

**ENVIRONMENT, CULTURE AND
COMMUNITIES OVERVIEW & SCRUTINY
PANEL
5 MARCH 2019
7.30-8.41**



Present:

Councillors Angell (Chairman), Porter (Vice-Chairman), Mrs Angell, Brossard, Mrs Ingham, Kennedy, Mattick and Mrs McKenzie

Executive Members:

Councillors McCracken, Turrell

Also Present:

Councillor Leake

Apologies for absence were received from:

Councillors Finnie and Dudley, McKenzie-Boyle

In Attendance:

Andrew Hunter, Director: Place, Planning & Regeneration
Damian James, Assistant Director: Contracts
Timothy Wheadon, Chief Executive

42. Minutes and Matters Arising

It was agreed the Minutes of 8 January 2019, Item 31, be amended from “**RESOLVED** that the Minutes of the Children, Young People and Learning Overview and Scrutiny Panel...’ to “**RESOLVED** that the Minutes of Environment, Culture and Communities Panel...”. Otherwise it was **RESOLVED** that the Minutes of the Environment, Culture and Communities Overview and Scrutiny Panel held on 8 January 2019 be approved as a correct record, and signed by the Chairman.

43. Declarations of Interest and Party Whip

There were no declarations of interest relating to any items on the agenda, nor any indication that Members would be participating under the party whip.

44. Urgent Items of Business

There were no items of urgent business.

45. Public Participation

No submissions had been made by members of the public under the Council’s Public Participation Scheme for Overview and Scrutiny.

46. Planning Performance

Members were updated on the performance of planning enforcement in the Borough since the introduction of the Local Enforcement Plan by Andrew Hunter, Director:

Place, Planning and Regeneration. He informed members 318 cases had been opened and 329 had been closed during 2018-2019. A number of these cases were long standing and Graph 1 showed a general decrease in the number of cases.

Table 2 (2016/17) data showed nearly 200 open cases were over six months old. To date only 55 cases open were over six months open which was largely due to a full staffing structure allowing enforcement action to take place quickly when issues arose. The majority of outstanding cases were complicated. A reduction in open cases meant there would come a point in the near future where there would be significantly fewer reductions in open cases.

As a result of discussions the following comments and questions were raised:

- Members noted good performance in this area compared to when the Panel had begun receiving statistics on planning enforcement performance.
- It was queried if cases would be closed if they took too long or became too difficult? Officers responded that if cases were significantly old it was likely they were going through a legal process, so would not be closed. Cases were unlikely to be closed unless the parties involved dealt with the issue, for example, by removing a structure, or securing planning permission.
- Members asked if there was any way to reduce costs associated with planning enforcement or whether the Council had to accept the costs? Andrew Hunter, Director: Place, Planning and Regeneration, responded that costs were attributable to the Council but work had a real benefit to the public. Occasionally, a fine was imposed or costs awarded.
- Members asked if cases could be listed per ward? They were informed cases were generally confidential and disparate although ward members were made aware of some cases, especially if there was a pattern starting to emerge.
- Members noted it was a Working Party report of the Panel on planning performance which had highlighted the need for this report which went to all members so it was good to see the impact.
- Cllr Turrell, Executive Member: Planning and Transport, noted the good progress and work by scrutiny in helping members and officers get to grips with this issue. It was also noted this was a discretionary service, not statutory.

