

SCRUTINY COMMISSION

MINUTES OF THE MEETING HELD ON THURSDAY 13 MARCH 2025

Councillors Present: Carolyne Culver (Chairman), Dominic Boeck (Vice-Chairman), Antony Amirtharaj, Paul Dick, Ross Mackinnon, Erik Pattenden, Christopher Read, Martha Vickers and Billy Drummond (Substitute) (In place of Jeremy Cottam)

Also Present: Joseph Holmes (Interim Chief Executive), Sarah Clarke (Interim Executive Director (Resources)), Gabrielle Mancini (Service Lead - Cust Engagement & Transformation), Jon Winstanley (Service Director (Environment)), Kofi Adu-Gyamfi (Service Lead - Climate Change) and Daniel Warne (Waste Manager), Councillor David Marsh, Councillor Jeff Brooks, Councillor Stuart Gourley, Gordon Oliver (Democratic Services) and Thomas Radbourne

Apologies for inability to attend the meeting: Councillor Jeremy Cottam

PART I

61. Minutes

The Minutes of the meeting held on 11 February 2025 were approved as a true and correct record and signed by the Chairman.

62. Actions from previous Minutes

Members reviewed the actions from the previous meetings. The following points were noted:

- **218** – The Programme Office had confirmed that project closure statements were available for:
 - Teach West Berks
 - SLA Online procurement (schools traded services)
 - Laburnum (convert an unused former community space to accommodation for the Adult Social Care Central Locality team and their equipment)
 - Market Street Development (Grainger residential development)
- **219** – It was noted that it would not be possible to bring the report on the proposed changes to the Scrutiny Structure to the Scrutiny Commission prior to approval, but it would go to Governance Committee on 29 April before going to Full Council in May. Details of the changes were still to be agreed with the Leader. Several other actions were on hold pending the changes to the scrutiny structure.
- **89, 90 & 91** – It was noted that these actions were very old and Members suggested that it would be useful to have visibility of the corporate programme schedule to be assured that actions were taking place.
- It was suggested a target date and a date for the last update be added for each action.
- **116** – It was confirmed that the next action would be an Individual Executive Member Decision on priorities related to the Section 19 report, including the funding for the Northbrook flood alleviation scheme.

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- **141** – It was agreed that this action could be deleted, since this had become part of 'business as usual' activity.
- **143** – It was confirmed that this action needed to remain open, as the Environment Agency was yet to deploy pollution testing equipment.
- **156** – It was noted that Defra was expected to publish the data by the end of the month. Members challenged the relevance of this action.
- **178 & 180** – It was noted that the Executive Director – Children's Services had asked for these reviews to be deferred to July due to the Ofsted inspections.

Actions:

- **Confirm if Members could be provided with details of the Corporate Programme Schedule.**
- **Amend the Actions Log to include target dates for completion and dates of the most recent action.**

63. Declarations of Interest

During the course of the debate on Item 8, Councillor Ross Mackinnon declared an interest. He said that if a motion was proposed to move to Part II he would not take part in the vote. He considered that as a member of the then Executive he had been libelled by the Sports Hub Task and Finish Group report, which stated that either the Council had misled the High Court, or the Executive had misled the Council and the public. He said he had a direct financial interest in how widely the report is publicised tonight. Therefore, he had a personal and prejudicial interest, and he indicated that he would not take part in the vote.

64. Petitions

There were no petitions to be received at the meeting.

65. Devolution and Local Government Reorganisation

Joseph Holmes (Acting Chief Executive) and Councillor Jeff Brooks (Leader) presented the item on Devolution and Local Government Reorganisation (Agenda Item 6).

The following points were raised in the debate:

- It was confirmed that financial devolution would be directed to the strategic authority, with integrated grant settlements related to the new powers and services that would be devolved to it, and there could also be a mayoral precept for the strategic authority. It was noted that there would be a fundamental review of local government finance later this year. While there had been some discussion about tax increment financing, and some councils had started to look at tourism taxes, significant financial devolution at local authority level was not being discussed.
- Members expressed concerns about potential impacts on staff, including possible redundancies and relocation. It was stressed that while there would be some economies of scale, it was too early to say how services would be shared across the three local authorities, but it was considered that it would be 'business as usual' beyond senior managers. Also, it was stressed that there would be opportunities arising from the change. It was confirmed that there had been no conversations about the location of future offices.
- Members considered that there was an advantage in West Berkshire Council getting ahead of the rest of Berkshire in the local government reorganisation process. This

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would be helpful in attracting and retaining staff, as well as providing increased certainty to support future planning and delivery of services. Members also welcomed the fact that there had been cross-party involvement in the decision-making process via a one-off devolution advisory group.

