

# AGENDA

## General Overview & Scrutiny Committee

Date: **Tuesday 10 March 2015**

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Time: **10.00 am**

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Place: **Shire Hall, St. Peter's Square, Hereford, HR1 2HX**

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Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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If you would like help to understand this document, or would like it in another format, please call Ben Baugh, Governance Services on 01432 261882 or e-mail [bbaugh@herefordshire.gov.uk](mailto:bbaugh@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the General Overview & Scrutiny Committee

## Membership

**Chairman** Councillor WLS Bowen  
**Vice-Chairman** Councillor BA Durkin

Councillor AM Atkinson  
Councillor AJM Blackshaw  
Councillor ACR Chappell  
Councillor DW Greenow  
Councillor EPJ Harvey  
Councillor TM James  
Councillor JG Jarvis  
Councillor RL Mayo  
Councillor PJ McCaull  
Councillor AJW Powers  
Councillor A Seldon  
Councillor DB Wilcox

**Co-optees**  
(education items)

Mr P Burbidge  
Miss E Lowenstein  
Mr P Sell

Roman Catholic Church  
Secondary School Governor  
Church of England

## AGENDA

		Pages
1.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>To receive apologies for absence.</p>	
2.	<p><b>NAMED SUBSTITUTES</b></p> <p>To receive details of members nominated to attend the meeting in place of a member of the committee.</p>	
3.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>To receive any declarations of interest by members.</p>	
4.	<p><b>MINUTES</b></p> <p>To receive the minutes of the meeting held on 18 February 2015.</p>	7 - 16
5.	<p><b>SUGGESTIONS FROM THE PUBLIC</b></p> <p>To consider suggestions from the public on issues the committee could scrutinise in the future.</p> <p>(There will be no discussion of the issue at the time when the matter is raised. Consideration will be given to whether it should form part of the committee's work programme when compared with other competing priorities.)</p>	
6.	<p><b>QUESTIONS FROM THE PUBLIC</b></p> <p>To note questions received from the public and the items to which they relate.</p> <p>(Questions are welcomed for consideration at a scrutiny committee meeting subject to the question being directly relevant to an item listed on the agenda below. If you have a question you would like to ask then please submit it <b>no later than 5.00pm on Thursday 5 March 2015</b> to <a href="mailto:bbaugh@herefordshire.gov.uk">bbaugh@herefordshire.gov.uk</a>)</p>	
7.	<p><b>TASK AND FINISH GROUP: BALFOUR BEATTY LIVING PLACES - PUBLIC REALM SERVICES</b></p> <p>To consider the findings of the scrutiny task and finish group and to recommend the report to the Executive for consideration.</p>	17 - 34
8.	<p><b>SCHOOL EXAMINATION PERFORMANCE</b></p> <p>To consider school performance for summer 2014 and the effectiveness of the school improvement partnership strategy and framework approved by the Cabinet Member for Young People and Children's Wellbeing to improve performance for Herefordshire's children and young people.</p>	To Follow
9.	<p><b>THE COUNCIL'S APPROACH TO THE DEVELOPMENT OF AN EDUCATION CAPITAL INVESTMENT STRATEGY FOR JULY 2015</b></p> <p>The council is responsible for a school estate, valued at over £130m. With changes to traditional funding mechanisms it is important that the council develops a strategic approach to investment. The committee will receive a presentation outlining the context and will be asked for their views on how to take the work forward, including the development of a set of principles.</p>	Verbal Report
10.	<p><b>WORK PROGRAMME AND TASK AND FINISH GROUPS</b></p> <p>To note progress and to receive updates on work allocated to task and finish groups.</p>	35 - 38



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- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
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HEREFORDSHIRE COUNCIL

**MINUTES of the meeting of General Overview & Scrutiny Committee held at The Council Chamber, Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Wednesday 18 February 2015 at 10.00 am**

**Present:** Councillor WLS Bowen (Chairman)  
Councillor BA Durkin (Vice-Chairman)

**Councillors:** ACR Chappell, JW Hope MBE, MAF Hubbard, JA Hyde, TM James, JG Jarvis, JLV Kenyon, MD Lloyd-Hayes and DB Wilcox

**In attendance:** Councillors H Bramer (Cabinet Member), AW Johnson (Leader), JF Knipe and NP Nenadich

**Officers:** B Baugh (Democratic Services Officer), D Burgess (Deputy Solicitor to the Council, Property and Commercial), A Featherstone (Head of Corporate Asset Management), G Hughes (Director for Economy, Communities and Corporate), and B Norman (Assistant Director, Governance).

**47. APOLOGIES FOR ABSENCE**

Apologies for absence had been received from Councillors AJM Blackshaw, DW Greenow, EPJ Harvey, RL Mayo, AJW Powers, and A Seldon. Apologies had also been received from Miss E Lowenstein, an education co-optee.

**48. NAMED SUBSTITUTES**

The following substitutions were made, Councillors: JW Hope MBE for AJM Blackshaw; MAF Hubbard for EPJ Harvey; JA Hyde for RL Mayo; MD Lloyd-Hayes for AJW Powers; and JLV Kenyon for A Seldon.

**49. DECLARATIONS OF INTEREST**

Review of Lease Restructuring with Hereford United (1939) Ltd

Councillor JLV Kenyon, Non-Pecuniary, member of Hereford United Supporters' Trust.

Councillor NP Nenadich, Non-Pecuniary, former director of Hereford United and current Chairman of United in the Community Trust.

**50. MINUTES**

The minutes of previous meetings were received.

**RESOLVED:** That the minutes of the meetings held on 24 November 2014, 2 December 2014, and 14 January 2015 be approved as correct records.

**51. SUGGESTIONS FROM THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY**

No suggestions from the public were received.

## **52. QUESTIONS FROM THE PUBLIC**

It was noted that Supplement 1 to the agenda contained ten questions received in relation to the item 'Review of Lease Restructuring with Hereford United (1939) Ltd', together with officer responses to those questions considered relevant to the report.

## **53. REVIEW OF LEASE RESTRUCTURING WITH HEREFORD UNITED (1939) LTD**

The Chairman explained that the purpose of this item was to consider lessons learned and ways to improve any future leases for the benefit of citizens and football in the county.