47. **Car Parking Enforcement**

Members received an update on parking enforcement managed via Council contractors SABA, who recently changed their name from Indigo. As well as managing the Councils' car parking facilities SABA have responsibility for parking enforcement both on street and off street. They can only enforce parking restrictions where traffic regulations are in force. It was noted parking Civil Enforcement Officers were not directly employed by the Council anymore. SABA currently employed five Civil Enforcement Officers. It was acknowledged this was not an easy role to recruit to due to verbal abuse and Bracknell's low unemployment rate, but they were fully staffed at present. In terms of car parking enforcement around schools visits were carried out on a rotational basis every six weeks. Officers had recently met with representatives from Thames Valley Police and were planning to carry out joint visits at particular schools where issues had been reported. Whilst restrictions were in place around schools these were often ignored as parents stayed in their vehicles to drop off and Civil Enforcement Officers had a five minute observation period prior to issuing a penalty charge notice. Members were advised information was available on the website and via email to request additional enforcement in an area if the public or members wanted to raise an issue. This went straight onto the SABA database and would form part of a future patrol. If a vehicle was thought to be abandoned the public should contact DVLA or Thames Valley Police (TVP) if it was an obstruction.

Following discussions the following questions and comments were made:

- Members asked how Civil Enforcement Officers worked with TVP and were informed joint visits were undertaken where TVP had an interest e.g a car was stolen or involved in a crime. Members queried if this also applied to a car abandoned on a highway but was taxed? Damian James, Assistant Director: Contract Services stated if a vehicle was abandoned or blocking a driveway TVP would have to be interested.
- Members asked if Civil Enforcement Officers could get involved if a car was blocking the path of people with buggies going past and were informed this would only happen if a TRO was in place. If not, it should be reported as an obstruction.
- It was queried how many times an issue had to be logged before Civil Enforcement Officers acted upon it and were informed SABA act upon every issue identified, even if only reported once.
- Members wanted to know if Civil Enforcement Officers had any discretion to deal with verbal abuse? Damian James, Assistant Director: Contract Services, said Civil Enforcement Officers were advised to call the police in that instance and it was at their discretion. He thought fines were £60 or £30 if paid within 14 days but would check exact costs and clarify at the next meeting.
- It was noted Civil Enforcement Officers used a number of body cameras to help with evidence gathering.
- Members asked if SABA had access to the DVLA database and were informed they do.
- A discussion took place about Disabled Parking Bays being abused. If it was a Bracknell Forest Council car park Civil Enforcement Officers could enforce but not if it was on private land. It was also noted some residents were unaware the Council had no enforcement capabilities in private car parks, including regulating use of Disabled Parking Bays.
- Members thanked officers for putting in place a TRO order which had a positive effect around a local school (including yellow lines and waiting times in morning and afternoon) as previously parents in cars had blocked paths.
- Members asked how long it took to train a Civil Enforcement Officer and were informed it took four weeks and included test papers to understand the legislation as well as shadowing another Civil Enforcement Officer.
- Turnover was reasonably high and was disappointing when time and money had been invested in someone. However, it was recognised it was a challenging role and there were some excellent Civil Enforcement Officers at present.

Actions:

Damian James, Assistant Director: Contract Services to check the cost of penalty charge notices and confirm with members.

48. Everyone Active

Damian James, Assistant Director: Contract Services, provided a verbal update on the performance of Everyone Active in relation to complaints and compliments. Quarterly updates were requested at the November 2018 meeting as members wanted assurances the Service Level Agreement was being monitored and issues rectified.

Members were informed statistics showed positive progress on the whole. 1 million visitors had visited the three sites (Bracknell Leisure Centre, Downshire Golf Complex and Coral Reef) in the first three quarters of the year.

Bracknell Leisure Centre had seen a decrease in the number of complaints from 1 April 2018 to end Sept 2018. Quarter 1 – 105 complaints, Quarter 2 – 68 complaints, Quarter 3 - 47 complaints. Quarter 3 was the start of the most significant refurbishment works in a number of years. 220 complaints had been received since 1 April in total. New management had been in place since Q3 onwards and it was positive to see a decrease in complaints since then.

Downshire Golf Complex had received 12 complaints in total over three quarters. Quarter 1 - 2 Quarter 2 - 4 Quarter 3 - 6. There had been a recent change in management which would hopefully give a benefit going forward.