- It was suggested that town and parish councils should be engaged and encouraged to think about their future roles. It was confirmed that this would be discussed at the District Parish Council on 30 April. It was felt that there would be opportunities, but more direction was required from the Ministry of Housing, Communities and Local Government (MHCLG) to encourage parishes to step up and to support them with appropriate finance. It was also noted that parish councils could also raise money through their precepts. It was further noted that there were many best practice case studies available.
- It was confirmed that residents would be engaged in the process, with opportunities for face-to-face conversations. However, plans were yet to be agreed, since it was still very early in the process.
- There was discussion about Local Plans and housing targets. It was confirmed that work was underway to look at this, and this would continue over the spring and summer, with similar work being undertaken for other plans and policies.

RESOLVED to note the report.

66. **Waste Management Strategy**

Councillor Stuart Gourley (Executive Portfolio Holder: Environment and Highways), and Daniel Warne (Waste Manager) presented the Waste Management Strategy (Agenda Item 7).

The following points were discussed in the debate:

- Concerns were expressed that the trolley system for recyclables would have reduced capacity compared to the current option.
- It was suggested that people who were not recycling should be given support. Officers indicated that they already offered 1-2-1 support to help people manage their waste and work out what could be recycled.
- Members asked how other local authorities that had already moved to three weekly collections had addressed concerns about odours from nappies, dog waste, etc. Officers confirmed that this had not been raised as a problem - issues were more around bin capacity. It was suggested that households should dispose of waste responsibly (e.g. using nappy sacks). It was also suggested that the Council should provide both leadership and support, working to mitigate issues as they arose.
- Concerns were expressed about disparities in collection frequencies between flats with communal bins (which would still have weekly collections) and other households. Officers indicated that there was already a disparity. Local authorities that had already moved to three-weekly collections had not raised this as a concern. It was considered impractical to extend the collection frequency for flats with communal bins.
- Members asked about the Christmas period when waste volumes were higher, and collection frequencies may extend beyond three weeks due to holidays. This was recognised as an issue, and allowance would be made for collecting extra bags of rubbish left out with bins during this period. Also, residents would be able to use the Household Waste Recycling Centres.

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- Officers were asked if fly-tipping and use of public bins might increase with the move to three weekly bin collections. It was stressed that fly-tipping was undertaken by criminals/rogue traders. Some local authorities had seen a reduction in fly-tipping following the move to three-weekly collections. West Berkshire had seen an 8% decrease in fly-tipping last year, which was contrary to the national trend. Increased use of public bins had not been raised as an issue by other local authorities, but this would be monitored. Education and communication would be important to support the changes.
- Concerns were expressed that analysis of the consultation results was misleading - people who had answered 'maybe' when asked if they could cope with the move to three-weekly bin collections had been taken as confirming that they would be able to cope. It was accepted that people may have issues at certain times of year, but it was stressed that mitigations would be put in place to support those who answered 'maybe'.
- Members noted that savings from the move to three-weekly collections had been included in the budget, which pre-empted the adoption of the Waste Strategy. It was explained that this reflected the Administration's direction of travel and if the strategy was not adopted, then it would become a pressure and in-year savings would need to be found. It was suggested that this had been included subject to approval from Executive, however, Members stated that the budget papers had not included that caveat. The Leader stressed that the budget had to anticipate planned changes. Members felt that residents might perceive this as a 'done deal'.
- Officers highlighted that the saving from the move to three-weekly bin collections would be around £150,000, or 0.5% of the annual waste budget. Such a pressure was not considered significant and could readily be accommodated by in-year efficiency savings. If the introduction of the changes was delayed, then the Council would have much larger cost exposures related to the emissions trading scheme. However, Members stressed that £150,000 was a significant level of revenue spend, particularly in the context of the Day Centre closures.
- Members considered the move to a three-weekly bin collection to be a serious degradation to the service and it was suggested that this should have been set out in the Administration's Manifesto. It was refuted that the change was a degradation of service, and it was stressed that it was offset by improvements to kerbside recycling.
- It was noted that savings from the three-weekly collections still needed to be negotiated with Veolia. Members challenged why the Council was making the change if the savings would not be significant. It was suggested that better education could deliver the same improvement in recycling rates. It was acknowledged that change was difficult, but the proposed changes would improve efficiencies and recycling rates, while also delivering reductions in carbon emissions.
- Members asked what would happen if it did not meet statutory waste/recycling targets. It was explained that emerging legislation focused on producer responsibility and the Council would receive funding from producers of packaging waste. The amount that the Council would receive would depend on how effective and efficient its services were. Initial payments reflected the fact that West Berkshire was doing well relative to other local authorities. The proposals would improve effectiveness and efficiencies further.
- It was noted that there had been an excellent response to the consultation and residents wanted to work with the Council. It was hoped that the proposed changes

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coupled with additional support would lead to behaviour change, with reduced carbon emissions and waste to landfill.

