

MINUTES of the meeting of General Overview & Scrutiny Committee held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Tuesday 19 January 2016 at 10.00 am

Present: Councillor WLS Bowen (Chairman)
Councillor CA Gandy (Vice Chairman)

Councillors: JM Bartlett, Mr P Burbidge, MJK Cooper, Mrs A Fisher, Mr RJ Fuller, J Hardwick, DG Harlow, EPJ Harvey, JF Johnson, JG Lester, AJW Powers, PD Price, NE Shaw, EJ Swinglehurst, A Warmington and SD Williams

In attendance: Councillors J Stone

Officers: Richard Ball, Andrew Blackman, Steve Burgess, Andy Hough, Geoff Hughes, Kevin Singleton and Claire Ward

49. APOLOGIES FOR ABSENCE

Apologies were received from Mr P Sell

50. NAMED SUBSTITUTES

No substitutions were made.

51. DECLARATIONS OF INTEREST

It was explained by the monitoring officer that were a member of the committee a school governor this would not constitute a pecuniary interest in item 7 home to school transport.

There were no declarations of interest

52. MINUTES

The minutes of the previous meeting were received.

RESOLVED: That the minutes of the meeting held on 17 November 2015 be approved as a correct record.

53. SUGGESTIONS FROM THE PUBLIC

The chairman thanks Mr McKay for his continued interest in the work of scrutiny. It was noted that two briefing notes had already been produced on related matters and as a result the chairman was arranging a meeting between Mr McKay and relevant officers to better address his concerns.

54. QUESTIONS FROM THE PUBLIC

The chairman noted the large number of questions which had been received from members of the public and thanked them for their interest. It was explained that

due to the high volume of questions from the public supplementary questions would not be allowed. The chairman hoped that all members of the public were satisfied with the responses received.

55. UPDATE ON HOME TO SCHOOL TRANSPORT PROVISION

The chairman introduced the item noting that implementation of the policy had been deferred for a year in order to allow schools and families affected to make alternate arrangements. It was also noted that the policy had had a diverse impact with rural areas adversely affected, particularly those in border areas. A comment was made that Herefordshire imports more students than it exports to other local authorities. However it was stated that the exporting of students is a controversial idea.

The head of educational development introduced the report acknowledging that it was a difficult procedure to change and implement a policy such as home to school transport.

It was explained that previous scrutiny decisions had supported changing policy in the interest of financial savings by providing the statutory minimum in service provision. Additionally the general overview and scrutiny committee had in 2014 recommended the delay in implementation of the home to school transport policy in order to allow parents to make alternative arrangements. The impact of the policy was demonstrated by the continued interest from members of the public. However it was for good reasons that the council was providing the statutory minimum service.

It was stated that the main reason for policy change was the necessity of cost saving and that it was right that this policy be periodically reviewed. It was explained that even though the policy had been in place for a short time, only since September 2015, effective modelling had already been completed.

The admissions and transport policy manager summarised key information from the appendix of the report. This included:

- Since the autumn term 2015 there had been a reduction in the number of entitled riders and the number of children entitled to free transport.
- There had not been a reduction in the choice of popular schools which had been a concern for many when the policy was first proposed.
- There had not been a reduction in the number of students going outside of Herefordshire for education.
- Herefordshire remained a net importer of students, people still wanted to send their children to Herefordshire for education.
- Only 45.5% of those parents potentially entitled to free school transport had actually stated a first preference for their nearest school.

The chairman thanked officers for their presentation and asked members of the committee for comment.

A member of the committee queried whether actual savings made so far through the scheme had met with projected figures. The admissions and transport policy manager explained that figures showed that over £70,000 would be saved through the policy, by way of increased parental contributions and that it had also

been identified by a review of transport routes to schools an additional £50,000 could be saved. Consequently, implementation over five years was estimated to lead to savings well in excess of the original estimate of £250,000. Given the successes that had already been achieved in the first year of implementation the financial savings achieved were promising.

A member of the committee queried to what extent the impact of the policy on looked after children had been considered. It was explained that looked after children were a separate issue not affected by the home to school transport policy. It was explained that these children would receive their first choice of school and that efforts would be made to accommodate their choices in regards to transport.