Coral Reef - Q1 -198 complaints – largely around new booking system. Q2 - 40 Q3 – 16

As a result of discussion the following comments and questions were raised:

- Members acknowledged it was sad to see an increase in complaints at Downshire Golf Complex and wondered if there was a theme? Damian James, Assistant Director: Contract Services, advised complaints were largely about the state of the greens. Last March during a particularly hard spell 'Beast from the East' and during a period of intense heat throughout the summer had not helped. Drainage works had now been completed on two holes which should reflect better comments in the next quarter. Further drainage works were still needed.
- Members were pleased the number of complaints at Bracknell Leisure Centre were decreasing and asked if they also monitored compliments? Officers stated compliments were monitored but were low – 22 at Bracknell Leisure Centre during one quarter, remained static at Coral Reef and were in decline at Downshire Golf Complex.
- It was queried how long a member has to regain their membership if it has lapsed and were told it was at the discretion of Everyone Active but time periods were usually stated in the contract.
- Cllr McCracken, Executive Member: Culture, Resources and Public Protection, asked for the next set of statistics to show footfall at Bracknell Leisure Centre; Coral Reef and Downshire Golf Complex which it was agreed would be useful.

Actions:

Damian James, Assistant Director: Contract Services, to bring statistics regarding footfall, complaints and compliments for individual sites to the next Environment, Culture and Communities Overview & Scrutiny Panel meeting.

49. LED Lighting Task and Finish Group Update

Cllr John Porter, Chairman of the LED Lighting Task and Finish Group, updated members on the work of the Group.

The group had been in action for six months and, most recently, had scrutinised the complaints log collated by Osmond Faleiro, Engineer, Street Lighting. Following this meeting members had requested complaints be mapped on the GIS system used by the Council which had been completed and helped members identify hotspots. A small amount of funding was available and the group were going to recommend this was used to review the complaints and see if concerns needed to be addressed. Options included additional lamp lights rather than single; addressing foliage; checking distance between lamp posts and recommending raising the height of columns, as they noticed on visits some posts were shorter than others. Members were also reviewing projected savings to check they were being delivered.

- Members queried if there was a noticeable link between Anti Social Behaviour or Crime and LED Lighting implementation? Officers informed members they were meeting Cassandra Oswald, Neighbourhood Sergeant and Cllr McKenzie-Boyle later this week to identify any potential correlation.
- Members asked if the project was now complete and were informed it was as 14,000 lights had now been replaced.
- Cllr Turrell, Executive Member: Planning and Transport thanked scrutiny members for their work on this project and for going about it in a subjective way. The LED Lighting project was a large amount of work but had brought about important changes including financial savings; savings in terms of the carbon footprint and central management system; making it easier to identify faults and lights being out for less time. The Council needed to check perception rather than fact where complaints had been received as some residents thought their LED lights were 50% brighter than previous sodium lights.

50. **Houses in Multiple Occupation Task and Finish Group**

Cllr Michael Brossard, Chairman of the Houses in Multiple Occupation (HMO) Task and Finish Group, provided a verbal update on the work of the Group.

Members had gained a higher level of understanding on HMOs following five meetings of five members drawn from the Panel. They had met with a wide range of officers from pub protection, housing, planning, community safety, TVVP and Royal Berkshire Fire and Rescue Service. The Grenfell tragedy had made people focus on HMOs and it was hoped the work of this Panel would contribute towards making HMOs safer. At their last meeting Panel members met with the Head of Property Management and the Lettings Manager from Prospect Estate Agents and discovered the Estate Agent were selective about which HMO landlords they worked with as they expected them to operate to their standards. Within the next month the final report would be submitted and it was hoped the Executive would take on board their recommendations.

Cllr Turrell, Executive Member: Planning and Transport said it was a matter that concerned a number of residents and he looked forward to receiving the learning from the report.

51. **Cemetery/Crematorium Visit**

Members agreed to visit Easthampstead Cemetery/Crematorium. Governance and Scrutiny Co-ordinator to circulate potential dates to members and co-ordinate visit.