- Members stressed the need for careful monitoring following implementation of the strategy.
- Clarification was sought about the options for replacing the recycling receptacles. It was explained that the trolley system had 2-3 boxes/bags stacked on a trolley – this system was used in Wales and had received a favourable response in the consultation. The wheelie bin option was similar to the current set-up and provided additional capacity. It was noted that there would be a capital cost for any change.
- Members asked for a future report on implementation of the new recycling system and whether households were recycling their waste correctly.

Action: A future report to be brought to the Scrutiny Commission on implementation of the new recycling scheme.

RESOLVED to:

- note the report;
- request that if budget proposals are put to Council before strategies have been approved (in this case the waste strategy), the administration should make it clear that if the strategy is not agreed, then the proposed associated budget proposals will need to be revisited, and in the case of savings those will need to be found elsewhere;
- request that future Council consultations represent responses accurately, rather than combining 'maybe' and 'yes';
- request that the impact of the proposed changes be monitored; and
- request a future update about whether households are recycling correctly.

67. Sports Hub Task and Finish Group

The Chairman introduced the Sports Hub Task and Finish Group item (Agenda Item 8).

It was noted that the report had been put into the public domain and the Chairman did not consider that there was a constitutional basis for officers preventing this.

The Chairman noted that, in the Chairman's Briefing Sheet, officers' advice was that the report should be discussed under Part II as it was likely that there would be disclosure of exempt information of the description contained in paragraphs 1-3 of Schedule 12A of the Local Government Act 1972. However, further explanation had not been provided regarding which information should be exempt.

Concerns had been raised with the Chairman by the Chief Executive and Monitoring Officer. These had been shared with the other Task and Finish Group Members, but they had made the unanimous decision to proceed with publication.

The Chairman was not prepared to be the Member to propose moving to Part II and opened the floor to Members.

Members felt that the report's recommendations were valuable, but considered that the report should not be discussed in its current format and concerns were expressed about how it was presented and its content. Concerns were also expressed about the process that had been followed by the Task and Finish Group, since they did not believe that a right of reply had not been given to all stakeholders, so natural justice had not been

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served. It was suggested that consideration of the report should be deferred so further work could be undertaken.

Members of the Task and Finish Group refuted the allegation that they had not worked properly and appropriately - they had simply reported their findings. They were determined that it should be heard. They could not recall a similar report, written in good faith by Members with the support of officers, being blocked in this way. Concerns were expressed about the impact of this on the principles of scrutiny.

It was noted that the report contained recommendations relevant to the Playing Pitch Strategy, which was due to be finalised in June. If the report was to be deferred to the July meeting, this would be too late to inform the Strategy. It was suggested if consideration of the report was deferred, then it could be brought back to a special meeting of the Scrutiny Commission.

Councillor Erik Pattenden proposed that the report should not be discussed at this meeting, and that it should be deferred so further work could be undertaken. Councillor Martha Vickers seconded the proposal. At the vote, the motion was carried.

The Chairman proposed that a special meeting be arranged to consider the Sports Hub Task and Finish Group report. Councillor Chris Read seconded the motion. At the vote, the motion was carried.

It was felt that the report was extremely well written and those Members who had proposed deferral were concerned that most of the recommendations be implemented. They would not have used the word 'libel'. They were concerned that there was nothing in the report that could get in the way of those recommendations going forward.

The Leader noted that some of the report's recommendations echoed those of the previous London Road Industrial Estate Task and Finish Group report. However, concern was expressed that witnesses who had given evidence to the Sports Hub review, may not have been aware that their statements would be reported almost verbatim. He cited the Rugby Club as an example. It was suggested that some of the comments could be considered to relate to the financial standing of organisations, and so the report needed to be carefully considered. He was grateful that the report would be deferred, however, it was acknowledged that the report had been put into the public domain and suggested that it could cause considerable embarrassment to those who wrote it. Also, he suggested that the report included statements that he was not convinced could be backed up by evidence. Additionally, it was noted that witnesses listed in the terms of reference, had not been called, and it was suggested that this should be put right.

RESOLVED that:

- the Sports Hub Task and Finish Group report should not be discussed at this meeting, and that it should be deferred so further work could be undertaken; and
- that a special meeting of the Scrutiny Commission be arranged to consider the Sports Hub Task and Finish Group report.

