

# DRAFT

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## OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION

### MINUTES OF THE MEETING HELD ON TUESDAY, 25 JANUARY 2022

**Councillors Present:** Alan Law (Chairman), Lee Dillon (Vice-Chairman), James Cole, Thomas Marino, Steve Masters, Claire Rowles, Tony Vickers, Adrian Abbs (Substitute) (In place of Jeff Brooks) and Tony Linden (Substitute) (In place of Gareth Hurley)

**Also Present:** Councillor Lynne Doherty (Leader of the Council and District Strategy and Communications), Councillor Erik Pattenden, Councillor Howard Woollaston (Executive Portfolio: Internal Governance, Leisure and Culture), Nigel Lynn (Chief Executive), Joseph Holmes (Executive Director - Resources), Andy Sharp (Executive Director (People)), Sarah Clarke (Service Director (Strategy and Governance)), Matthew Pearce (Service Director-Communities & Wellbeing), Paul Martindill (Interim Consultant (Leisure)), Gabrielle Mancini (Service Lead - Customer Engagement & Transformation), Gordon Oliver (Principal Policy Officer), and Vicky Phoenix (Principal Policy Officer – Scrutiny)

**Apologies for inability to attend the meeting:** Councillor Jeff Brooks and Councillor Gareth Hurley

#### PART I

#### 32. Minutes

The Minutes of the Special meeting held on 31 August 2021 and the meeting held on 12 October 2021 were approved as a true and correct record and signed by the Chairman.

#### 33. Actions from previous Minutes

It was noted that all actions had been completed. Further updates were provided on the live actions:

- Action 43 – provisional dates had been proposed for future meetings (24 May 2022, 06 September 2022, 29 November 2022 and 7 March 2023), which would be two weeks ahead of the relevant Executive meetings where the quarterly performance and financial reports would be discussed.
- Action 50 – Cllr Lee Dillon confirmed that he was still considering whether he wished to submit a question to Executive.
- Action 51 – Cllr Tony Vickers confirmed that he did not wish to propose this as an item for the Commission to review.
- Action 52 – a task group to look at various aspects of the Covid response had been included in the proposed work programme to be discussed later in the meeting.

#### 34. Declarations of Interest

Councillor Adrian Abbs declared an interest in Agenda Item 6, but reported that, as his interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, he determined to remain to take part in the debate and vote on the matter.

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Councillors Tony Vickers, Erik Pattenden and Steve Masters declared an interest in Agenda Item 6, but reported that, as their interest was a personal or an other registrable interest, but not a disclosable pecuniary interest, they determined to remain to take part in the debate and vote on the matter.

### 35. Petitions

There were no petitions to be received at the meeting.

### 36. Items Called-in following the Executive on 16 December 2021

*(Councillor Adrian Abbs declared a personal interest in Agenda item 6 by virtue of the fact that he was a Ward Member for the Sports Hub site. As his interest was personal and not prejudicial he was permitted to take part in the debate and vote on the matter.)*

*(Councillors Tony Vickers, Erik Pattenden and Steve Masters declared a personal interest in Agenda item 6 by virtue of the fact that they were Members of Newbury Town Council, which had a public position on the London Road Industrial Area. As their interest was personal and not prejudicial they were permitted to take part in the debate and vote on the matter.)*

The call-in request submitted on 22 December 2021 asked the Overview and Scrutiny Management Commission to review the Executive's decision (EX4149) of 16 December 2021 concerning the award of contract to build Newbury Sports Hub.

It was confirmed that the call-in request had been submitted in accordance with Sections 5.3 and 6.4 of the Council's Constitution.

Councillor Howard Woollaston presented the background to the Sports Hub and the rationale for the Executive's decision to award the contract for its construction. Key points from the presentation were:

