

JOINT PUBLIC PROTECTION COMMITTEE

Minutes of the meeting held on MONDAY 13 MARCH 2023 COUNCIL CHAMBER COUNCIL OFFICES MARKET STREET NEWBURY

Present: John Harrison (Vice-Chairman), John Porter, Thomas Marino (Chairman) and James Cole

Also Present: Russell Davidson (Senior Scientific Officer), Sean Murphy (Public Protection Manager), Clare Lawrence (Executive Director - Place), Jon Winstanley (Service Director (Environment)), Councillor Dorothy Hayes (Bracknell Forest Council), Moira Fraser (Public Protection Partnership), Kevin Gibbs (Bracknell Forest Council), Damian James (Chair of the PPP Joint Management Board) and Stephen Chard (Democratic Services Manager)

PART I

32 Minutes

The Minutes of the meeting held on 26 January 2023 were held as a true and accurate record and signed by the Chairman.

33 Matters Arising

Item 2: Sean Murphy reported that he had met his corresponding officer from Bracknell Forest Council to ensure that linkages were being made between the PPP and the work being undertaken by Bracknell Forest Council's Welfare Steering Group.

Councillor James Cole noted that the update for Item 1 in relation to the Water Safety Partnership's position on defibrillators was contradictory and asked for clarification. Moira Fraser responded that the Water Safety Partnership Annual Report would be presented later in the meeting and would clarify.

34 Declarations of Interest

Councillor Tom Marino declared a personal interest in Agenda Item 8 by virtue of the fact that both his partner and his brother were employees of Thames Water. As his interest was personal and not prejudicial or a disclosable pecuniary interest, he determined to remain to take part in the debate.

35 Notice of Public Speaking and Questions

No public questions were received.

36 Forward Plan

The Forward Plan was noted.

37 Water Safety Partnership Annual Report 2021/22 (JPPC4193)

Jon Winstanley presented the report (Agenda Item 7), which detailed the activities of the West Berkshire Water Safety Partnership in 2021/22.

Jon Winstanley noted that the Partnership had been formed in 2021 after a tragic incident involving the loss of life of a young child in the Kennet and Avon Canal in Newbury. The Partnership included representatives of West Berkshire Council, the Canal and River Trust, as well as the emergency services. Representatives of the office of Laura Farris MP, as well as Newbury Town Council, had additionally attended, and there were plans for neighbouring local authorities, including Bracknell Forest Council, to attend as part of a knowledge sharing exercise.

The Partnership had met regularly over the past year and had formed an action plan that was regularly updated. A Communications Strategy had also been adopted. The Partnership had particularly targeted its efforts on areas where water safety had been highlighted as a risk.

Jon Winstanley responded to Councillor James Cole's point on Item 1 of the Matters Arising, noting that the Health and Wellbeing Board were happy with the current coverage of defibrillators, but the Water Safety Partnership did suggest putting them in water safety cabinets, of which there were three in West Berkshire.

Councillor James Cole asked who was meant to use the water safety cabinets, noting that they were currently locked. Jon Winstanley responded that a telephone number was available on the cabinet and an individual could call the Royal Berkshire Fire and Rescue Service, who would provide a code to unlock the cabinet. Councillor Cole pointed out an issue should the individual not have a phone with them. This needed to be considered.

Councillor Cole noted that paragraph 4.3 stated that the Partnership had provided advice to Sutton Estates on discouraging swimming at Speen Moors, and asked for clarification on what that entailed. Jon Winstanley responded that the Partnership had provided advice on signs to direct swimmers to appropriate places.

Councillor Cole asked whether 'water safety risk' included the risk of drinking it, specifically the risk of drinking polluted water while swimming. Jon Winstanley responded that it was not covered as part of the Water Safety Partnership but the Partnership would encourage people to report water pollution to the Environment Agency who were responsible for managing pollution.

Councillor John Harrison asked whether there was a published number of water safety incidents for Bracknell Forest. Sean Murphy responded that he was not aware of the numbers, but that the Water Safety Partnership had run events within Bracknell Forest in advance of them participating more closely. Sean Murphy stated that he would obtain and share those figures. It was noted that a representative had been identified from Bracknell Forest Council to join the Partnership.

