

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 17 January 2017 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, J Hardwick, EPJ Harvey, JF Johnson, MT McEvilly, GJ Powell, AJW Powers, NE Shaw, EJ Swinglehurst and A Warmington

In attendance: Councillors AW Johnson (Leader of the council), JG Lester (Cabinet Member-children and young people) and PM Morgan (Cabinet Member - health and wellbeing)

Officers: A Blackman, admissions and transport policy manager, C Baird – assistant director commissioning and education, J Coleman – democratic services manager, J Davidson – director of children’s wellbeing, G Hughes – director economy, communities and corporate, A Harris - head of management accounting, A Lewis – passenger transport manager, M Samuels – director for adults and wellbeing, and M Taylor - interim director of resources.

59. APOLOGIES FOR ABSENCE

Apologies were received from Councillor SD Williams.

60. NAMED SUBSTITUTES

Councillor GJ Powell substituted for Councillor SD Williams.

61. DECLARATIONS OF INTEREST

Agenda item 7: Update on Home to School Transport

Councillor EPJ Harvey declared a non-pecuniary interest because she paid for a child to use school transport to college.

62. MINUTES

The minutes of the previous meeting were received.

It was reported that a member considered reference should have been made to a request at the meeting for information on the trend in business rate income. It was proposed that the following sentence be added to the minutes as at the end of bullet point 3 on page 8 of the agenda papers: *“It was noted that a member considered that information on the trend in business rate income would be helpful.”*

RESOLVED: That the minutes of the meeting held on 13 December 2016, as amended, be approved as a correct record.

63. SUGGESTIONS FROM THE PUBLIC

There were no suggestions.

64. QUESTIONS FROM THE PUBLIC

Several questions had been received in relation to agenda item 7: the school transport update. Those received within the deadline (all except one) had been published as a supplement together with the answers. One questioner had requested that their question be dealt with in confidence and that question and the answer to it had been circulated separately to Members of the Committee and to the questioner.

65. UPDATE ON HOME TO SCHOOL TRANSPORT PROVISION

The Committee received an update on the impact of the revised education transport policy which had become effective from September 2015.

The cabinet member - children and young people introduced the report. He acknowledged that the policy had its critics, as reflected in the questions submitted by members of the public. However, the key consideration was how to deliver a statutory service within financial constraints, noting that some £4.8m was spent on school transport annually, and there was pressure to achieve savings.

The Admissions and Transport Policy Manager (ATPM) then presented the key findings of a review of the impact of the revised policy as set out in the report. He considered that the projected annual saving of £250k would be achieved over 5 years as planned.

In relation to post 16 Special Educational Needs (SEN) students he corrected the figure in paragraph 6c, confirming that the overall number of post 16 SEN students seeking transport via the council had dropped from 63 in September 2015 to 45 (rather than 26) in September 2016. This reduction was largely a result of courses at Herefordshire College of Art and Holme Lacy College having finished.

In discussion the following principal points were made:

- The Director of Children's Wellbeing commented in relation to vacant school places that a balance had to be struck in seeking to ensure that the council could meet its statutory duty to provide sufficient school places. This necessitated the provision of some surplus capacity. A capital investment strategy was in place to ensure an appropriate level of provision. Very few parents chose to send their children outside the County. The ATPM added that a number of high schools including Fairfield, John Kyrle, John Masefield, Weobley and Wigmore were oversubscribed and had agreed to increase their pupil admission number.

The Assistant Director added that the capital investment strategy took account of growth in both academies and maintained schools informing discussions of need with the Education Funding Agency. Some schools and colleges were arranging their own transport where they found this cost effective. An "extended rights" scheme was in place to which families facing financial hardship could apply.

- Clarification was sought on the cost of out of county school transport. There appeared to be an increase in transportation costs to children outside the County and east to the Malvern area. Before the policy's implementation there had been no cost to parents whose children went to Dyson Perrins School in the Malvern area.