A member of the committee made a number of comments regarding the importance of parental choice and the policy in general:

- It was contended that parental choice was the crucial factor in school admissions rather than whether or not free home to school transport was provided.
- It was noted that many of the schools identified in the report as having been adversely affected by the policy were also high performing schools. This represented that a conscious decision was being made that higher quality education was worth paying for home to school transport.
- It was described that schools with small catchment areas were dependent on providing the best quality education in order to attract students.
- It was described that secondary schools were particularly affected by border area issues where responsibility for student's transport varied between different local authorities.

In response the admissions and transport policy manager acknowledged that parental choice was important in admissions. It was explained that previously pupils in denominational education in Herefordshire had received free transport provided by the local authority. However, this provision of transport was withdrawn some years ago, well before recent policy changes and denominational schools in the authority remained oversubscribed. This suggested that admissions had not been affected by non-free transport. The extent to which catchment areas were influencing border area issues was contended.

A representative of Herefordshire Association of Secondary Head teachers (HASH) provided observations on the home to school transport policy. Key points included:

- Of 8 out of 14 high schools who had responded to a survey conducted by HASH, 1 welcomed the policy as a success, all other respondents had expressed concern.
- Home to school transport had generated a great deal of concern from families of low to middle income in rural areas as well as the children of members of the armed forces who were struggling to meet the resource cost of having to organise their own transport.
- Concern had been raised by schools in areas bordering other local authorities where students were being transported into other local authorities at the expense of Herefordshire council.

- It was noted that no other surrounding local authorities had chosen to implement a home to school transport policy similar to that of Herefordshire.
- Some schools had begun to subsidise transport for students, this was a misappropriation of money that should instead be used to improve the education children receive.
- The policy was having an adverse effect on families in rural areas where the policy was having a significant impact. It was noted that there was a significant emotional impact of the policy with children from the same family being sent to different schools due to the policy.
- As more parents were driving children to school instead of paying for bus services, traffic outside of schools had increased with consequent environmental impacts and a heightened risk of accidents near schools.

The admissions and transport policy manager provided a number of responses

- The claim that Herefordshire was losing students to surrounding local authorities was not supported by the actual numbers.. It was explained that in 2014 19 pupils went outside of Herefordshire for education. This increased to 24 in 2015 and preference estimates, which were unlikely to change by any significant amount showed 23 pupils for 2016. It was argued that these statistics show that there are a very small number of pupils who travel outside of the county for education and that there has been only a small variation in numbers since the introduction of the policy. It was explained that transfer and admissions deadlines for 2016 had passed, as such these figures presented accurate projections for the coming year.
- A further 8 large local authorities have implemented the same home to school transport policies during 2015 with a combined population of 8 million people representing a significant shift in policy at a national level.
- It was reiterated that the example of denominational education demonstrated that parental choice is the most important factor in admissions, not the provision of free transport.
- Cabinet had deferred the implementation of this policy to allow parents to make alternate arrangements for siblings and that provisions had been made to mitigate the effect on families.
- It was contended that the provision of free transport had only a minor impact on the use of private cars for school transport and that parental choice was again a crucial factor. It was argued that Hereford city represented an example where despite alternative transport options being available the use of private cars remained the first choice alternative to free school transport.

The chairman identified that the revision of school travel plans to reduce car use by parents may be a beneficial piece of work. The director of children's wellbeing agreed that work on school travel plans would be of benefit.

The Director of children's wellbeing was invited to comment, key points included:

- It was important to remember the human factor around the issue, however it was also important to consider factual evidence. With the implementation of any policy there will necessarily be a transitional arrangement. It was explained that many of the cases which had been

provided represented issues which could be improved upon throughout transition.

- It was important not to conflate issues with the new home to school transport policy with problems which had existed prior to its implementation. Notably, the issue of providing a service for students travelling outside of the authority was due to legal obligations all local authorities are subject to. Additionally the evidence provided by the head of admissions and transport demonstrated that this was not an issue which had seen significant variation before and after the introduction of the new policy.
- Thanked schools for the work which had been done so far to help reduce the impacts of the new policy.