- The Playing Pitch Strategy (PPS) had been signed off by partners in December 2019 and adopted by Council in February 2020.
- There was a large shortfall in playing pitch provision across West Berkshire, particularly for football.
- 10 pitches were operating over capacity and 57 were of poor quality.
- The PPS identified a shortfall of seven full-sized artificial pitches.
- All Council owned sites had been considered and rejected.
- Private sector solutions had been investigated, with Newbury Sports Hub deemed to be the best option.
- The Hub would also serve as a partial replacement for the Faraday Road pitch if the London Road Industrial Estate (LRIE) was redeveloped.
- A public consultation attracted 349 responses – 53.1% of respondents supported a new Sports Hub at the Rugby Club.
- Development of a new Step 6 facility had 46.1% support vs 27.4% opposed and 64.1% supported different sports sharing a facility.
- The new facility would deliver significant improvements with: four team changing rooms, medical room, officials changing area, kitchen, board room, social area and separate toilets for spectators.
- The proposal would achieve an FA Step 4 grading, which would allow teams to progress through the football leagues.
- More car parking would be provided with charge points – 52 spaces with 30 extra spaces available on match days, and a further 200 spaces at Newbury College.
- Eight hours per week would be allocated to the Rugby Club, between September and April, with the remainder allocated for football.

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- Agreement had been reached with the Rugby Club for a 40 year lease, including a joint use agreement.
- A range of improvements would be delivered, including additional flood lighting.
- Negotiations had been completed and the agreement would be signed off following planning determination.
- An annual assessment of playing pitch need was underway - the results would inform the need for additional facilities in future.
- Pre-construction assessment showed that the pavilion could achieve a BREEAM rating of 'very good', putting it in the top quartile of new buildings. It would also achieve BREEAM 'excellent' for energy management.
- There would be a 10% gain in biodiversity via: hedgerows; 100 new trees; a wildflower meadow; and a bee bank.
- Many parts and materials would be sourced from local suppliers.
- A new drainage system would be installed on the site.
- The artificial pitch would require less maintenance and watering than a grass equivalent.
- The Council believed that it should lead by example.
- Management of the Hub would be included in the new leisure contract, so clubs would not have no maintenance obligation.
- Sport England had raised no objection to the management of the site or the design.
- Clubs would be able to hire facilities for social events.
- The capital cost would be £3.351 million, subject to planning conditions.
- The scheme had been independently assessed as offering 'very good' value for money.
- In April 2021, a report had identified the need for revenue support of £90,000 and a sinking fund of £25,000 per annum. The latter had subsequently been increased to £35,000 per annum.
- The procurement process would allow for discussions on scope before submission of final tenders.
- Construction of the Sports Hub would take 26 weeks.
- The Sports Hub would provide a state of the art facility for both football and rugby and would help to address the pitch shortfall identified in the PPS. It would allow teams to progress through the leagues and was supported by Newbury Football Club and its current Step 7 league.
- Pitch markings would include five-a-side, seven-a-side and junior training to address under-provision for children.

The Chairman asked if the Executive decision was only for the award of the construction contract and if the decision about the principle of the Sports Hub was taken at the meeting in April 2021. This was confirmed to be correct.

The call-in was formally proposed by Councillor Lee Dillon and seconded by Councillor Tony Vickers.

Councillor Dillon had taken advice from officers about calling witnesses. He referenced section 6.13 of the Constitution about parties attending to give evidence according to a pre-agreed timetable. He asked Members to support the call for witnesses to permit a more thorough debate. It was noted that the planning application for the Sports Hub would be considered on 2 March, so OSMC could meet in advance of this without delaying the Executive decision.

Councillor Dillon proposed to set up a task and finish group of the whole of OSMC to meet on 22 February 2022 to interrogate witnesses and make a resolution on the matter

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at that meeting – this would obviate the need for any further discussion of the matter at the current meeting.

Although the Constitution permitted the Chairman to allow witnesses to attend OSMC to give evidence, he had not been approached in advance of the meeting. Also, the Constitution indicated he should only do so if principles such as fairness to all parties and ensuring efficiency of proceedings could be met. The Chairman considered that OSMC could deal with the matter without the need for witnesses, since the decision related to the development contract and not the principle of the Sports Hub. Also, the Constitution required the matter to be determined as early as possible.

Councillor Dillon formally proposed a motion to set up a task and finish group to consider the call-in and invite witnesses. This was seconded by Councillor Tony Vickers.

Councillor Dillon stressed that the decision would incur a spend of around £15 million, including on-costs. He also highlighted the following concerns, which he felt justified the need for a full debate with witnesses:

- The PPS could be put at risk by this one project.
- The same investment could deliver six new pitches.
- There was confusion about whether or not the facility was a replacement for the Faraday Road pitch.
- There was doubt as to whether or not eight hours per week would be enough for rugby, and how this would work in practice.
- The need for a park and ride to serve the facility.