- The oversubscription at John Masefield suggested a lack of capacity, noting also the projected building of an extra 1,000 homes in Ledbury over the next 10 years. There was currently insufficient capacity at Ledbury Primary School and half the children in the John Masefield catchment area were exported from Ledbury. John Masefield school was itself subsidising pupil transport costs. It was questioned whether turning schools into bus companies was the right course.
- The decision to send a child to a faith school was more than just a lifestyle choice.
- The implications for families of setting aside monies to transport children were not clear.
- In response to concerns expressed by the Committee arrangements had been agreed to ameliorate the introduction of the policy. This meant that it was too early to identify trends and assess the full impact of the policy.
- The cabinet member commented that it was unlikely that no Herefordshire parents would choose to send their children out of county. The better the county's schools performed, clearly the more parents would choose to send their children there. He noted that the policy had provided for children part way through their school years in receipt of free school transport when the policy was introduced to continue to do so. Further savings would therefore be generated as those pupils left the system.
- The ATPM highlighted the answer to question 11 of the public questions as published.
- There was no evidence as to the bearing the potential of incurring transport costs might be having on parental choice.
- There was the potential for financial pressures to lead people to choose their nearest school rather than their catchment school and this could have an adverse social impact over time on communities. The impact of the school transport policy needed to be considered in the round not just as a financial matter.
- In response to a question as to whether the annual cost to parents could be fixed for the time being, and not made subject to an annual increase, officers confirmed that the council continued to subsidise costs; the average annual cost of transporting a child was £850 and the average payment was £750. Council policy provided for charges to be increased in line with inflation.
- Consideration needed to be given to the adverse consequences the policy might have for traffic congestion, air quality and the viability of bus companies. These impacts needed to be balanced against the comparatively small saving the policy delivered.

In reply, the cabinet member commented that the annual saving being made on school transport was significant.

- It was observed that if the policy were to be changed it would be incumbent on those proposing the change to identify where alternative savings could be made.
- The passenger transport manager (PTM) commented that consideration was being given to how the public transport service could be made resilient and sustainable.
- The policy had not had a devastating impact but there were clearly some complications for some families.
- Clarification was sought on the role of the council in relation to school travel plans, what evidence there was for increased car use by parents transporting their children to school, and the position on the production of the sustainable modes of travel to school strategy.

The PTM commented that the strategy was expected to be published in the Spring. It was also understood that many school travel plans had not been updated. A

member expressed disappointment at this, noting that when the decision to implement the policy had been called-in by the Committee in January 2014 the importance of the strategy and meeting the council's statutory duties in this regard had been highlighted. It was proposed that the executive should produce a sustainable modes of travel to school strategy for consideration by the Committee by July and that schools should be encouraged to produce and update school transport plans.

- A suggestion was made that as part of the process of inviting parents to express their school preference parents should be asked whether they were being influenced by transport costs. The Director cautioned against this approach noting that parents had many reasons for their preference, that the council would need to ensure that there was no suggestion that by asking the question additional admissions criteria were being applied, there would be a cost to seeking and interpreting additional data and the Committee needed to be mindful of cost effectiveness and the need to take a strategic view of the policy.
- Rural communities were used to exploring options in response to sparsity of services and consideration could usefully be given to alternatives to council transport provision. The cabinet member confirmed that parents were co-ordinating transport arrangements for a large number of children.
- A view was expressed that more data was required to enable the impact of the policy to be assessed. The Chairman suggested that rather than another annual review further consideration might be given to the need for an update on the policy in two years' time when further data on the impact of the policy would be available.

RESOLVED: That the executive be requested to produce a sustainable modes of travel to school strategy for consideration by the Committee by July and that schools should be encouraged to produce and update school transport plans.

(The Committee resolved in relation to appendix 1 to the report that under section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during any discussion of appendix 1 if necessary on the grounds that it involved the likely disclosure of exempt information as defined in Schedule 12(A) of the Act, as indicated below and it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing the information: Information which is likely to reveal the identity of an individual. However, the nature of the discussion meant that the public and press were at no point excluded from the meeting.)

66. HEREFORDSHIRE COMMUNITY SAFETY PARTNERSHIP STRATEGY AND RELATED PERFORMANCE

The Committee reviewed the work and activity of the Herefordshire community safety partnership (CSP).

Councillor Morgan, cabinet member – health and wellbeing, chair of the community safety partnership introduced the report. A series of presentations were given on various aspects of the Partnership's work. A shortened version of the presentations circulated as appendix 1 to the report was delivered to the meeting.

In discussion the following principal points were raised:

Domestic violence and abuse (presentation by Detective Chief Inspector J Roberts - West Mercia Police)

It was suggested that levels of abuse were high compared with the rest of the West Mercia area. In response Detective Chief Inspector Roberts commented that there were

good protocols in place across the west mercia area. Herefordshire Housing had had a perpetrators programme in place. The Police and Crime Commissioner (PCC) had allocated funding for an initiative and the outcome of that was awaited. A significant proportion of perpetrators were repeat offenders and these were being mapped and tracked. Overall it was an improving picture but it was recognised that there was a need to target resources better.

- Councillor Morgan commented that the partnership had improved its recognition of this issue. The PCC was reviewing approaches across the west mercia area seeking to explore new ideas to address the issue.
- A member observed that the council needed to consider what it could contribute more as a partner; funding of women's aid was one element.
- When people were exposed to abuse this could influence their own behaviour. It was asked whether enough was being done to address the impact on children experiencing abuse.
- DCI Roberts commented that some 50 children were exposed to abuse. The risk was recognised.