The Director for Economy, Communities and Corporate gave an overview of the report and appendices, drawing attention to:

- a. Appendix 1 (agenda page 33) was a scoping document for the review, focusing on: what happened in the lease restructure in 2013/14 and to identify any lessons; and the relationship between Hereford United Football Club (1939) Ltd [HUFC] and Herefordshire Council and its predecessors.
- b. Appendix 2 (page 35) was a briefing report prepared by officers in response to the scoping document.
- c. Full copies of the leases had been published as background papers to this item on the council's website.
- d. Appendix 3 comprised plans of the ground indicating the extent of the leases under the original Hereford City Council leases, 2014 leases, and proposed 2015 lease.
- e. The scoping document posed a number of key questions (page 34) and the briefing report responded to those questions in turn (pages 38 to 40).
- f. Paragraphs within the briefing report relating to current status (page 35) were read out.
- g. The briefing report (pages 36 to 38) summarised the key terms of the former Hereford City Council negotiated leases, the reasons for the move to new leases in 2014, and the key terms of the 2014 leases.
- h. The Director said that HUFC had been very open about its financial situation at the time of the lease restructuring. He emphasised that the development agreement was not a way to generate funds for the club, it was a means for the club and the council jointly to generate income for investment into facilities for the benefit of football.
- i. The Director said that the leases had been proven to be robust and effective, as demonstrated by the fact that the council had received all of the monies owed to it and the ground had been secured.
- j. It was acknowledged that the inclusion of a clause allowing the council to consider the termination of the arrangements upon a change of ownership could have been considered.
- k. The Director said that the council had not had the capacity to lead on the development of the surplus land at that time. He added that, with the benefit of hindsight, he would not recommend that development rights be assigned to tenants of the ground in the future.

Initial points made by some committee members included: a clause to enable the council to veto a change of ownership might have avoided some of the problems; supporters should be praised for their efforts; and previous experiences, particularly those of Hereford City Council, should have led the authority to seek further advice.

The Director reported that:

- i. The council had taken independent advice through the process.
- ii. The club had been transparent about its financial position and, mindful of this, the council had evaluated whether to sign the new leases or to continue to operate under the old leases. There had been clear advice that the new leases provided greater protection than the old leases.
- iii. Pinsent Masons had drafted modern commercial leases to replace the out-dated leases and had provided support to the council in negotiating with the club.
- iv. It was emphasised that the final decisions were informed by the council's own legal team at the time.

The local ward member commented that: the council should reflect on lessons learned from the experience of negotiating with an ostensibly friendly tenant that was subsequently subject to what some might perceive to be an hostile takeover; and the assets involved were significant both in terms of value and social use and the council should perhaps retain control of the development rights in the future. The Director reiterated the learning points in respect of development rights.

Committee members discussed issues around shareholding and the degree of control around ownership that the authority could have in future leases.

A committee member questioned whether the length of the interim lease of the ground might discourage some potential interested parties. In response, the Cabinet Member for Contracts and Assets said that the authority was in the middle of a negotiation process and it was not appropriate to explore this matter further at this meeting.

A committee member questioned how assurances provided by officers, in response to concerns from the local ward member and himself, had been reflected in the instructions to solicitors and in how the new leases had been prepared. The Assistant Director, Governance said that: there was no suggestion that Pinsent Masons or the council's legal team did anything that had resulted in the council suffering any loss; the authority had not been dealing with an empty ground and a new tenant at that time; the intention of the leases was to protect the council's position, whilst giving the club the opportunity to bring investment into the ground through possible development opportunities; and the new leases performed admirably when put to the test, with possession of the ground gained swiftly and effectively. The committee member noted that professional football was not being played at the ground at present.

The Leader said that: it was the considered view at the time that the new leases would help football to continue at the ground; the club had made the financial pressures clear and had asked the council if it could do anything to help; as the authority could not give the club money, it was considered that the new leases could have helped to produce additional income for the benefit of football at the ground; the subsequent sale of the former Chairman's shares did not form any part of the discussions; the authority had nothing to do with the commercial decisions of the tenant; and those parts of the lease that mattered to the council had worked well.

In response to a comment from a member about terms in earlier leases, the Chairman noted that the tenant could be encouraged to play football but could not be forced. The Director said that the council had done all it could but it could not guarantee the success of a private company. It was the council's responsibility to seek a new tenant to promote the benefits of football and it was in the process of doing this.

Committee members discussed potential mechanisms to prevent unsuitable people from obtaining control of companies. The Deputy Solicitor to the Council, Property and Commercial said that it would be unusual to include a break clause within a commercial lease in relation to a change of ownership but parties could agree to whatever terms they considered suitable. It was confirmed that the new leases included this provision but it would be for the potential tenants to consider whether they would wish to proceed on that basis. The Leader said that, with hindsight, consideration should have been given to this type of clause during the lease restructuring and would be considered going forward. However, it had to be recognised that this was also likely to bring limitations.

A committee member commented on the importance of retaining control over the ground, the need to protect the interests of the public, and the value of football to young people in the county. In response to a question, the Chairman reminded the committee of the remit of this meeting and that longer term options would need to be considered during the next administration.

The local ward member commented on the potential value of the asset, that a profitable club was not likely to be a viable proposition in the near future, and historical use of the site for football was an important community consideration. He felt that a break clause in relation to a change in ownership was reasonable and that a short-term lease was a good proposition in the current circumstances.

A committee member suggested that, for clarity, there should be a consistent end date if there was more than one lease in the future.

The Chairman invited David Keyte, former Chairman of HUFC at the time of lease restructure, to address the committee. Mr. Keyte spoke on various matters, the principal points included:

1. The revised leases had provided the opportunity for the club to secure investment through development possibilities; albeit the negotiations had taken a long time and perhaps this was another learning point for the council.
2. The debate had been informed by hindsight but he doubted that a break clause of the nature being discussed would have been acceptable to the club at the time; as it would have given the landlord - the council - greater control of the private limited company and this could have impacted upon the lawful buying and selling of shares.
3. Football was an emotive subject but he considered that pressure through social media had contributed towards Graham Turner leaving the club.
4. In May 2012, the club were relegated with a playing budget of £1.2 million.
5. Herefordshire was considered to be in the backwaters of sport and was unlikely to reach a national level given the demographics of the county.
6. The youth system was fully funded whilst in the football league but this tailed off following relegation. The board of directors put in £32k during the previous year but, faced with a £60k cost, had to decide whether to continue to support the youth

system. The club had publicly approached local businesses as sponsors but nobody came forward.

7. The club had approached the council for support, as authorities had supported other clubs in the country, but the Leader had made it clear that the council could not put public money into the club.
8. He did not consider that other businesses that were tenants of the council would want the authority to be involved in commercial and ownership issues.

The local ward member suggested that profits from potential future development at the ground could be reinvested in the sustainability of youth football in the county, with community facilities to support a bottom up approach to the sport.