The Chairman invited Councillor Woollaston to comment on the need for witnesses. This was queried as a point of order. Sarah Clarke confirmed it was in the Chairman's gift to invite other Members to speak. She confirmed that Councillor Woollaston had given the requisite notice and the Chairman had previously indicated how he wished the item to be discussed.

Councillor Tom Marino queried whether a call-in could have a task and finish group allocated to consider it.

Councillor Claire Rowles indicated that she did not see the need for witnesses.

Councillor Adrian Abbs noted that the proposal considered by Western Area Planning Committee was for a Step 6 facility, but the current proposal was for a Step 4 facility. He suggested that witnesses would be important in determining what level was needed and whether the proposal represented good value.

Councillor Steve Masters indicated that without witnesses, Members could not independently verify the views put forward and be neutral in its decision making.

The Chairman indicated that OSMC usually relied on Council officers as expert witnesses.

Councillor James Cole noted that there had been full consultation on both the PPS and the Sports Hub proposal.

Sarah Clarke confirmed that while deferring the call-in to a task and finish group was not explicitly precluded in the Constitution, the rules stated that the matter should be considered as soon as reasonably practicable. The Constitution made it clear that the matter should be disposed of at the call-in meeting. The item had been on the Forward Plan, so OSMC could have undertaken pre-decision scrutiny. The call-in was post-decision scrutiny, so OSMC could only resolve to concur with the Executive's decision, or to refer the matter back to Executive with recommendations for changes. It was agreed

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that OSMC needed to consider whether the proposal to defer the decision was appropriate.

Councillor Dillon felt that the matter was being addressed at the meeting and his motion would ensure the best outcomes for taxpayers. A special OSMC meeting on 22 February would not incur additional delay, since the contract was subject to planning permission, and the application would be determined on 2 March. The proposed approach would allow OSMC to understand if the proposal was workable.

It was noted that the Constitution stated it was for the Executive Leader and OSMC Chairman to determine when the matter should come before the Commission and it was for them to consider the implications of delay.

The Chairman highlighted that the call-in did not propose a task and finish group. He accepted that the call for witnesses was a valid point and sought to conclude the debate on this point.

Councillor Dillon did not accept that the proposal was a deferral, but suggested that it would be a continuation of the current meeting.

Councillor Masters suggested that task and finish groups had been set up in response to previous call-ins. However, it was confirmed that this was incorrect and was precluded by the Constitution.

Councillor Masters reiterated that scrutiny could be concluded prior to determination of the planning application.

The Chairman noted that requests for witnesses could have been submitted to him in advance of the current meeting. Councillor Dillon indicated that the advice from officers was that the decision to call witnesses was for the Commission to make. It was highlighted that the Constitution also gave powers to the Chairman to agree witnesses.

Councillor Woollaston stressed that an independent consultant's report had confirmed that the proposal represented very good value for money, especially in the current construction market, so he did not see the need for witnesses.

Councillor Vickers noted that the motion was to defer debate in order to be able to call witnesses and facilitate thorough scrutiny of the implications of the Executive decision. The Executive decision included a commitment to build, maintain and use the Sports Hub, with ongoing subsidy for 40 years, so the commitment was for more than just a £3.5 million construction contract. He highlighted that the planning decision had not been referred up to District Planning Committee until after the call-in had been submitted, so Members had not known that a task and finish group could be called without incurring additional delay. This would allow OSMC to undertake proper scrutiny in the interests of due diligence in the spending of public money. He indicated that the playing Pitch Strategy was not disputed. He would have supported a more modest proposal, but considered the Sports Hub specification to be over-the-top. Also, it had been admitted that the Sports Hub was a replacement for the Faraday Road facility, which was an Asset of Community Value, with planning consent for a replacement facility that had the backing of the Football Association and would thus attract funding. This suggested that the Football Association should be called as a witness, as well as community members who would use the facility. He stated that witnesses had attended previous task and finish groups and it was important in this case to inform scrutiny of this decision and the wider impacts. He noted that the proposal to build housing on the Faraday Road site had no planning policy background.

The Chairman stressed that the call-in related to the construction of the Sports Hub and not to Faraday Road and the LRIE, which he considered irrelevant.

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Councillor Vickers indicated that there was an opportunity to call external witnesses without incurring additional delay to the project.