68. Appointment of Task and Finish Groups

The Chairman introduced the item on Appointment of Task and Finish Groups (Agenda Item 9).

Councillor Chris Read had volunteered to chair the Project Management Task and Finish Group, and Councillors Adrian Abbs, Antony Amirtharaj, Paul Dick, and Erik Pattenden had volunteered to be members of the Task and Finish Group.

Action: Councillor Ross Mackinnon to confirm details of a second Conservative Member.

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Members stressed the need to interview those affected by the projects as well as officers. However, the Service Lead for Legal and Democratic Services advised that external witnesses would need to be approved by the Monitoring Officer.

RESOLVED to note the update.

69. Health Scrutiny Committee Update

The Scrutiny Commission received an update from Councillor Martha Vickers on the work of the Health Scrutiny Committee (Agenda Item 10).

The Committee last met on 11 March 2025 and considered the following items:

- **Oral Health and Dentistry** – Public Health and the BOB ICB provided reports and responded to Members' questions. Access to dentistry was a key concern for residents. Actions for further work were identified and an update had been requested for September 2025.
- **South Central Ambulance Service (SCAS)** – an update was provided on progress with implementation of the Care Quality Commission (CQC) improvement programme, alongside an overview of services and performance in West Berkshire. Members had been unaware that there had been problems with the ambulance service, but noted that the service had improved significantly. SCAS was awaiting re-assessment by the CQC. A further update would be programmed in six months. Members of the Scrutiny Commission were encouraged to view the recording.

A task and finish group was underway, reviewing children's mental health and emotional wellbeing in West Berkshire. Two sessions had been completed and the final session with witnesses was programmed for later March. Evidence was being gathered from various partners including health, education, the Council and the voluntary sector. A report would be completed following the sessions which would go to a future meeting of the Health Scrutiny Committee.

The next Health Scrutiny Committee meeting was planned for 17 June 2025. The agenda was in the process of being finalised and would include dementia and an update on continuing health care. A draft work programme for 2025/26 would also be reviewed at the next meeting. Members and residents were invited to submit suggestions for future agenda items. All proposals would be put through the prioritisation tool before being scheduled on the draft work programme.

RESOLVED to note the report.

70. Scrutiny Commission Work Programme

The Commission considered its work programme (Agenda Item 11).

It was noted that the Executive Forward Plan had not been updated since the previous meeting, so this had not been included in the agenda papers.

Additional items proposed for inclusion in the work programme were:

- Difficulties with adoption of affordable homes built by developers by social housing providers.
- Safer Schools/School Streets

The Chairman had spoken with Councillor Heather Codling, since Health and Wellbeing Board had recently considered reports on housing aspects. Also, the Chairman had spoken with Councillor Denise Gaines as Executive Portfolio Holder for Planning and Housing. The Chairman also mentioned the sale of existing social houses and the failure of developers to meet their obligations for the number of social homes on new

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developments, and the consequent risk of attrition of the social housing stock. Members requested that a report should be added to a future scrutiny agenda.

It was noted that School Streets had been discussed at a recent meeting of Transport Advisory Group. TAG is a Part II meeting, so headteachers had been unable to attend to present their views. Councillor Stuart Gourley offered to meet with Councillor Antony Amirtharaj to discuss any remaining concerns he might have. Councillor Amirtharaj was still keen for specific aspects like Safer Schools to be considered at scrutiny.

The reviews of Attainment of Children on Free School Meals and the SEND High Needs Block had been deferred until July due to Ofsted inspections. Reports on the Transformation Programme and Libraries would also be considered at the July meeting.

It was highlighted that the work programme would need to be reviewed in the light of the proposed restructure of the scrutiny function.

RESOLVED to note the work programme.

71. Recommendations Tracker

The Chairman presented a proposal for a Recommendations Tracker (Agenda Item 12).

Officers had researched how other local authorities tracked progress with the implementation and impact of scrutiny recommendations. A version used by Brent Council was put forward for consideration.

The following amendments were suggested:

- That the tracker could seek the Executive Portfolio Holder's view of the impact of the recommendation prior to Scrutiny Commission reviewing it.
- That the actions and recommendations trackers be combined.
- That recommendations not accepted by the Executive should also be tracked to avoid unnecessary repetition in future.

It was suggested that the actions and recommendations trackers could be combined.

Action: That the Principal Policy Officer develop a template for a combined actions and recommendations tracker in consultation with the Scrutiny Commission Chairman.

RESOLVED to note the item.

(The meeting commenced at 6.30 pm and closed at 8.25 pm)

CHAIRMAN

Date of Signature