Mr. Keyte commented that youth development had changed significantly in recent years, particularly through the Elite Player Performance Plan, enabling Premier League clubs to attract players from much wider areas. It was considered that this undermined opportunities for smaller clubs to develop talent and generate income from subsequent transfers.

The Chairman and the Leader re-iterated the purpose of this item and that there would be opportunities to consider options going forward.

The Chairman invited Councillor NP Nenadich, a former director of HUFC, to address the committee. Councillor Nenadich commented on a number of matters, including:

- a) Various accusations and insinuations had been made about him on social media but he wished it to be noted that: he had declared his association with HUFC in the Register of Members' Interests; he purposefully never attended or had conversations with officers about the leases; he had been a director for eighteen months and had made significant donations and considerable loans to the club and was never remunerated; and although it had been personally expensive, he had derived pleasure from being associated with such an important community asset.
- b) The club had been involved with many community and charitable organisations and groups.
- c) He had been a trustee of Close House and The Courtyard but no negative comments had been made about his support and interactions with these bodies.
- d) United in the Community Trust [UITC] continued to support youth team development in the county and had significant success against a number of league clubs during the current season. The council had helped UITC with office accommodation and access to practice and match pitches.
- e) He considered that there had always been a genuine willingness within the council to support football in the right and proper capacity.

A committee member noted that the remit of the item limited the nature of the questions, particularly around decisions made by the club. However, Mr. Keyte said that he was very willing to answer such questions and commented on the following:

- i) In January 2014, the club had been open about the need for £300k of investment in order to survive that football season. Funding went from £725k in the league to £47k in the conference.

- ii) The board of directors had been transparent that they were not prepared to fund the club in the order that they had done so in previous years. Mr. Keyte acknowledged that it was not a large board and that might have been one of the problems, as the club had not been financially strong enough to overcome any downturns.
- iii) The club had approached various local people but they were not willing to get involved, particularly given negative comments being made within social media.
- iv) Wider interest was sought and two groups came forward, one led by Mr. Agombar and the other being Hereford United Supporters' Trust [HUST]. An amicable meeting was held with representatives of HUST in early May 2014 and they were asked to respond on a number of points that had been raised, such as confidentiality clauses and proof of funding, but HUST did not come back with the required answers.

Councillor Nenadich commented that, whilst it was disappointing that more substantial support for the club had not come forward, a number of businesses and HUST were actively supporting UITC in modest ways in terms of travel and equipment costs.

The Chairman invited Martin Watson, Vice-Chairman of HUST, to address the committee. The points made by Mr. Watson included:

- 1) HUST had around 1700 members and supported not just UITC but other youth football groups throughout the county.
- 2) The Herefordshire Football Association was asking for further pitches and facilities and the council could help with this to support improvements to the youth structure.
- 3) A large number of documents had been released on the council's website and questions were asked about the interactions between Pinsent Masons and the council in relation to the winding up petition. It was also noted that a large number of people had been involved in the lease negotiations.

In response to point 2) above, the Head of Corporate Asset Management reported that: the council was to meet with representatives of various governing bodies on 9 March 2015 in relation to the council's playing pitch strategy and how this would feed into the Local Development Framework; there had been constant dialogue with the Herefordshire Football Association about the provision of new or improved playing pitches; the council's Community and Development Team had helped county football clubs to gain in excess of £100k worth of funding to support their programmes in the last year; it was anticipated that further facilities could come forward through planning obligations; and work continued with local, regional and national bodies.

In response to point 3) above, the Director advised that: email exchanges were only part of the picture, there were also face-to-face meetings and the club had been clear about the financial position; and it was acknowledged that there had been a large number of people involved, partly due to the length of time the lease negotiations had taken, but there were single points of contact on both sides to coordinate the final position. The Deputy Solicitor to the Council, Property and Commercial added that the winding up petition was not enough in itself to trigger forfeiture of the leases. The Director reiterated that the council acted upon its own legal advice, it was not entirely reliant on Pinsent Masons.

The Chairman asked the Democratic Services Officer to update the committee on correspondence from the Football Association [the FA]. It was reported that, although a request had been made in early February, regrettably the FA had not been able to send

a representative to the meeting or to issue a formal statement for publication with the agenda papers. At very short notice, the Herefordshire Football Association had also been invited to attend but again could not send a representative to the meeting. However, the FA had drawn attention to its National Ground Grading requirements and an appropriate link had been included in Supplement 1 to the agenda. It was also reported that correspondence had been received from the FA immediately prior to the meeting and the contents were paraphrased.

A member in attendance commented on a number of matters, including: his experience as a chartered accountant; he had not been assured that the council could deal with private limited companies effectively; he commented on correspondence with the Leader, prior to the signing of the restructured leases, about the need for appropriate due diligence and the risks of assets falling into unsuitable ownership; the significant resources spent on professional fees and the amount of officer time taken up during the entire process; and he offered to share his knowledge and experience with members and officers.

In response, the Leader reminded the committee of the circumstances under which the discussions and decisions took place.

Mr. Keyte made a number of further points, including:

- a - The decisions of the board of directors had been informed by the club's solicitors and auditors, as well as a firm of administrators. It had been considered at the time that, whilst tight, the club had taken actions that suggested it could overcome the trading losses. The club was open about the situation but it had not been declared insolvent as a trading company.
- b - An overview was given on the historical levels of debt at the club and it was noted that, as with many football clubs throughout the country, it was not unusual to be running with debt on the balance sheet. An overview was also given on the club's efforts to obtain the leases back from an investment company.
- c - The purpose of the lease restructuring was re-iterated.
- d - The difficulties experienced by clubs relegated from the league were outlined, especially for those in similar geographical areas to Hereford.
- e - He considered that the negative comments of some local people had an impact on the viability of the club, adding that the debt position was not dissimilar to previous years and the club had possession of the leases.
- f - The length of time taken on the lease negotiations had been frustrating, particularly as a number of development opportunities could not be progressed.
- g - He considered that the leases had been written so tightly, for the good of football, that there was never an opportunity for anyone to exploit them for personal gain.

In response to questions from some committee members, the Deputy Solicitor to the Council, Property and Commercial advised that there were no specific restrictive covenants on the freehold title for the council's properties; restrictions on ground use would only be imposed by the council itself through the lease mechanism. Mr. Watson provided some historical context to the issue and considered that any new leases should reinstate restrictions contained within earlier leases. A committee member said that some confusion had arisen in that a legacy had been granted for a specific purpose but he did not believe that there were any covenants in terms of the ground.