The Chairman noted that the third call-in reason stated that further evidence was needed from Sport England. Consequently, if the alternative course of action requested by the call-in was approved, then the Executive would be asked to delay the award of contract and take evidence.

Members of OSMC were asked to vote on the proposal by Councillor Lee Dillon, seconded by Councillor Tony Vickers to set up a task and finish group to consider the call-in and invite witnesses. At the vote, the motion was not carried.

Councillor Dillon was invited to present the reasons for the call-in.

In relation to the first reason, he stated that it was necessary to know the whole life cost of the project in order to understand if it would harm the PPS. It would be possible to deliver six artificial grass pitches for the same amount as the Sports Hub, which suggested that the specification was over the top. The PPS only required seven 3G pitches – not a sports hub with a park and ride, which would only be needed if replacing a football club in the town centre. Also, planning permission had been sought for a Step 6 facility, but the design was for a Step 4 facility, which again was an over-specification. He observed that the cost of the stand-alone pitches was excessive due to their location. Subsidy would be required for the Rugby Club and the business case was considered unsustainable due to the chosen operating model and design. If the design was stripped back, more money would be available for the rest of the PPS. He noted that the Council had approved a planning application for a replacement 3G pitch at Faraday Road, which would provide a net income that could be used to help fund the remaining six 3G pitches that were needed. He suggested this would be a better way to deliver the PPS for the whole district. Also, the Council would be spending up to £15m for the new Sports Hub in order to realise a £3.5 million gain from the LRIE development. Instead, funding could be used to address shortfalls in sports facilities elsewhere in the District. Additionally, he noted that there was no other 3G playing pitch in the country with a park and ride

In relation to the second call-in reason, Councillor Dillon asked why Councillor Woollaston had made direct comparisons with the Faraday Road site if the Sports Hub would be a stand-alone facility. Western Area Planning Committee had been confused as to whether this was a stand-alone facility, and there were multiple references to the Faraday Road site in the Executive report. National Planning Policy Framework referred to the need to reprovide existing open spaces and since the new AGP would go on an existing grass pitch, that would need to be reprovided as well - it was not known what this would look like or how much it would cost.

The Chairman asked if the fact that the Sports Hub was a replacement for Faraday Road was contested. It was noted that it had been contested by the Leader of the Council and Planning Officers. Also, Councillor Woollaston had contested it at the planning meeting.

Councillor Dillon highlighted that the Executive report referred to a Step 4 facility, so the Sports Hub was not only a replacement for Faraday Road, but an upgrade. He suggested that a contract should not be awarded until the Sports Hub had been tested as a replacement for the Faraday Road facility through planning. To do so could be considered a reckless misuse of public funds. He accepted that there was a difference in views about what could be achieved for LRIE, but suggested that the administration was not being clear about the impacts and implications of their plans and that they were hedging their bets and playing one committee off against the other.

The case was made for evidence to be sought from sporting bodies regarding the future split use of the Sports Hub to ensure it would work properly and assess the impacts of

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the time allocation. It was noted that that the site could not host rugby games because the run-off area was too short.

In terms of finances, Councillor Dillon stressed that the total cost of the project was unknown and this should be considered when awarding the contract. He suggested that the administration was not being open about this. He referred to the LRIE Task and Finish Group, which had exposed issues in relation to poor project management.

Councillor Dillon stated that there would be a need to reprovide a grass pitch, but it was not known where this would go. He reiterated the point that delaying consideration of the call-in in order to call witnesses would not have incurred any additional delay to the Executive's decision.

Councillor Abbs noted the inconsistency about whether the facility would be Step 4, Step 6 or Step 7. The PPS required a Step 7 facility, but Western Area Planning Committee had considered a stand-alone Step 6 facility. He asked why so much money was being spent on a Step 4 facility and why anything greater than a Step 7 facility was being considered.

Councillor Vickers noted that in January 2021, project risks had included failure to get support for the project from national sports bodies. Support had yet to be secured from the Football Association and the Rugby Football Union. This was both a reputational and financial risk. Another key risk was negative feedback from the community on the preferred option. As a local ward member he was aware of negative feedback on the Sports Hub, but not for the alternative proposal. He reiterated that there was no planning permission for the Hub.