It was noted the Chief Officer of the Federation of Burying Commissioning Authority had visited last summer and said it was an excellent facility which attracted custom from a vast area.

Actions:

Governance & Scrutiny Co-ordinator to facilitate visit for members to Easthampstead Crematorium/Cemetery.

52. **Quarterly Service Report (QSR)**

Andrew Hunter, Director: Place, Planning and Regeneration and Damian James, Assistant Director: Contract Services gave members an update on issues in their areas as per the slides to be published alongside the minutes. This included an update on the Parks and Countryside project which was coming to a close as it was agreed by the Executive in February 2019. Members were shown a picture of the

new junction at Martin's Heron which had received a number of compliments although it was acknowledged there was some work still to be done. The number of planning appeals was close to target and decisions by the Planning Inspectorate were challenged where applicable. Learning sessions were held for officers once the decision from the Planning Inspectorate was received.

Following discussion the following questions and comments were raised:

- Members queried the anticipated end date for A322 Downshire Way work and were informed it was July 2020. They were reassured much of the work would be done off the road, like with London Road, and where there was thought to be an impact work would be undertaken outside of peak times.
- Members asked if large lorries would cause a problem and were informed there would be no merge lane in the future which should help with congestion.
- Members were informed work impacting on local road networks were flagged on motorways and on websites.
- Members asked why lessons learnt were not shared with members on the Planning Committee and were informed they are informally when looking at subsequent planning applications.
- Members wanted to know if there was a good relationship with Surrey County Council officers regarding the Meadows Roundabout and if they were on target to achieve what they set out to achieve? Andrew Hunter, Director: Place, Planning and Regeneration said he had not heard there were issues, but would check and provide an update.
- Members requested an update on housing need projections and were informed they should be available some time this week. Andrew Hunter, Director: Place, Planning and Regeneration said the figure was likely to be between 600 and 630.

Damian James, Assistant Director: Contract Services updated members as per slides and reported 11 new waste trucks had been ordered and would arrive July approximately. Dry changing rooms in Bracknell Leisure Centre and a new reception had opened at the end of November 2018. The new gym had opened at the beginning of January 2019. There had been changes in contractor management at the new Town Centre with regards cleaning. A new regime and staffing changes were hoped to improve matters. They had trialled different machines to clean paving and would continue to do so to find the best option. The introduction of the National Waste Strategy would hopefully increase recycling rates following consultations and an agreed direction of travel The Council and Everyone Active were perusing options to build a new clubhouse at Downshire Golf Complex. Currently, the business case did not support it at the moment but they were looking at all options. Visits to Bracknell Leisure Centre were 1 million in the first three quarters of 2018/19 which was lower than the target of 1.7 million but this was an ambitious target set by Everyone Active.

Following discussions the following comments and questions were raised:

- Members wanted to know if the new refuse trucks were the 50/50 configuration as previously and were informed they were single back vehicles and would only collect one type of material at a time but were more flexible as they could be used for collecting gardening one week and recycling the next, for example.
- Currently, there was an issue if the gardening waste side of a truck was full but the recycling side was half full as vehicles had to empty half full refuse trucks. New trucks were also lighter so fuel consumption would be slightly better. Members requested refuse trucks did not follow each other (i.e. not in same road at same time) in order to avoid congestion. Officers stated routing was

done via a computer to try and avoid this but they would take it into consideration.

- Members asked what the biggest problem was with cleaning the town centre and were informed it was spillages, particularly coffee and hot chocolate which was hard to remove from paving stones, prevalent around benches and coffee shops.

Actions:

- **Andrew Hunter, Director: Place, Planning and Regeneration to check progress on the Meadows Roundabout works and send to Governance & Scrutiny Co-ordinator to send out with the minutes.**
- **Governance & Scrutiny Co-ordinator to publish slides with the minutes.**

53. Executive Key and Non-Key Decisions

Members received and noted the scheduled Key and Non-Key Executive Decisions of a corporate nature.

CHAIRMAN