The local ward member had to leave the meeting early but invited the committee to consider five possible recommendations to the Executive in respect of: any profit from any development of the ground being reinvested into supporting football and sporting facilities in the county; the interim lease should only be for the ground itself and for access to the facilities, enabling the council to pursue any development separately; the leases should take the legal status of the recipient into account, with safeguards to prevent a hostile takeover of that recipient; the lease should put in place protection to ensure that sporting use was continued at the ground; and to encourage the Executive to look at not-for-profit organisations, with community sport links, to partner with over the asset.

A member in attendance commented that football was an expensive game, particularly in terms of pitch standards and stadium safety, so there needed to be the potential for profit in order to meet on-going and future costs. Mr. Keyte added that the council might wish to consider an all-weather pitch, as this could provide options for enhanced community use going forward. The Chairman noted that the future of the ground was a matter for subsequent discussions.

Committee members debated potential recommendations, particularly in terms of safeguards around ownership and the enhancement of sporting facilities in the county.

A committee member felt that the proposed lease should not be so restrictive that it prevented future flexibility and suggested that contact be made with other public bodies to identify other useful clauses that could be included. Mr. Watson commented that the FA had recently undertaken a review of the leases of clubs within their control and this might be helpful to the council.

The Leader commented that appropriate safeguards should be taken into consideration and emphasised that the ground was a valuable asset for the county as a whole. He also cautioned against binding the next administration to any particular course of action in the longer term.

The Chairman read out other possible variations on recommendations that could be considered in terms of: proper assessment of whether it would be beneficial, in any future leases, for the council to retain a right to exercise a break clause in the event of a change of ownership / control; the need for compelling and exceptional justification to be required to persuade the council to relinquish development rights; the need for assurance to be provided that any new long term tenant would be subject to full and proper due diligence; the need to ensure that any leases relating to football meet FA requirements; and, in advance of any longer term decisions, the scrutiny committee should be invited to consider future arrangements as part of its work programme for 2015/16

A committee member felt that recommendations from the committee should concentrate on football. However, other committee members considered that the wording of the proposed lease should not be too exclusive, as this could limit the opportunities for other sports and for income to be generated from other activities to support continued use of the ground.

The Chairman adjourned the meeting to enable recommendations to be refined. Informed by the suggestions identified by committee members during the debate, the Assistant Director, Governance prepared a list of possible recommendations during the adjournment and this was circulated to attendees at the meeting.

Upon recommencement of the meeting, each recommendation was read out by the Chairman, discussed and amended by the committee where necessary, and voted upon in turn.

A recommendation that 'The Executive should consider favourably any proposals from not-for-profit organisations in relation to the future occupancy and use of the football ground' was not supported, principally because this could restrict the options available and it might not comply with FA requirements. Therefore, this was deleted from the recommendations.

The final recommendations agreed by the committee are reproduced below.

**RESOLVED: That the following be recommended to the Executive:**

1. That there should be proper assessment of whether it would be beneficial, in any future leases, for the council to retain a right to exercise a break clause in the event of (1) a change of ownership / change of control; and/or (2) professional football ceases to be played at the ground. And that any lease should include appropriate safeguards in the event of a hostile takeover of a corporate tenant.
2. That the primary objective when considering proposals for the football ground should be to secure the continuation of professional football.
3. That compelling and exceptional justification should be required to persuade the council to relinquish development rights and that the new lease should only extend to the football pitch with use of the stands and other facilities.
4. That any profits generated by the development of the ground (whether by the council or another) should be invested for the benefit of the county and, in particular, to support football and sport in the county.
5. That assurance be provided that any new long term tenant would be subject to full and proper due diligence.
6. That the Executive ensures that any leases relating to football meet Football Association requirements.
7. That the Executive look favourably on proposals that include for the provision of education and training for young people.
8. That if more than one lease is to be granted that consideration should be given to them all having a consistent end date.
9. That in advance of any longer term decisions, the scrutiny committee be invited to consider future arrangements as part of its work programme for 2015/16.

**54. DRAFT WORK PROGRAMME**

The committee's work programme was received.

**RESOLVED: That the work programme be noted.**

**55. DATE OF NEXT MEETING**

Tuesday 10 March 2015 at 10.00 am

The meeting ended at 12.40 pm

**CHAIRMAN**





<b>MEETING:</b>	<b>General Overview and Scrutiny Committee</b>
<b>MEETING DATE:</b>	<b>10 March 2015</b>
<b>TITLE OF REPORT:</b>	<b>Task and Finish Group: Balfour Beatty Living Places - Public Realm Services</b>
<b>REPORT BY:</b>	<b>Task and Finish Group</b>

## Classification

Open

## Key Decision

This is not an Executive decision.

## Wards Affected

County-wide

## Purpose

To consider the findings of the scrutiny task and finish group and to recommend the report to the Executive for consideration.

## Recommendations

THAT:

- (a) The committee considers the report of the Task and Finish Group: Balfour Beatty Living Places - Public Realm Services, in particular its recommendations, and determine whether it wishes to agree the findings for submission to the Executive; and
- (b) Subject to the review being approved, the Executive's response to the review including an action plan be reported to the first available meeting of the committee after the Executive has approved its response.

## Alternative Options

- 1 The committee can agree, not agree or can vary the recommendations. If the committee agree with the findings and recommendations from the review, the attached report will be submitted to the Executive for consideration. It will be for the Executive to decide whether some, all or none of the recommendations are approved.

## **Reasons for Recommendations**

- 2 The committee commissioned a task and finish group to review the contract relating to public realm services delivered by Balfour Beatty Living Places. The report of the task and finish group, enclosed as Appendix 1, is submitted for consideration and approval by the committee.

## **Key Considerations**

- 3 The task and finish group was established to consider progress made with the delivery of public realm services since the start of the new contract with Balfour Beatty in September 2013 and make recommendations to Cabinet regarding improvements which could be made to inform services planning and delivery for the financial year 2015/16.
- 4 The task and finish group met six times, involving: interviews with council officers, parish council clerks, Balfour Beatty employees and suppliers from the Balfour Beatty supply chain.
- 5 The appended report identifies 12 recommendations arising from the findings of the task and finish group.

## **Community Impact**

- 6 If the committee agrees with the findings of the task and finish group, the report will need to be considered by the Executive and, depending on their decision, community impact will need to be assessed.

## **Equality and Human Rights**

- 7 If the committee agrees with the findings of the task and finish group, the report will need to be considered by the Executive and, depending on their decision, equality and human rights issues will need to be assessed.

## **Financial Implications**

- 8 If the committee agrees with the findings of the task and finish group, the report will need to be considered by the Executive and, depending on their decision, the financial implications of any of the recommendations will need to be assessed.