Councillor Harrison noted that there were a number of occasions during lockdown of large groups of teenagers congregating around ponds and lakes, and that there was an issue of buoyancy aids being thrown into the water. Councillor Harrison therefore concurred with the idea of locked cabinets, but agreed that the lack of mobile phone access could be an issue. Sean Murphy responded that the issue could be raised with other agencies working within Berkshire to see if more cabinets could be installed within Bracknell Forest.

RESOLVED that:

- The content of the report be noted.

- The Terms of Reference be updated to include Bracknell Forest Council and Officer.

38 Review of the West Berkshire Council Contaminated Land Strategy (EX4131(b))

Sean Murphy and Russell Davidson introduced the report (Agenda Item 8) which provided an opportunity for the Committee to consider and adopt the updated strategy drafted under the Environmental Protection Act 1990 in relation to contaminated land which would allow West Berkshire Council to discharge the duties placed on it by the Act.

Sean Murphy highlighted two changes that would be made to the Strategy prior to it being published. The first was to update the Equality Impact Assessment so that it recognised the impact that contamination could have on residents, in particular young people. The second was to note as a concern the high price of implementing mitigation measures such as a potential impact on the viability of affordable housing.

Russell Davidson noted that the report was the corresponding West Berkshire iteration to the Bracknell Forest one presented to the Committee in 2022.

Russell Davidson noted that the 2023 revision reviewed the Council's aims and objectives, as well as progress made in implementing the strategy. While updates were made to the relevant action plans and procedures, no significant changes to West Berkshire Council's strategy were being proposed.

There was only a small number of significantly contaminated sites. 179 potentially contaminated sites had been removed as they were either not considered to be contaminated or had remedial works carried out on them. This included 32 that were high priority sites. A further 52 high priority contaminated sites had been re-assessed to be of a lower risk following investigative work. The development of contaminated sites was managed through planning conditions imposed by Development Control.

The Chairman noted that in addition to the amendments referenced by Sean Murphy, the layout and presentation of the report would also be updated prior to publication.

The Chairman then proposed an additional recommendation that the Contaminated Land Strategy be reviewed every five years moving forward. The additional recommendation was agreed.

Councillor James Cole asked what was defined as a "relevant non-human" under Section 6.2.1 of the updated Contaminated Land Strategy. Russell Davidson responded that "relevant non-human" refers to property such as land or buildings. The Chairman asked whether domesticated animals should be included. Sean Murphy asked that that point be taken away to consider. *(Post meeting note: Officers checked the guidance and confirmed that the guidance stated that non-human referred to animals, plants, rivers or property. An explanatory note was added to the CLS prior to it being published).*

Councillor Dorothy Hayes noted that the Contaminated Land section was contributed to by all six Berkshire councils, and whether the Council was covered from a legal perspective with regards to the London Road site. Sean Murphy responded that the Bracknell Forest Contaminated Land Strategy was approved in September 2022, and that the point would be raised with Bracknell Forest Officers. Damian James responded that the strategy went through to the Executive Committee and would be followed up on. *(Post meeting note: Damian James had contacted Councillor Hayes and clarified the position in respect of the London Road site).*

RESOLVED that:

- The Committee considered the revised Contaminated Land Strategy.

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- The Committee approved the Strategy subject to the amendments agreed at the meeting.
- The Committee delegated authority to the Public Protection Manager, in consultation with the Chairman of the JPPC, to make any minor amendments to the Strategy prior to it being published.
- The Contaminated Land Strategy would be reviewed every five years.

39 Public Protection Partnership Priorities 2021 to 2023 - Refresh (JPPC4192)

Sean Murphy presented the report (Agenda Item 9) which set out the emerging priorities to the Committee and sought approval to update the Strategic Assessment approved by the Committee in June 2021 and to extend it until 31 March 2024.

