vehicle is travelling above that average speed on the route, then fines are issued
- The paper included the criteria for why these routes were chosen which will feed into potential future deployment of average speed cameras
- The pilot will run for 12 months, personal injury, collisions and average speeds will be monitored before and after the cameras were installed
- Anecdotal evidence stated that the cameras were having a positive impact especially with reducing speeds
- If proven to be successful, then they will look at further role out of these cameras
- The cameras were expensive to implement so they needed to be installed where they would have the biggest impact

In response to Councillor Sinclair, David Ayton-Hill confirmed that there were cameras all along the routes as there were multiple entry and exit points. He agreed to bring the results of the pilot back to the committee when it finished.

In response to Councillor D Humphreys, David Ayton-Hill confirmed that all the cameras were already installed.

Councillor Heather Timms (Portfolio Holder – Environment, Climate & Culture) suggested residents could test whether the cameras were on by testing them.

In response to Councillor Chilvers David Ayton-Hill stated that he believed the cameras could be redeployed but would need to check.

The Chair noted that these cameras were just placed on roads with high collisions and speeds so not every road in Warwickshire would get one.

In response to Councillor Pandher, David Ayton-Hill stated that they did look at what neighbouring authorities were doing and looked at the feedback received from their speed cameras. Most of Warwickshire's roads were semi-urban so it was sometimes difficult to compare to Coventry whose roads were all urban.

Councillor Crump informed the committee that in 2019 34 people were killed in road collisions in Warwickshire, there were 14 in 2020 and 15 in 2021. The speed cameras should influence drivers to drive safer and the areas were targeted where accidents occurred. These cameras worked well in Coventry so this pilot should be successful too.

Councillor Redford supported Councillor Crump's comments.

The Chair requested feedback from the trial after it finished. David Ayton-Hill said this should be available in early 2024.

8. Communities OSC Customer Feedback Report 2021/22

Louise Church (Delivery Lead – Admissions) informed the committee that:

- Feedback increased from 2021 and was now at 50% of pre-pandemic levels
- Most feedback received was online
- Almost all feedback that required responses were responded to inline with the service level agreement
- Most complaints received were related to communication, physical environment issues and community protection issues

Councillor Sinclair noted that the same issues from last year's report were in this one too and this implied that the changes that were promised were not acted upon. The case management system did not exist yet and the root causes were not mentioned in the report.

In response to Councillor Sinclair, Louise Church agreed to respond to his comments by email.

They were working hard with ICT with the planned case management system so members of the public could easily submit their feedback through it. They managed to get a new reporting tool which was why some figures did not look the same as last year, but they were still waiting for this system. It should be launched in mid-late 2024. Most complaints received by the Communities

Directorate were not valid e.g. there were a lot of complaints about civil enforcement (parking tickets).

Scott Tompkins added that most feedback they dealt with were in direct emails from all teams to members of the public. None of these emails are recorded so they were not able to see what worked well with responses in one team and what did not work well in other teams. He agreed to raise this with Mark Ryder and contact ICT to find out why the feedback system took so long to implement. David Ayton-Hill concurred with this.

Following a supplementary from Councillor Sinclair, Louise Church noted that customer relations had experienced an increase in feedback. There were uncategorised complaints because the system was not good, and it was more important to respond to this feedback then categorise it. Customer relations worked with all teams across the Council so if something was not categorised then it meant customer relations could respond themselves.

Scott Tompkins added that actions were implemented after last year's report e.g. three day responses to emails and implementing their own response monitoring system within the directorate. Their responses were monitored by their directorate leadership team.

Louise Church noted that the Customer Relations Team were part of the Resources Directorate. Change was planned through feedback and redesigning their service so it would be more like NHS Pals.

Councillor Chilvers concurred with the points raised by Councillor Sinclair and said the report needed to be more qualitative.

In response to Councillor Chilvers, Louise Church stated that the new system should help provide more qualitative data. With outcomes not quite matching, there is an oddity whereby a complaint can be closed (whether upheld or not) with no reason given. Staff were discouraged from doing this, but they naturally wanted to defend their service. Apologising is not an admission of guilt, and the Council is sorry that someone felt a complaint needed to be made.

In response to Councillor Fradgley, Scott Tompkins said that local authorities have a Section 58 defence. The Highways Act states that if the highway authority does what is required to inspect and maintain the network regularly, then they cannot be held liable for a defect that causes someone to fall on the pavement. As long as WCC can show they do regular inspections then they can use Section 58 defence which repudiates 98% of claims. Instead of this claim money being given out the authority can use it to fix the problems.

Following a supplementary from Councillor Fradgley, Scott Tompkins confirmed that if a utility operator has raised or damaged iron work which caused someone to fall then it would be their responsibility to resolve any claims. This came under Section 80 of the Act which stated that they must fix any raised surface work they cause.

Louise Church noted that all constituents should be treated with respect when making a claim. Councillor Fradgley confirmed they were.

9. Communities OSC Work Programme

- Severn Trent and the Environmental Agency to attend a future meeting
- A briefing noted on EV charging point rollout after a year of the report being approved
- Results of the Average Speed Camera pilot

In response to Councillor Sinclair, the Chair agreed to discuss at the next Chair and Spokes meeting whether the 20mph item planned for February 2023 would need to be delayed. Councillor Redford agreed with this suggestion.

10. Urgent Items

None.

The meeting rose at 15:54

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Chair