## **Legal Implications**

- 9 If the committee agree with the findings of the task and finish group, the report will need to be considered by the Executive and, depending on their decision, the legal implications of implementing any of the recommendations will need to be assessed.

## **Risk Management**

- 10 If the committee agrees with the findings of the task and finish group, the report will need to be considered by the Executive and, depending on their decision, the risk management implications of implementing any of the recommendations will need to be assessed.

## **Consultees**

11 The consultees are detailed at section 4.5 of the appended report.

## **Appendices**

Appendix 1 Task and Finish Group Report - Balfour Beatty Living Places - Public Realm Services

## **Background Papers**

- None identified.





# **Task and Finish Group Report**

Balfour Beatty Living Places -  
Public Realm Services



# Balfour Beatty Living Places - Public Realm Services - Review Report

## 1. Chairman's Foreword

Public realm services are recognised as vital to the citizens of Herefordshire and its visitors; it is also a key factor in supporting one of council's core strategic aims of securing growth of the local economy. It covers a range of services to maintain and improve public areas and highways in the county, including a number of high profile frontline services such as highway maintenance, street cleaning and grounds maintenance. Like many other local authorities, the council procures these services through an industry specialist contractor - in Herefordshire's case, Balfour Beatty Living Places (BBLP).

The contract was awarded to BBLP in July 2013 following an EU compliant, competitive tender process and the contract went live on 1<sup>st</sup> September 2013. The contract is a long-term, strategic contract (10 years + 10 years, subject to performance). The planned annual expenditure through the contract is £20million, however, a significant investment in the council's road infrastructure is underway, funded directly by the council and various central government grants; this has seen an additional £20m investment made.

In undertaking this review members met with council officers, representatives of parish councils, officers from BBLP and contractors from BBLP's supply chain, all of whom were knowledgeable and helpful and wanting to do a good job for the people of Herefordshire. Mechanisms for robust contract management were evident and therefore provide reassurance that the appropriate continuous improvement conditions are in place to deliver a successful contract over its term. A number of good ideas for improvement of the service have already been identified and therefore the group supports the implementation of these as soon as possible.

It is hoped that this review will provide essential information to inform the future service delivery and strategic direction of public realm services. These recommendations are hopefully self-evident and in many cases already in the process of being implemented by the Executive. There may be other recommendations that could be suggested and council and BBLP should look to consider these and where appropriate implement these as the contract goes forward.

This review report should be seen as an enabling document, whereby betterment of the service should continue to be considered and if ideas are found to be capable of providing a better service, they be put in place. Where we in Herefordshire Council are able to make the service better then let us carry out the changes.

Finally, I would like to put on record my thanks for assistance. I would like to thank my elected member colleagues that made up the group, for their assistance and support in the completion of this task. Thanks also go to the people interviewed in undertaking this review including officers from the council and BBLP. I would particularly like to thank colleagues from the parish councils and representatives from BBLP's supply chain for their support. The candour of all these contributors to our thoughts and questions has proved to be very helpful in coming to our conclusions.

Finally, our sincerest thanks go to both Clive Lloyd and Wayne Welsby for their support in undertaking this task and finish review.

## 2 Executive Summary

- 2.1 Herefordshire Council is responsible for the delivery of public realm services that includes a number of high profile frontline services including highway maintenance, street cleaning and grounds maintenance. In June 2012 members decided not to take up the option to extend its contract with its then contractor and thus an EU compliant tender process was initiated.
- 2.2 In July 2013 the tender process was concluded with the recommendation to award the public realm contract to Balfour Beatty Living Places (BBLP). Cabinet approved this recommendation and therefore a new contract was awarded which went live on the 1<sup>st</sup> September 2013.
- 2.3 The contract is a long-term, strategic contract (10 years + 10 years, subject to performance).
- 2.4 The planned expenditure through the contract is £20million per annum, however, a significant investment in the council's road infrastructure is underway, funded directly by the council and various central government grants; this has seen an additional £20m investment made covering works to be delivered within financial years FY 14/15 and FY15/16.
- 2.5 The task and finish group was established to consider progress made with the delivery of public realm services since the start of the new contract and make recommendations to Cabinet regarding improvements which could be made to inform services planning and delivery for the financial year 2015/16.
- 2.6 As a result of undertaking this review the group has identified a number of recommendations contained herein to improve the delivery and performance of the BBLP contract.

## 3. Composition of the Task and Finish Group

- 3.1 Members of the task and finish group were:
  - Councillor WLS Bowen (Chair of General Overview and Scrutiny Committee and Chair of this task and finish group)
  - Councillor ACR Chappell
  - Councillor TM James
  - Councillor PJ McCaull
  - Councillor A Seldon
  - Councillor DB Wilcox
- 3.2 Lead Officer - Wayne Welsby
- 3.3 Democratic Services Officer - Clive Lloyd

## 4 Context

### Why did we set up the group?

- 4.1 Balfour Beatty Living Places commenced the Council's new public realm contract on 1 September 2013. This is a long term, strategic contract (10 years + 10 years, subject to performance). It covers a range of services to maintain and improve public areas and highways in the county, including a number of high profile frontline services such as highway maintenance, street cleaning and grounds maintenance.
- 4.2 During the General Overview and Scrutiny Committee of the 30 June 2014 committee members noted that an agenda item was scheduled for the September 2014 meeting but felt that more in depth work was required and proposed that a Balfour Beatty Task and Finish Group be established, particularly to look at how the contract was working and how the new system was operating. Other committee members commented on the need to learn lessons from contract design and a high level approach should be taken to contract management issues.
- 4.3 As a result of the members suggestions, this task and finish group was commissioned with the following brief:

*To consider progress made with the delivery of public realm services since the start of the new contract and make recommendations to Cabinet regarding improvements which could be made to inform services planning and delivery for the financial year 2015/16.*

### What were we looking at?

- 4.4 In September 2014, a scoping statement was agreed for the task and finish group. The full scoping statement is attached at Appendix A.