He added that in relation to people with a history of abuse the domestic violence disclosure scheme (Clare's law) was being delivered.

The issue of male victims of domestic abuse was also recognised and following the closure of male domestic abuse services locally support was being provided by Women's aid.

- In response to a question as to whether domestic violence was a disproportionate problem in Herefordshire, he commented that whilst he did not have the precise figures to hand the level of domestic abuse had slightly reduced. Historically Herefordshire had been just above the national average.

Probation Services (presentation by Mr G Branch - Head of Service West Mercia Community Rehabilitation Company)

- A concern was expressed that the new model for the probation service had created a fragmented system with a duplication of resources. In reply Mr Branch of the Community Rehabilitation Company (CRC) commented that the service was subject to ongoing review with a further report to be made in April, although this would not look at whole system change.
- Assurance was sought that community rehabilitation staff were being trained to the same level as National Probation key stage 3 probation staff. In reply it was noted that reducing recidivism was very important. Concerns had been expressed about comparative terms and conditions of National Probation Service and CRC staff. It had been agreed not to change these and to ensure the provision of qualified and trained staff. It was confirmed that CRC staff would receive funding for their training.

Restorative Justice (presentation by Superintendent S Thomas - West Mercia Police)

- It was noted that, whilst this aspect was currently police led, the PCC would be funding a commissioned service across Warwickshire and West Mercia from April 2017.

Youth Justice Service (presentation by Mr K Barham - Head of Service, West Mercia Youth Justice Service)

- A member suggested that youth offending rates in the county seemed higher than in the family group of authorities. Mr Barham confirmed that the rate for first time entrants was above the national average and the rates for the family group. However, he considered the family group comparison to be less significant than it had once been as no other area was quite like West Mercia. It was significant that the rates were above the average for England. It was not clear what the reasons were with very different rates across the West Mercia force area. Some analysis had been done but it was intended to undertake a more detailed piece of work.
- The Director of Children's Services commented that the Youth Justice Management Board had been concerned by the finding. The Council's Children and Young people's Plan had identified the issue as something to target. Whilst the position was not welcome, the trajectory of first time entrants did appear to be downwards.
- Previous reports had suggested that first time entrants in Herefordshire tended to be older. With regard to tracking repeat offending, it was asked how offenders were tracked during the transition from being the responsibility of children's services to adult services. Mr Barham commented that if someone reoffended within a 12 month period after the age of 18 this would be counted in the youth offending statistics. Tracking of offending by young people was taking place locally and there were very low rates of reoffending while the service was working with people. The Youth Justice Plan recognised the need to improve transition arrangements.

RESOLVED: to recommend that the Community Safety Partnership pay particular attention to recidivism rates of offenders.

67. DRAFT 2017/18 BUDGET MOVEMENTS

The committee received an update on the movements in the 2017/18 draft base budget.

The Interim Director of Resources presented the report.

Some concerns were expressed about the funding that would ultimately be generated for the authority through the new homes bonus, noting some recent statements by government. In relation to a question about the government's allocation of savings from the new homes bonus to local authorities through an adult social care support grant, the Director for Adults and Wellbeing commented that Herefordshire was a net loser in this initiative, as the reduction in the amount of new homes bonus payable was some £300k greater than the value of the adult social care grant that had been made available. In terms of the better care fund, the Director noted that national guidance was still awaited. The Clinical Commissioning Group (CCG) had largely completed its budget process already, which included signed contracts with providers for 2 years. Although the national guidance had not yet been received, it was understood that this would require the CCG to cover the cost of the protection of adult social care funding in real terms.

RESOLVED: That the report be noted.

68. DRAFT WORK PROGRAMME AND TASK AND FINISH GROUPS

The committee considered the committee's work programme and related scrutiny activities.

The Chairman reported that the following items were likely to require consideration:

- Proposals to change the homepoint system for allocating social and affordable rented housing.

- The Travellers Sites Development Plan Document.

He also suggested that the proposed discussion with Welsh Water should also include the Environment Agency.

It was remarked that whilst the Cabinet was understood to have paused the Community Infrastructure levy pending the outcome of a government review it would be helpful to have a response to the recommendations the Committee had made to the executive on the matter.

RESOLVED: That: the draft work programme as set out at appendix 1 to the report be approved.

69. DATE OF NEXT MEETING

Tuesday 7 March 2017 at 10.00 am.

The meeting ended at 1.15 pm

CHAIRMAN