Councillor Erik Pattenden indicated that the call-in questioned how the contract would help the Council achieve its ambition to achieve net zero carbon by 2030. He suggested that local town and parish councils were doing more to achieve net zero carbon than West Berkshire Council. He stated that a town centre facility would be more accessible by active travel modes and asked why a contract would be awarded that did not support the net zero carbon ambition.

Councillor Woollaston confirmed that Newbury Football Club currently played at Step 7 and it would be reasonable to assume that they would improve over time. The current proposal was for a Step 4 facility.

Councillor Abbs asked why planning permission had been sought for a Step 6 facility.

Councillor Woollaston confirmed that the ambition of the Executive was to achieve a Step 4 facility. The design was driven by national governing body standards, including FIFA and World Rugby Regulation 22 standards. Four changing rooms would be provided to maximise playing time and income, support mixed gender teams and safeguard young people. In summary the proposal would be future-proofed.

Councillor Dillon noted that existing sites were used as intensively as the proposed Hub would be, but without the need for changing facilities, since players arrived wearing their kit.

The Chairman noted that the ambition of the Executive was for a Step 4 facility with whatever features that required.

Councillor Abbs suggested that a fraudulent planning application had been submitted.

In relation to the point about value for money, Councillor Woollaston noted that an independent consultant had confirmed that the scheme achieved very good value for money.

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Councillor Dillon asked if this rating was for the construction or whole life costs. Councillor Woollaston confirmed that it was the latter and indicated that it would be expensive to purchase a new site. Councillor Dillon suggested that alternative options were available, such as partnering with schools.

Councillor Woollaston confirmed that the contract would not be awarded until the facility had received planning permission. He confirmed that the ambition was to deliver a first class facility of which the community could be proud, and a similar facility at an alternative site would cost the same. The only differences were the limited payments to fund community rugby and ground rent. However, there was no need for land purchase. He highlighted that the cost to the community would be limited, as the Council would utilise Government borrowing at a very low rate of interest.

Councillor Woollaston confirmed that in addition to the construction costs, there would be annual costs for ground rent and a sinking fund of £35,000 to replace the 3G pitch every 10 years.

The Chairman noted that a budget had been allocated for all aspects other than those that might come out of the planning permission. However, Councillor Dillon indicated that funding had only been requested for capital costs and total costs over the 40 year lifetime had not been confirmed. The Chairman indicated that this had been discussed as a Part II item. Councillor Dillon felt that the public should know how much money was being committed over a 40 year period. The Chairman confirmed that this information was commercially sensitive and the figure would be made available at the appropriate time.

Paul Martindill outlined the measures that would maximise the environmental benefits of the scheme. A BREEAM pre-assessment had indicated that the pavilion would achieve a rating of 'very good', putting it in the upper quartile for all new buildings. Key features would include: air source heat pumps; low energy lighting; pure electricity provision for the kitchen; no hand towels or hair dryers; and an obligation on the operator to maximise usage of sustainable transport. There would be a 10% ecological enhancement on the site. This would be consistent with the Council's Environment Strategy.

Councillor Vickers asked if he could call a member of the public present at the meeting as a witness. The Chairman confirmed that witnesses were not permitted. Sarah Clarke indicated that members of the public were permitted to speak at the meeting only if OSMC so resolved. She considered that this matter had been considered earlier in the meeting. The Chairman stressed that the proper processes needed to be followed.

Councillor Dillon stressed that the previous vote had related to the task and finish group and that calling a witness would not affect the expediency of the meeting.

Members of OSMC were asked to vote on the proposal by Councillor Lee Dillon, seconded by Councillor Tony Vickers to call a witness to this meeting. At the vote the motion was rejected.

Councillor Masters asked if the proposed contract would be for a Step 4 facility or a Step 6 facility. It was confirmed that it would be for Step 4. Councillor Masters asked how that would progress if planning permission had not been given for a Step 4 facility. The Chairman confirmed that that planning was not a matter for the call-in.

Councillor Marino asked what further measures were sought by the call-in Members in relation to the net zero carbon commitment and for evidence that town and parish councils were doing more to achieve net zero carbon than West Berkshire Council.

Councillor Pattenden felt that it would have been useful to know the extent to which each of the proposed measures would contribute to net zero carbon. He also noted that

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Newbury Town Council had reduced its carbon emissions by more than West Berkshire Council.

Councillor Tony Linden accepted there was political opposition to the proposal. He felt that planning was a 'red herring', since this could be addressed through a variation, and it was not appropriate for OSMC to discuss planning matters.