### Who did we speak to?

- 4.5 In undertaking this review the group spoke to the following people:
- Richard Ball, Assistant Director, Place Based Commissioning, HC
  - Walter Longden, Interim Procurement and Contracts Manager, HC
  - Clive Hall, Head of Highways and Community Services, HC
  - Roger Horton, Customer Services Area Manager, HC
  - Ben Proctor, Head of Web Based Communications, HC
  - Mrs Chris Bucknell, clerk to Wellington Parish Council
  - Cllr Geoffrey Vaughan, Chair of the Pyons Group Parish Council
  - Andy Williams, Contract Director, BBLP
  - Ceri Fenner, Finance/Commercial Manager, BBLP
  - Rachel Rice, Knowledge Centre Manager, BBLP
  - Rachel Davis, BBLP
  - Alistair MacDonald, Design and Build and Locality Manager, BBLP
  - Locality Stewards, BBLP – Rachel Dixon, Shane Hancock and Phil Pankhurst
  - Mike McAndrew, Tarmac
  - Andrew Prosser, Owen Pell

## How did we engage with people?

- 4.6 The task and finish group wanted to use as many different ways as possible of engagement with interviewees. The methods used were:
- Face to face interviews
  - Site visits to Balfour Beatty Thorn Depot
  - Email correspondence

## What did we read?

- 4.7 The group was provided background information to undertake this review, including performance information from BBLP and details of service requests from the council's contact centre.

## 5. Key Themes

- 5.1 Through the task and finish review the following key themes were identified:
1. Communications and the relationship between Herefordshire Council and BBLP
  2. The complaints procedure
  3. Locality Stewards
  4. Enhanced Lengthsman Scheme
  5. Local Suppliers and Local workforce

### Communications and the relationship between Herefordshire and BBLP

- 5.2 Effective communications and relationship management between Herefordshire and BBLP is key to the success of the public realm services contract and requires appropriate measures at both strategic and operational levels. Effective contract performance is secured through the management made by the dedicated contract management Client Team. This team comprises eight council officers who provide a range of specialist performance and costs management skill-sets. The NEC contract terms used for this contract provide a robust, industry standard mechanism to apply effective contract management. The formulation of an Annual Plan, which is subject to Cabinet approval, and the creation of groups such as the strategic partnership board are key strategic measures to support this. At an operational level the management of urgent reactive works and the planned maintenance programme are effective. In addition, potential issues or disputes are managed through the early warning process embedded within the NEC contract. The use of improvement 'cluster groups' also provide mechanisms to embed a continuous improvement approach. Finally, the implementation of Locality Stewards provides effective engagement with elected members and parish councils and is seen as a key feature in supporting effective contract performance at a locality level.
- 5.3 During the task and finish review, the group heard about the challenges faced in mobilising the contract and the contract management arrangements that have been established to ensure effective contract delivery.
- 5.4 The group heard that the period between contract award and contract go-live was 6 weeks which whilst challenging was sufficient to ensure effective handover and meet TUPE obligations. It heard that the initial key priority was to ensure safe TUPE transfer of

c463 staff and ensure urgent provision was met - this objective was achieved. What did present greater challenges, however, related to the training and induction of newly transferred staff. It was discovered that in addition to normal induction training requirements, typical whenever BBLP receive TUPE staff, there were a significant number of transferred staff that did not hold the appropriate training certification to the level BBLP would expect for their staff. As a result an unforeseen training programme was initiated that impacted on the operational capacity in the short-term.

5.5 In addition, at the point of transfer all telephone contact numbers with the service were disconnected. This presented unreasonable delays in contacting BBLP with regards to complaints and/or issues whilst new numbers were established.

**Recommendation 1:** The group is encouraged by the level of active and robust contract management in place for management of the BBLP contract. It is recommended that the council maintains this in order to ensure that there is no slippage in the quality of delivery to the people of the county.

**Recommendation 2:** It was noted that the BBLP Public Realm contract contains appropriate terms and conditions requiring them to provide applicable information in good time at the end of the contract in order to support effective TUPE transfer. The group recommends that similar terms are used for other suitable future contracts and that an effective exit strategy is embedded which includes provision for a comprehensive transition to the new contract.

**Recommendation 3:** It is recommended that as part of any decommissioning / commissioning process the council should undertake an assessment of any key dependencies required to ensure safe and efficient transfer of responsibilities from one contractor to another. To support this requirement it is recommended that contract managers should maintain a clear asset register and business continuity plan. It is expected, as an example, that such practices would have addressed the telephone issues described above.

**Recommendation 4:** That the council and BBLP continues to work together to keep citizens informed of contract changes and manage citizen's service expectations. Regular online updates on council websites, and newsletters are options to achieve this.

**Recommendation 5:** That the council and BBLP continues to work together to host a 'members seminar/member briefing' every six months, or earlier if circumstances dictate, to keep members up to date on contract performance and any potential service changes. These sessions to be chaired by the Chair of the General Overview and Scrutiny Committee with the Cabinet Member with responsibility for the BBLP contract present. In addition, any major issues should be reported to the chair of the GOSC immediately.

#### The complaints procedure

5.6 The group heard that the telephone complaints procedure appeared confusing and ineffective for the public. It was noted that the council has a 'Digital by Default' strategy to maximize communications via online systems; however, the group noted that a number of Herefordshire citizens could struggle with this approach due to their inexperience of such IT tools or limited Broadband coverage. Where communication is received by telephone, the group heard that all calls are received by the corporate customer service team that forward these enquires to BBLP. The use of an 'out of hours' service located outside of the

county had also incurred frustrations when citizens had made complaints about certain roads but the call handler had struggled to identify the location.

**Recommendation 6:** The group notes the recent changes by the council to transfer customer contact to Balfour Beatty Living Places (BBLP) for areas of service for which they are responsible for. The group is supportive of this approach and recommends these changes are kept under review to monitor its effectiveness. In addition, it was recommended that BBLP communications were aligned with council policy, e.g. a 10 day deadline to provide a response.

**Recommendation 7:** That when receiving an insurance claim as a result of a potential road defect, the complainant receives an acknowledgement to the claim and be advised of the process and anticipated response times. In addition, it is recommended that a clear definition with regards to categorisation of road defects is also provided. It is noted that a number of key dependencies apply to such cases, not least that the details received include clear information of the location of the road defect, that the defect is on a council maintained road, etc.

### Locality Stewards

5.7 The group heard that that BBLP had established a Locality Stewards approach with the recruitment of a locality manager and thirteen locality stewards, each covering the nine localities across the county. These stewards work directly with elected members, parish councils and citizens to address problems that arise and ensure specific local needs are met. Whilst it was noted it is early days, the group was very encouraged by this approach and very supportive of its introduction. The use of the handheld tablets by the stewards to engage directly with the BBLP management system CONFIRM was also welcome although it was noted not all applicable staff had tablets which was limiting the effectiveness of their use and the benefits of the CONFIRM system.

**Recommendation 8:** The group is highly supportive of the locality steward approach. The group recommends that all applicable BBLP staff have handheld tablets to support communication and maximise the effectiveness of the CONFIRM system.