Sean Murphy noted that the existing Strategic Assessment cross-cutting priorities; eCrime, Climate Change and Environmental Protection, Protecting Vulnerable Adults and Children, Safeguarding, and Safer Streets; would be retained. In addition, Protecting and Improving Health would be added as a cross-cutting priority.

Proposed new priority areas were Licensing, Cost of Living, and Service Improvement Priorities.

Changes were also proposed in order to broaden existing priorities. This would cover Health and Safety Enforcement, Tackling Fraud, and Impact of Nuisance on Residents and Communities.

Councillor John Harrison asked whether trophy hunting and the importation of overseas animal products could be included under the Animal Welfare point. Sean Murphy responded that it had been recently raised and a bill was under consideration to ban such importation, and that he would see what issues fell under local authority enforcement.

Councillor John Porter raised concerns about the significant number of unlicensed HMOs (houses in multiple occupation) and asked what could be done to combat them. Sean Murphy responded that a number were being investigated with Housing Officers, but that identifying them was a lengthy and complex process. Councillor Porter asked whether it could be added to the PPP website to make the definition clearer for residents. Sean Murphy responded that he would pick up the issue and advised that members of the public were encouraged to come forward to report any concerns. He agreed that local Member intelligence would be a useful asset in this area.

Councillor James Cole asked if the PPP should be planning for a future pandemic. Sean Murphy responded that resources and information had been kept, such as processes and procedures, and that they would be available for review should a similar situation arise again. He also explained that officers had been involved in a West Berkshire scrutiny review on this topic.

Councillor Cole asked whether the changes to priorities, such as from 'noise' to 'nuisance' constituted an expansion that required additional resources. Sean Murphy responded that priorities were always subject to change, some of which could be unforeseen. He stated that benefits of the shared service were increased resilience and the ability to be more adaptable to changing priorities. However, it was recognised that resources were still limited and the need to prioritise would remain.

Councillor Cole asked whether the PPP had an obligation to ensure the security of the site of the former Institute for Animal Health facility at Compton. Sean Murphy responded that the responsibility was with the land owner in the first instance. However, he would consider the Council's remit beyond the PPP and involvement from partner organisations.

RESOLVED that:

- The Committee considered the emerging priorities as set out in the report.
- The PPP Strategic Assessment of June 2021 be updated to reflect these emerging priorities.
- The updated Strategic Assessment would form the basis of the PPP priorities for 2023/24.

40 Training and Development Plan - Update (JPPC4189)

Moira Fraser presented the report (Agenda Item 10), which provided the Committee with an update on the existing Training and Development Plan and sought approval for the Plan.

Moira Fraser noted that only minor changes were made to the Plan, aligning it to the professional bodies associated with the service and to the Service Plan and Workforce Strategy. The governance arrangements were updated, and an update was included on the apprenticeship programme. Moira Fraser noted that the recruitment of suitably qualified professional staff remained a significant risk to the service, and a three pronged approach was being taken to mitigate the risk; the appraisal and Continuing Professional Development (CPD) route, the apprenticeship scheme, and the internal training programme.

Apprentices were also available to existing officers and officers could be supported to undertake a professional qualification.

The Training and Development Plan was a live document that would continue to be updated as and when appropriate.

Councillor John Harrison commended the plan. He made the point that the route of higher education and/or a graduate scheme might not be the best career plan for all young people, and the alternative of getting into work via an apprenticeship and learning a professional skill presented a good alternative.

Moira Fraser noted that the Council had attended local schools to raise the profile of Council wide apprenticeships. She added that not all apprenticeships were in manual work, and were available to people of all ages.

RESOLVED that:

- The Committee considered the Training and Development Plan.
- The Committee approved the Plan.

41 Last meeting of Municipal Year

The Chairman noted that as Councillors John Porter and James Cole would not be standing in the May elections this would be their last meeting. He took the opportunity to thank them for their contributions and for the support they had given him as Chairman.

The Chairman also thanked officers for their excellent work.

(The meeting commenced at 7.00pm and closed at 8.00pm)

CHAIRMAN

Date of Signature