Councillor Abbs asked why the Hub would not include provision for solar power. He also noted there were off-the-shelf solutions for net zero carbon buildings. The Chairman considered this to be a matter of detail and not central to the debate.

Councillor Cole observed that the contingency seemed low. Paul Martindill explained that considerable work had been done to reduce risk during the design stage with surveys giving a very clear picture of risk and costs had been revised in response, with contingency reduced to 3%. He acknowledged that there could be additional costs associated with planning conditions, but a substantial amount of design work had already been completed.

OSMC Members were invited to vote on the motion proposed by Councillor Dillon and seconded by Councillor Vickers that the contract to build Newbury Sports Hub should not be awarded at this point in time. At the vote, the motion was not carried.

OSMC Members were then invited to vote on the motion proposed by Councillor Cole and seconded by Councillor Marino to uphold the Executive's decision (EX4149) of 16 December 2021 concerning the award of contract to build Newbury Sports Hub and that it be implemented with immediate effect.

**RESOLVED:** that OSMC upholds the Executive's decision (EX4149) of 16 December 2021 concerning the award of contract to build Newbury Sports Hub and that it be implemented with immediate effect.

### 37. **Operational Review of the Communications and Engagement Strategy**

The Commission considered a report on the Operational Review of the Communications and Engagement Strategy (Agenda Item 7).

Before introducing the report, Councillor Lynne Doherty expressed her concern at the behaviour Members had shown in the previous item. She indicated that the work of the Commission was valuable to the Council and she welcomed scrutiny of the Executive's decisions.

Councillor Doherty stated that the Strategy had been approved in October 2020 and that it had since been successfully implemented. In 2019, a Peer Review had recommended that the Council was "hiding its light under a bushel" and communications needed to be improved. Since then the Council had gone on to receive awards for its communications. She was proud of the team and noted that many residents had given unsolicited compliments on the Council's communications.

Gabrielle Mancini introduced the report. She explained that effective communication and engagement was key to being open and transparent and involving the community in the work of the Council and the democratic process. The Communications Strategy and Delivery Plan to address points raised in the peer review, and set out a comprehensive range of actions. Additional investment had been made in the Communications Team, which had also been restructured. Significant progress had been made in a short period. This had coincided with the Covid pandemic, when effective communications had been of increased importance. Feedback and awards had demonstrated how much the Council had improved, with benefits for the Council and the communities it served. It was

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acknowledged that more needed to be done to reach those who were seldom heard, but there was confidence that the Council would continue to move forward.

Councillor Lee Dillon indicated that it would be good to understand the level of resource and spend required to deliver each of the outstanding actions. For example, improving the website would be a relatively large and costly exercise compared to other more minor actions. Similarly for partially complete items, it was difficult to understand the remaining commitment. Also, he felt that some actions were not specific enough (e.g. 'greater social media').

Councillor Claire Rowles congratulated officers on making so much progress in a short period. She indicated that there had been good engagement with the Residents' Bulletin on Covid. She noted that the branding exercise had not been progressed and asked if this remained a long-term ambition. She also asked about plans to engage better with people with disabilities.

Councillor James Cole agreed that good progress had been made, but highlighted issues with the search engine on the Council's website.

Councillor Tony Linden was pleased at the improvements made. He agreed about the limitations of the search engine and noted that it had been difficult to find the last election results. He stressed the importance of making articles easy to read, including for residents whose first language was not English, and engaging with people who were not digital natives.

Councillor Tony Vickers suggested that when the Council organised conferences and events, there was a risk of talking too much and not listening enough. He stressed that residents had a lot to offer and should be listened to. Also, the Council was able to impart information in other ways.

Councillor Adrian Abbs suggested that relatively few people subscribed to the Council's social media channels, but engaged with their own community groups. He suggested that the Council and Members could post / re-post to the most active local groups in order to increase the audience.

Councillor Steve Masters congratulated officers on the improved communications. He acknowledged the success of the newsletter, but noted that engagement on social media was less than it could be. He suggested that the Council could pay for social media advertising to get into the feeds of local residents. With regard to live-streaming Council meetings, he asked if British Sign Language interpretation could be used to improve accessibility.

The Chairman also congratulated officers and praised the report. He agreed that the website needed to be improved, since this was often the first point of call for residents. He highlighted that his Council laptop was using Explorer as the default browser, but this did not work with the Council's website or intranet.