**Recommendation 9:** Where member's requests are raised with locality stewards the group recommends that members are kept informed of status, particularly where schemes are not to be delivered or are to be delayed. In the event a decision is made not to undertake a particular request then the member is provided with a brief on the reasons and a transparent appeal process is introduced if necessary.

### Enhanced Lengthsman Scheme

5.8 As part of the review the group met with two representatives from parish councils that had piloted Enhanced Lengthsman Schemes. The group heard that these pilots had been very successful and extremely welcome to the parish councils involved. The group heard that the parish councils saw the introduction of the Enhanced Lengthsman Scheme, working collaboratively with locality stewards and the wider BBLP services, as very effective and welcomed the formal roll out of this approach.

**Recommendation 10:** The group is highly supportive of the council's recommendation to roll out the use of the Enhanced Lengthsman Scheme and recommends that as many parish councils as possible takes up this option.

## Local suppliers and local workforce

- 5.9 The group heard about BBLP arrangements to engage with local suppliers to support the BBLP supply chain. BBLP confirmed they were wholly supportive of engaging with local suppliers but had experienced difficulties in identifying suitable organisations. As part of the review the group did meet with Owen Pell (Hereford based organisation) and Tarmac (with offices in Kington). Both were very complimentary of the business relationship with BBLP and particularly noted that the use of the Annual Plan provided increased visibility and effective forward planning of scheme management as a result.
- 5.10 The group also heard about the requirements embedded within the contract to support the use of apprenticeships and increased engagement with local colleges on training schemes. The group noted this had resulted in the council's recent accreditation by the Constructions in Skills Training Board (CITB).

**Recommendation 11: The council to work with BBLP to make it easier for small, local organisations to engage with BBLP and bid for sub-contractor opportunities. To support this it is recommended that the council adds a forwarding note to its eTendering portal, providing BBLP contact details for interested sub-contractor organisations.**

**Recommendation 12: As a general recommendation, the group also noted that typically reports detail distances in kilometres, it is recommended that BBLP include miles as well.**

## 6. Appendices

6.1 Appendix A - Scoping Statement

6.2 Link to the Herefordshire Public Realm Contract Annual Plan 2014/15:

<http://councillors.herefordshire.gov.uk/documents/s50020612/2014-2015.TR.004%20Appendix%20B.pdf>

## 7 Summary of Recommendations

**Recommendation 1:** The group is encouraged by the level of active and robust contract management in place for management of the BBLP contract. It is recommended that the council maintains this in order to ensure that there is no slippage in the quality of delivery to the people of the county.

**Recommendation 2:** It was noted that the BBLP Public Realm contract contains appropriate terms and conditions requiring them to provide applicable information in good time at the end of the contact in order to support effective TUPE transfer. The group recommends that similar terms are used for other suitable future contracts and that an effective exit strategy is embedded which includes provision for a comprehensive transition to the new contract.

**Recommendation 3:** It is recommended that as part of any decommissioning / commissioning process the council should undertake an assessment of any key dependencies required to ensure safe and efficient transfer of responsibilities from one contractor to another. To support this requirement it is recommended that contract managers should maintain a clear asset register and business continuity plan. It is expected, as an example, that such practices would have addressed the telephone issues described above.

**Recommendation 4:** That the council and BBLP continues to work together to keep citizens informed of contract changes and manage citizen's service expectations. Regular online updates on council websites, and newsletters are options to achieve this.

**Recommendation 5:** That the council and BBLP continues to work together to host a 'members seminar/member briefing' every six months, or earlier if circumstances dictate, to keep members up to date on contract performance and any potential service changes. These sessions to be chaired by the Chair of the General Overview and Scrutiny Committee with the Cabinet Member with responsibility for the BBLP contract present. In addition, any major issues should be reported to the chair of the GOSC immediately.

**Recommendation 6:** The group notes the recent changes by the council to transfer customer contact to Balfour Beatty Living Places (BBLP) for areas of service for which they are responsible for. The group is supportive of this approach and recommends these changes are kept under review to monitor its effectiveness. In addition, it was recommended that BBLP communications were aligned with council policy, e.g. a 10 day deadline to provide a response.

**Recommendation 7** That when receiving an insurance claim as a result of a potential road defect, the complainant receives an acknowledgement to the claim and be advised of the process and anticipated response times. In addition, it is recommended that a clear definition with regards to categorisation of road defects is also provided. It is noted that a number of key dependencies apply to such cases, not least that the details received include clear information of the location of the road defect, that the defect is on a council maintained road, etc.

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**Recommendation 12:** As a general recommendation, the group also noted that typically reports detail distances in kilometres, it is recommended that BBLP include miles as well.

<b>TITLE OF REVIEW:</b>	<b>Balfour Beatty Living Places - Public Realm Services</b>
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## SCOPING

### Reason for Enquiry

To consider progress made with the delivery of public realm services since the start of the new contract with Balfour Beatty in September 2013 and to make recommendations to cabinet regarding improvements which could be made to inform service planning and delivery for the financial year 2015/16.

### Links to Strategy

The review contributes to the following objectives contained in the Council's Corporate Plan and other key plans or strategies:

**The services covered by this review directly contribute to the Council's corporate priorities with particular relevance to those underlined below:**

#### Our vision

Herefordshire - a place where people, organisations and businesses work together within an outstanding natural environment, bringing about sustainable prosperity and wellbeing for all.

#### Our priorities are to:

- Keep children and young people safe and give them a great start in life
- Enable residents to live safe, healthy and independent lives
- Invest in projects to improve roads, create jobs and build more homes

and to achieve our priorities we need to:

- Encourage individuals, communities and organisations to do more for themselves and for their local area
- Radically reduce the costs, breadth and level of services we provide
- Ensure the services that we do provide are cost effective

In addition, the Public Realm services are guided by key policy documents the Local Transport Plan and the Highway Maintenance Plan.

### Summary of Review and Terms of Reference

#### Summary

Balfour Beatty Living Places commenced the Council's new Public Realm contract on 1 September 2013. This is a long term (10 years + 10 years, subject to performance) contract for the delivery of a range of services to maintain and improve public areas and highways in the county. This covers a number of high profile front line services including highway maintenance, street cleansing and grounds maintenance.

#### Terms of Reference

- To consider progress made by Balfour Beatty in mobilising and delivering public realm services over the first year of the contract
- To consider the introduction of Locality Stewards and make recommendations for improvements

- To investigate the current lengthsman scheme for parish involvement with highway maintenance activities and consider ways of improving the scheme
- To consider the approach taken to grass cutting and grounds maintenance during the first year and make recommendations for the future
- To consider performance to date and the approach taken to performance management and value for money
- To determine compliance, or otherwise, with the council's requirements in relation to responding to complaints and queries and to determine the accountability and contact arrangements of management at Balfour Beatty.