The cabinet member for young people and children's wellbeing was invited to comment. Key points included:

- At the heart of the policy was the need to implement cost savings into service provision.
- Having met with families affected, it was appreciated that there is resentment of the policy, particularly when there are parents who benefited greatly from the previous policy.
- It was important for the committee to remember what is being achieved and how effective the policy has been in cost saving. It was reiterated that evidence gathered so far suggests that both savings may be higher than expected, and that there does not yet seem to be a verifiable impact of catchment policies or the exporting of students becoming an issue.
- Herefordshire council is currently a net importer of students and this is not a negative. While the idea of exporting students seems counterintuitive and an injustice the council has a legal obligation to provide free transport to another local authority school, where this is the nearest.
- The policy is one which will be looked back on as having met a realistic need to make cost savings.

A committee member asked what provision had been made for parents of low wage children and those in receipt of housing benefit. The admissions and transport policy manager explained that there is a legal policy of extended rights through which low income families, notably those in receipt of free school meals or the maximum level of working families tax credit are entitled to free transport depending on distance from schools and age. It was noted that this could give a number of choices for parents in terms of school, depending on location.

A committee member queried if there had been any measurable impact of the policy on home schooling. In response the head of educational development stated that this was something which was measured very closely and as yet had not demonstrated any significant change.

The vice chair made a number of contributions:

- Noted that this update was taking place very shortly after the implementation of the policy and suggested that it would be good to have an additional briefing later in the year when more views could be taken.
- Noted that having discussed the issue with surrounding local authorities it is important to remember that the importing and exporting of students is bound by law and will continue to be the case indefinitely.

- Questioned how many appeals had been heard in regard to home to school transport and queried whether there could be more work done to encourage people to use this process. In response it was stated that 33 appeals had been held concerning the issue and 2 of which had been upheld.

The admissions and transport policy manager noted that with only a limited period's worth of data to analyse, it was too early for a comprehensive review of the policy. However the item had been added to the scrutiny agenda for January 2016 in accordance with the general overview and scrutiny committee's request for a review at that time.

The director of children's wellbeing explained that the issue of exporting children to other local authorities had been a cause of considerable debate for both General Overview and Scrutiny, as well as the cabinet when the policy had been introduced. It was explained that families on Welsh border areas were subject to different choices than families on local authority borders due to there being different education systems in Wales and England. It was explained that at the time it had been decided to introduce a consistent policy for the whole authority including border areas, but acknowledged that this made for more difficult choices such areas.

The chairman requested for a further update on the policy later in the year at a time convenient with school terms.

The influence of school catchment areas on school choices, particularly in Hereford city was discussed. It was clarified that most schools in Hereford City fall within the statutory walking distance for most children and were therefore not of relevance.

There was discussion of potential further scrutiny work to investigate an apparent divergence between opinions of those affected negatively by the home to school transport and the statistics provided on the issue.

A member of the committee stated that the online only availability of key policy documents explaining costings and the financial implications of the policy for families was not sufficiently accessible.

A member of the committee noted that many of the areas which had experienced negative impacts from the home to school transport policy were identified as 'growth villages' in the core strategy.

A member of the committee noted that the use by schools of grant money to mitigate the impact of the home to school transport policy could have a significant impact on the quality of education these schools were able to provide over time. It was warned that there could be other 'creeping' impacts of the home to school transport policy which might influence demographic trends in Herefordshire.

There was discussion over the need to look at alternate dynamic and sustainable transport methods to provide more cost effective home to school transport. It was explained that work had been done in this area, for example route planning and integration with existing public transport networks had been undertaken for

schools in the Ledbury area and that work in efficiency savings for routes would continue indefinitely.

There was discussion of the adverse effect of the policy on rural and border areas of the county. It was stressed that the policy was consistent for the whole authority, but that there were some scenarios, such as border areas which were impacted more by the policy than others, and that these were areas which would need to be improved on in the policy going forward.

A councillor in attendance asked how many schools were considering providing their own transport at low cost, for example by purchasing their own vehicles. In response it was explained that consultation with schools on this was ongoing and as such a full response could not be provided until this was completed.