Gabrielle Mancini responded to members concerns as follows:

- Necessary resources had been made available for all actions.
- Progress was regularly monitored by the Customer First Programme Board.
- Weighting of actions had not been considered to date, but this would be looked at - projects were currently progressed in priority order.
- It was recognised that updating the website was a big project.
- Concerns about the search engine would be fed back to the Digital Team.
- The website performed well in terms of Government accessibility standards.
- The Council was improving access for residents by increasing the range of channels through which people could engage, including directly through the

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Contact Centre or via digital channels. The Digital Waste Permit Scheme was cited as a success story with residents able to access other services via their online account in future.

- Engagement with seldom heard groups was considered a priority and additional resource had been added to the Consultation Team to facilitate active engagement with these communities.
- The demographics of social media subscribers and consultation respondees were regularly reviewed and any gaps were actively targeted. Also the Residents' Survey was going out to a representative sample of local residents.
- The Branding exercise had been deferred due to budget and resource constraints associated with the pandemic.
- Regarding conferences, the Council was seeking to move from the traditional approach of broadcasting messages to a more collaborative approach that involved others in the setting of agendas. An 'un-conference' approach would be used for the forthcoming District Parish Conference.
- Engaging with individual groups on social media would lead to a huge call on staff resources and it was suggested that Members and other community leaders could help to spread key messages.
- The Council made good use of paid advertising on social media, which targeted those who were not currently engaging with the Council.
- British Sign Language for council meetings had not been considered to date, but this would be discussed with the Portfolio Holder.
- Explorer was no longer supported by Microsoft, so ICT would be asked to remove this from Members' laptops. Members would be able to access the Intranet via Chrome.

### **Actions: Gabrielle Mancini to:**

- **Consider introducing a weighting of actions by resource / time requirement;**
- **Feedback concerns about the search engine on the Council's website to the Digital Team;**
- **Discuss the possibility of British Sign Language interpretation for public meetings with the Executive Portfolio Holder;**
- **Ask the ICT Team to remove Explorer from Members' laptops.**

## **38. Fees and Charges**

The Commission considered a report on Fees and Charges (Agenda Item 8).

The report provided an overview of fees and charges across the Council. It included the level of fee income in recent years, and the type of charges the Council made and for what services.

The Commission was invited to make proposals and recommendations regarding areas where a more detailed review could be undertaken. Corporate Board had made some initial suggestions.

It was suggested that OSMC may wish to set up a Task and Finish Group to look at this and make recommendations back to a future meeting.

The Chairman had expected the report to set out some potential options for further charges that could be introduced. He noted that this work could not be completed in time to inform the 2022/23 Budget, which would be considered at the February meeting of the Executive. However, proposals could be incorporated into a revised mid-year budget in September. Otherwise they could be introduced as part of the 2023/24 budget.

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It was agreed that a Task and Finish Group would be the most appropriate mechanism for this work. The Chairman proposed that this be considered as part of the next agenda item.

Councillor Lee Dillon suggested that the Task Group should set some overarching guidelines, with charges for necessities kept to the minimum (e.g. Blue badges for disabled residents), but having charges for standard items rising with inflation.

The Chairman suggested that the Task Group should have a free hand to determine these, working with officers.

Councillor Rowles suggested that it would be helpful to present the information more visually.

Councillor James Cole noted the proposed increase in charges, which were lower than current inflation rates. Also, the increase for the Public Protection Partnership fees were more than those for Council services. Councillor Dillon explained that the report referred to the previous year's charges.

The Chairman suggested that the Task Group could consider which measure of inflation would be appropriate to consider when setting in increases (i.e. RPI or CPI).

It was proposed that Councillor Jeff Brooks and James Cole be members of the Task and Finish Group.

The Chairman proposed that Councillor James Cole be appointed as Chairman. This was seconded by Councillor Claire Rowles. At the vote the motion was passed.

**RESOLVED:** that Councillor James Cole be appointed as Chairman of the Fees and Charges Task Group.

The Chairman asked if the Green Party wished to be represented. Councillor Steve Masters indicated that they did not currently have spare capacity.

Councillor Tony Vickers proposed that an invitation could be extended to all back-bench Members. The Chairman suggested that one or two additional members could be co-opted to the Task Group.