#### **What will NOT be included**

- Whilst the above may make recommendations regarding how the contract is managed, it is not intended to review the procurement process that was undertaken or the form of contract that has been adopted; this will not prevent the group from looking at any area it considers appropriate.

#### **Potential outcomes**

- In reviewing these areas of activity the task and finish group may identify areas of service where improvements could be made and make recommendations to Cabinet.

#### **Key questions**

- What has gone well during the first year of the contract and what could be improved?
- Has the establishment of Locality Stewards been a success and if not what can be done to improve their role?
- What are the lessons learnt from the experience of budget reductions in relation to grass cutting and grounds maintenance?
- How can the lengthsman scheme contribute to improving local ownership of highway services and improve value for money for local communities?
- What is the approach and process for using local and other sub-contractors to deliver services that meet the needs of the county and how could this be improved to encourage local economic development and skills development?

#### **Cabinet Member(s)**

Cllr Rone

#### **Key Stakeholders/Consultees**

- Balfour Beatty Living Places
- Local Members
- Parish Councils
- Sub-contractors
- Lengthsmen

### Potential Witnesses

- Andy Williams BBLP and his management team
- Brian Barratt Foxley Parish Council - Lengthsman Pilot
- Locality Stewards
- Representatives from benchmark or neighbouring authorities

### Research Required

- Parish council experiences (especially lengthsman / locality steward pilot areas), with mix of urban/rural
- Customer satisfaction data
- Best practice locally, regionally and nationally

### Potential Visits

- Enhanced lengthsman pilot areas
- Balfour Beatty depot in Rotherwas Enterprise Zone
- Highway maintenance schemes being delivered on the ground

<b>Members</b>	<b>Support Officers</b>
Councillors WLS Bowen (Chairman), ACR Chappell, TM James, PJ McCaull, A Seldon, and DB Wilcox	Lead Support Officer: Wayne Welsby - Head of Commercial Services
	Democratic Services Representative(s): Clive Lloyd - Democratic Services Officer
	Other support officers Richard Ball - Assistant Director Place Based Commissioning Clive Hall - Head of Highways and Access Walter Longden - Interim Contract Manager Anthony Bush - Parish Liaison and Rural Services Officer





<b>MEETING:</b>	<b>General Overview and Scrutiny Committee</b>
<b>MEETING DATE:</b>	<b>10 March 2015</b>
<b>TITLE OF REPORT:</b>	<b>Work programme and task and finish groups</b>
<b>REPORT BY:</b>	<b>Governance services</b>

## Classification

Open

## Key Decision

This is not an Executive decision.

## Wards Affected

County-wide

## Purpose

To note progress and to receive updates on work allocated to task and finish groups.

## Recommendation

**THAT the report be noted, subject to any comments the committee wishes to make.**

## Alternative Options

- 1 It is for the committee to determine its work programme to reflect the priorities facing Herefordshire. The committee needs to be selective and ensure that the work programme is focused, realistic and deliverable within existing resources.

## Reasons for Recommendations

- 2 The committee needs to develop a manageable work programme to ensure that scrutiny is focused, effective and produces clear outcomes.

## Key Considerations

### Work Programme

- 3 This meeting is the final scheduled meeting of the committee for the municipal year.

- 4 A brief overview of the work undertaken during 2014/15 is provided within the annual report, to be received at Council on 6 March 2015:

[http://councillors.herefordshire.gov.uk/documents/s50024302/1%20GOSC%20Annual%20Report%20to%20Council\\_2014-15.pdf](http://councillors.herefordshire.gov.uk/documents/s50024302/1%20GOSC%20Annual%20Report%20to%20Council_2014-15.pdf)

Agenda and minutes for committee meetings are available at:

<http://councillors.herefordshire.gov.uk/ieListMeetings.aspx?CId=809&Year=0>

- 5 The draft work programme for 2015/16 will be prepared, in consultation the Chairman and Vice-Chairman of the committee, at the start of the next administration.
- 6 The work programme will need to focus on the key issues of concern and be manageable allowing for urgent items or matters that have been called-in.

### **Task and Finish Groups**

- 7 The committee can allocate tasks drawn from the work programme to a task and finish group. It is for the committee to confirm an outline scope including, as a minimum, the composition of the group, the desired outcomes and what will not be included in the work. Updates on the task and finish groups currently in progress are given below.

#### *Balfour Beatty Living Places - Public Realm Services*

- 8 The task and finish group has completed its report; this features as item 7 of this agenda.

#### *Development Management (Planning)*

- 9 The task and finish group completed its research and interviews in early February. The group has consulted widely with officers, planning consultants, town and parish councils, and Shropshire Council's planning department.
- 10 The key themes that have been identified during the study relate to administration, workload of planning officers, planning enforcement process, customer experience and the consultation process.
- 11 The report is currently in the draft stage and will be submitted for the committee's consideration in due course, likely to be at the first meeting in the next municipal year.

#### *Community Infrastructure Levy*

- 12 Phase 3 of the task and finish group's work is currently underway. Councillor Harvey, Chairman of the group, intends to provide the committee with an update on the current position.

### **Briefing Notes**

- 13 As reported at the last meeting, officers have been asked to prepare briefing notes on the following topics, to be circulated to committee members by the end of March:
- Update on the Executive Response to the Task and Finish Group Report on Household Recycling Centres;
- Pupil Premium and the Hidden / Actual Costs of Education;
- Digital Strategy; and
- Progress Report on the Housing Allocation Policy

- 14 Further to minute 53 of the last meeting, it is intended that the Executive responses to the committee's recommendations arising from the 'Review of lease restructuring with Hereford United (1939) Ltd' will also be provided in the briefing notes pack.

## **Community Impact**

- 15 The topics selected for scrutiny should have regard to what matters to residents.

## **Equality and Human Rights**

- 16 The topics selected need to have regard for equality and human rights issues.

## **Financial Implications**

- 17 The costs of the work of the committee will have to be met within existing resources. It should be noted the costs of running scrutiny will be subject to an assessment to support appropriate processes.

## **Legal Implications**

- 18 The council is required to deliver an overview and scrutiny function.

## **Risk Management**

- 19 There is a reputational risk to the council if the overview and scrutiny function does not operate effectively. The arrangements for the development of the work programme should help mitigate this risk.

## **Consultees**

- 20 The Chairman and Vice-Chairman meet on a regular basis to consider the work programme.

## **Appendices**

- None.

## **Background Papers**

- None identified.