A member of the committee explained that while changes in policy would always have difficulties, the significance of parental choice in the debate was a demonstration of market forces which could improve the provision of education. If parents were willing to pay in order to send their children to what was perceived to be a better school then this would create competition obliging other schools to improve their service. That denominational and alternate educational schools had remained over-subscribed despite the previous introduction of paid for transport was evidence of this.

The representative of HASH commended member's acknowledgment that rural communities were being adversely affected. It was reiterated that rural communities in border areas were not the only groups adversely affected, schools in central but rural areas such as Weobley high school were also affected.

There was discussion of the extent to which parents had free choice given the financial costs involved not being affordable for all parents. Members of the committee expressed interest in receiving periodic updates regarding the implementation of the home to school transport policy, particularly were a review of the entire public transport network to be undertaken.

A member of the committee noted how traditional school behaviours had been affected. The member also stated that given the need for innovation in transport planning across Herefordshire, parents may be required to make less obvious and innovative choices regarding transport and schools. In response the director of children's wellbeing explained that extent to which free choice would be affected by change in policy could not be comprehensively assessed at this stage as it would take time for trends to develop and become observable. The cabinet member young people and children's wellbeing agreed that due to the early stage of the policy's implementation, it would be prudent to wait for more information to become available before reviewing the policy further.

The admissions and transport policy manager explained that regardless of the provision of home to school transport, 50% of families made their own transport arrangements for school. There had been examples of innovative transport arrangements. It was agreed that schools should not have to contribute significant proportions of their resources into transport.

Resolved

That:

- A) The relevant officers work to produce a briefing note on home to school transport to present to the General Overview and Scrutiny Committee for July 2016**
- B) The item be returned to the scrutiny committee for another annual review in January 2017**
- C) It be investigated what other scrutiny activity would be of benefit regarding home to school transport**

56. LOCAL TRANSPORT PLAN

The chairman apologised that a report showing feedback from initial responses to the local transport plan consultation had been received at short notice.

The assistant director, commissioning introduced the report explaining that the Local Transport plan (LTP) was subject to an ongoing consultation and that the committee's comments were also sought. It was explained that the report included in a supplement to the agenda summarised initial responses to the LTP consultation for which 150 responses had been received before the report was produced.

The key points of the LTP were explained:

- Having had a number of interim transport plans in recent years, this LTP was to be coterminous with the core strategy by being in place for the period 2016-2031.
- The document was a continuation of current strategies - encouraging growth through provision of new road schemes, sustainable transport, improving road safety, and maintaining an asset based strategy for road and highway maintenance and repair.
- The report identified five key areas:
 - o Economic growth
 - o Maintaining a high quality transport network
 - o Sustainable transport
 - o Safe travel
- The LTP identifies policies for specific areas such as low emission vehicles and other areas of study.
- The aim of the LTP is to develop a strategy with £10 million in capital as well as £8 million revenue for maintenance. There would also be additional capital funding for transport packages which include new road schemes
- Many growth policies within the LTP link with strategies for growth in the core strategy.
- The LTP contains plans for each of the market towns in Herefordshire.
- Provision of a core bus network has been included as it was shown to be a key priority for members of the public and key users.

Results of the initial feedback from the LTP consultation were summarised:

- Responses had so far identified priority areas including rural access.
- Priority areas for spending had been identified in maintenance of highways.

- Maintaining a bus network had also been identified as a priority.
- As consultation was ongoing and a high number of responses were expected by the end of the consultation period analysis on initial responses could only go into so much depth.

It was described that in accordance with department for transport guidance, it was important that the LTP remain a living strategy which could be adapted going forward.

The chairman thanked officers for their presentation and asked members of the committee for comment.

A member of the committee asked officers to elaborate on some answers to questions from members of the public.