### 39. Membership of Task and Finish Groups

The Chairman noted that there had been difficulties in arranging meetings of the Leisure Strategy Task and Finish Group. This had partly been due to senior officers having to prioritise the Covid response. He stressed that meetings should not be dependent on directors being present.

It was noted that Councillor Gareth Hurley also had experienced difficulties in attending meetings, so Councillor Tony Linden had been asked to replace Councillor Hurley on the Task and Finish Group.

The expectation was that the Group would meet at least twice and report back to OSMC in March. The Chairman confirmed that he had secured the agreement of the Leader that the Leisure Strategy would not go to Executive until the Task Group had made its report. The original request had been for the Task Group to help guide and develop the strategy.

Councillor Lee Dillon sought clarification regarding who would Chair the Task and Finish Group. The Chairman confirmed that it would be Councillor Linden.

### 40. Task and Finish Group Updates

The Commission received updates on the work of the current Task and Finish Groups (Agenda Item 10).

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There was no further update from the Leisure Strategy Task Group.

Councillor Tom Marino confirmed that it had been agreed that the ICT and Digitisation Task Group should be wound up as the Strategy had been adopted and there did not appear to be any significant issues with the programme. Also, there was a need to free up resources to focus on other task groups.

### 41. Health Scrutiny Committee Update

Councillor Claire Rowles presented the update on the work of the Health Scrutiny Committee (Agenda Item 11).

The last Health Scrutiny Committee meeting was on 10 November. Items considered included:

- NHS Dentistry
- Access to GP surgeries
- Clinical Commissioning Group update
- Healthwatch West Berkshire update
- Adoption of prioritisation methodology
- Protocol between Health Scrutiny Committee and local health bodies

The 3 February meeting had to be cancelled due to lack of availability.

The Committee was developing its work programme using the prioritisation methodology and a meeting was being arranged with Sarah Clarke to discuss this further and agree dates of future meetings.

It was noted that Vicky Phoenix had been appointed to provide additional officer support.

Councillor Rowles had attended a meeting of the Hampshire Joint Health Overview and Scrutiny Committee to receive a briefing on plans for the new hospital at Basingstoke. She stressed the importance of attending meetings about facilities in neighbouring areas where West Berkshire residents would be affected.

### 42. West Berkshire Council Forward Plan 2 February to 31 May 2022

The Commission considered the West Berkshire Forward Plan (Agenda Item 12) for the period covering 2 February to 31 May 2022.

Councillor Lee Dillon asked for the Forward Plan to be sorted by chronological order. He also suggested that the Commission may wish to consider the Review of the Library Service, which was going to Executive in April.

The Chairman confirmed that it would not be possible to undertake pre-decision scrutiny on this item due to the tight timescales. It was suggested that a 6 month review could be considered.

Councillor Steve Masters asked if Thames Water had confirmed attendance. It was noted that this item had been pushed back to the September meeting.

Councillor Tony Vickers asked about the scope of the Thames Water item and suggested that foul water drainage, surface water drainage and supply were all relevant.

It was confirmed that it would cover Thames Water's investment priorities for the next five years. This would include investment that affected West Berkshire residents, including elements just over the district boundary.

Councillor Claire Rowles asked why Health Scrutiny was shown alongside OSMC as the responsible body on forward plan items. It was confirmed that scrutiny matters were shown under a single category for the purposes of the Forward Plan.

**43. Overview and Scrutiny Management Commission Work Programme**

The Commission considered its work programme (Agenda Item 13).

The Chairman noted that the December meeting had been cancelled due to reports not being ready in time. He had been assured that there were good explanations for the delays. As a result, it had been necessary to make significant changes to the work programme.

Councillor Claire Rowles felt that the Equalities and Diversity Strategy was a key item. She noted that it had been pushed back and asked who the lead officer was. It was explained that Pam Voss had been appointed as Equality and Diversity Officer and would lead on the strategy. There had been challenges due to the Covid pandemic, but external support was being procured to assist with co-production of the strategy.

Prior to closing the meeting, the Chairman observed that it had been a difficult meeting and apologised to viewing members of the public for how the meeting had been conducted. He noted that there were some Constitutional issues that needed to be considered.

*(The meeting commenced at 6.32 pm and closed at 9.39 pm)*

**CHAIRMAN** .....

**Date of Signature** .....