- Regarding Question 4, answer point D, it was queried why the cost of major schemes had not been included in the LTP consultation as these would be of significant public interest. In response the assistant director of commissioning explained that major schemes would be subject to separate bidding processes, as such it would be unrealistic to ask for comment until these had been commissioned properly. It was explained that the business case for major schemes would be investigated on a case by case basis as they progressed.
- It was also asked how the LTP could be considered a 'balanced' strategy if the investment in major schemes outweighed the money invested in sustainable transport packages. In response the assistant director, commissioning explained that the term balance had been used not in terms of expenditure but in the effect of particular schemes in meeting the plan's objectives. Additionally, it was explained that in order to implement sustainable transport schemes it was a prerequisite to make improvements to infrastructure to alleviate the demand for unsustainable transport in many cases.
- In regard to question 5 from a member of the public it was queried why an environmental impact assessment for areas north of the river wye had not been included. In response it was stated that the answer provided to question 5 from members of the public provided a sufficient response to this question.

The availability of documentation regarding major spend involved in the LTP for the consultation was discussed. It was agreed that an explanatory note would be added to the survey questionnaire.

The chairman queried how representative the current responses to the LTP consultation were considered to be. It was clarified that as only 154 responses had been received at the time of creating the report, the interim responses were not considered representative of the whole authority. Additionally, as previous consultations on related areas had had high response rates, the LTP consultation was expected to receive a similar level of response by the end of consultation.

It was noted that the LTP had been informed by the responses to a number of other consultations which had taken place previously. For example it was noted that a bus network consultation which had received 1800 responses had been considered.

A member of the committee asked to what extent the LTP had changed from previous iterations. Officers explained that crucial differences included that the new LTP was a longer term strategy for growth and was coterminous with the core strategy. Key items such as sustainable transport had largely remained unchanged since previous iterations of the plan.

There was discussion of park and ride schemes included in the report. It was explained that in response to previous consultations park and ride schemes had been considered very strongly. It was explained by officers that a previous scheme based around three large park and ride sites had been determined, through modelling and other work, to not deliver desired outcomes. As a result, the new LTP proposed a scheme based around 10 small sites as part of a 'micro' park and choose scheme.

A member of the committee queried what level of response would be needed for drastic changes to be made to the LTP. In response officers stated that were substantial numbers of responses received asking for specific changes this would be considered. However it was explained that as much of the LTP had been developed from previous consultations, officers were confident in the plan.

A member of the committee asked if there were elements of the consultation which might cause concern for the developers of the plan. In response officers explained that in previous consultations responses heavily focussed on certain issues instead of providing a comprehensive response. Additionally it was noted that in previous consultations there had been a polarisation of views concerning major developments such as roads. It was noted that often these responses were local in nature.

The vice chair noted that there was currently a low rate of response to the LTP consultation from parish councils. It was proposed that this could be due to much of the LTP being Hereford centric and as such many may feel that it is not directly affect them. A number of members of the committee noted the Hereford centric nature of the report and that this had also been raised with previous iterations of the LTP.

- In response it was acknowledged that much of the LTP and consultation focussed on developments around Hereford. However it was noted that significant proportions of the spending identified in the LTP were for highway maintenance across the whole authority including rural areas.
- It was also highlighted that there were a number of regular consultations of more relevance to rural areas, notably the Balfour Beattie annual report which can be effective in responding to local issues. The assistant director, commissioning clarified that while much of the report focussed on Hereford, the policy guidelines would be used for the whole authority, not only Hereford.

There was discussion of parish councils subsidising transport schemes such as public transport.

- The cabinet member, infrastructure noted that in very rural areas maintaining a sustainable bus network was not realistic, however in rural areas in the hinterland of urban areas this was more practical.
- The example of Fownhope parish council was provided as a case where this had been a success. The chair requested that the monitoring officer provide a briefing note on the legal implications of a parish council subsidising transport in this way for member's information.

A member of the committee commended the extension of the consultation period but noted that the LTP consultation had only been made available online and that this was not inclusive. It was also noted that it was in a difficult format for organisations such as parish councils to respond to. In response this was acknowledged and it was stated that written responses or a request for information in alternate formats by organisations would be welcomed were these forwarded.

A member of the committee expressed disappointment that there was limited discussion of rail networks within the LTP acknowledging that this is complicated due to private management of the rail networks. In response it was noted that while there was discussion of passenger transport in the LTP this was an area which could potentially be improved upon.

A number of members of the committee suggested locations for new railway stations on current lines in Herefordshire.

A member of the committee commended the inclusion of choose how you move schemes in the LTP and hoped that this could be expanded to include the whole authority.

A member of the committee proposed that the maps used in the LTP be extended to include the M50 south of the county boundary. It was expressed that while outside of Herefordshire it is significant to the transport behaviours in Herefordshire. It was agreed that maps used in the report would be adjusted accordingly.

There was discussion of an east west pinch point in Herefordshire road networks. A committee member queried why this had not been discussed in the LTP. In response the assistant director of commissioning explained that the route structure referred to in the LTP reflected that associated with key infrastructure projects identified in the corporate plan. As a result it would be inappropriate to refer to another route structure which had not been reviewed through the same scrutiny process. It was also noted that the consultation included a specific item of relevance to this and responses in this area were welcomed.

There was discussion of the frequency of reviews for the LTP. It was explained that previous LTPs had been reviewed once every five years and that this was in accordance with department for transport guidance. The chairman queried if this was still too long a timeframe. In response it was explained that due to a number of interim local transport plans produced in recent years there was a view that a longer term review schedule would allow for more time to better implement the LTP and would allow for better informed reviews.

A member of the committee suggested that work be done to improve awareness of transport options in Herefordshire using technology. It was noted that engagement with the public is being done through technology noting how the LTP consultation was available online.

A member of the committee noted that there had been an informative briefing on the LTP held by officers in the past year and noted that this had made the issues very easy to understand. However it was explained that the consultation in its current form, and the accompanying documents were at times complex and technical. It was asked if simplified consultations more accessible for members of the public and alternate formats for different organisations be considered.

A member of the committee made a number of comments regarding correspondence which had been received by members concerning the LTP from the Herefordshire Transport Alliance:

- It was reiterated that given poor broadband provision in areas of Herefordshire the online only nature of the consultation was not inclusive. The cabinet member, infrastructure contended that this had been exaggerated, however there were areas of the authority where access to the internet was an issue.
- There were concerns over the technical nature of the language used in the LTP. In response it was explained that in matters such as transport, many of the respondents have special interest in the issues raised. As a result, the consultation has been designed to properly accommodate the nature of these responses.
- Concern was raised over the level of commitment in the LTP to major infrastructure projects which were yet to be fully agreed.

The assistant director, commissioning, explained that much of the LTP consultation had been designed so that all reference documents would be available to members of the public to allow for well-informed responses and so as not to withhold any information.

After discussion of a question from a member of the public the committee proposed a recommendation to cabinet that "LTP4 be amended to include the objective "and reduce congestion and increase accessibility by less polluting and healthier forms of transport than the private car." The recommendation was carried.

The cabinet member for infrastructure noted that due to the geography of the authority private car use would remain high. It was contended that significant reductions in emissions would come from technological improvements in vehicles instead of behavioural changes and transport choices in Herefordshire.

A member of the committee queried the strategic environmental assessment in regard to road developments in Leominster. It was asked that a system of rolling reviews be provided in regard to monitoring these developments. The chairman requested that a written response be provided.

A member of the committee requested that it be recommended to cabinet that the LTP be periodically reviewed in accordance with Department for Transport guidance.

The Cabinet member for infrastructure discussed the need to periodically review the LTP as it was a living document. It was noted that were major projects, such as the creation of a university in Hereford to go ahead there would be a need to review and update the LTP accordingly. It was explained that a five year schedule was recommended by the department for transport and that practically, this allowed for implementation of the LTP on a long term basis.

A subsequent recommendation to cabinet was carried that the Local Transport Plan (LTP) be subject to a review every five years in accordance with Department for Transport guidance

Resolved that:

The following recommendations be put to cabinet regarding the Local Transport Plan:

- A) A recommendation be made that the Local Transport Plan (LTP) be subject to a review every five years in accordance with Department for Transport guidance**

- B) LTP4 Vision to be amended to include the objective “and reduce congestion and increase accessibility by less polluting and healthier forms of transport than the private car.”**

57. WORK PROGRAMME AND TASK AND FINISH GROUPS

Due to time constraints this item was deferred to the next meeting of the general overview and scrutiny committee at 19 January 2016, 2pm.

The meeting ended at 1.10 pm

CHAIRMAN