

Agenda

General scrutiny committee

Date: **Monday 29 January 2018**

Time: **10.15 am**

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

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

For any further information please contact:

Tim Brown, Governance Services

Tel: 01432 260239

Email: tbrown@herefordshire.gov.uk

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Agenda for the meeting of the General scrutiny committee

Membership

Chairman **Councillor WLS Bowen**
Vice-Chairman **Councillor EJ Swinglehurst**

Councillor SP Anderson
Councillor BA Baker
Councillor JM Bartlett
Councillor JF Johnson
Councillor A Warmington

Agenda

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>NAMED SUBSTITUTES</p> <p>To receive details of members nominated to attend the meeting in place of a member of the committee.</p>	
3.	<p>DECLARATIONS OF INTEREST</p> <p>To receive any declarations of interest by members.</p>	
4.	<p>MINUTES</p> <p>To receive the minutes of the meeting held on 13 December 2017.</p>	9 - 24
5.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive any written questions from members of the public.</p> <p>Details of the scheme and related guidance are available here:</p> <p>https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved</p> <p>Please submit questions to councillorservices@herefordshire.gov.uk</p> <p>The deadline for the receipt of questions is Wednesday 24 January 2018 at 5.00 pm.</p> <p>Accepted questions will be published as a supplement prior to the meeting.</p>	
6.	<p>QUESTIONS FROM MEMBERS OF THE COUNCIL</p> <p>To receive any written questions from members of the council.</p> <p>Deadline for receipt of questions is 5.00 pm on Wednesday 24 January 2018.</p> <p>Accepted questions will be published as a supplement prior to the meeting.</p> <p>Please submit questions to councillorservices@herefordshire.gov.uk</p>	
7.	<p>HEREFORDSHIRE COUNCIL PUBLIC REALM SERVICE REPORT</p> <p>To review the performance of the public realm service contract to enable the committee to make reports or recommendations to the executive with respect to the discharge of a function which is the responsibility of the executive.</p>	25 - 70
8.	<p>WORK PROGRAMME</p> <p>To review the committee's work programme.</p>	71 - 102
9.	<p>DATE OF NEXT MEETING</p> <p>The next scheduled meeting is 9 April 2018.</p>	

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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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Guide to General Scrutiny Committee

Scrutiny is a statutory role fulfilled by councillors who are not members of the cabinet.

The role of the scrutiny committees is to help develop policy, to carry out reviews of council and other local services, and to hold decision makers to account for their actions and decisions.

Council has decided that there will be three scrutiny committees. The Committees reflect the balance of political groups on the council.

The General Scrutiny Committee consists of 7 Councillors.

Councillor WLS Bowen (Chairman)	Herefordshire Independents
Councillor EJ Swinglehurst (Vice-Chairman)	Conservative
Councillor SP Andersen	Conservative
Councillor BA Baker	Conservative
Councillor JM Bartlett	Green
Councillor JF Johnson	Conservative
Councillor A Warmington	It's Our County

The committees have the power:

- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
- (b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
- (c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
- (d) to make reports or recommendations to council or the cabinet with respect to the discharge of any functions which are not the responsibility of the executive,
- (e) to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area
- (f) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions and to make reports or recommendations to the council with respect to the discharge of those functions. In this regard crime and disorder functions means:
 - (i) a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment); and
 - (ii) a strategy for combatting the misuse of drugs, alcohol and other substances in the area; and
 - (iii) a strategy for the reduction of re-offending in the area

- (g) to review and scrutinise any matter relating to the planning, provision and operation of the health service in its area and make reports and recommendations to a responsible person on any matter it has reviewed or scrutinised or to be consulted by a relevant NHS body or health service provider in accordance with the Regulations (2013/218) as amended. In this regard *health service* includes services designed to secure improvement—
- (i) in the physical and mental health of the people of England, and
 - (ii) in the prevention, diagnosis and treatment of physical and mental illness
 - (iii) And any services provided in pursuance of arrangements under section 75 in relation to the exercise of health-related functions of a local authority.
- (h) to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

The specific remit of the general scrutiny committee includes:

- Services within the economy, communities and corporate directorate
- Corporate performance
- Budget and policy framework matters
- Statutory flood risk management scrutiny powers
- Statutory community safety and policing scrutiny powers

Who attends general scrutiny committee meetings?

Coloured nameplates are used which indicate the role of those attending the committee:

Pale pink	Members of the committee, including the chairman and vice chairman.
Pale Blue	Cabinet Members – They are not members of the committee but attend principally to answer any questions the Committee may have and inform the debate.
Orange	Officers of the council – attend to present reports and give technical advice to the committee
Green	People external to the Council invited to provide information to the committee.
White	Other councillors may also attend as observers but are only entitled to speak at the discretion of the chairman.

Minutes of the meeting of General scrutiny committee held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Wednesday 13 December 2017 at 10.00 am

Present: Councillor WLS Bowen (Chairman)
Councillor EJ Swinglehurst (Vice-Chairman)

Councillors: JM Bartlett, CA Gandy, EPJ Harvey and PD Newman OBE

In attendance: Councillors PE Crockett, DG Harlow (Cabinet Member), FM Norman, AJW Powers, P Rone (Cabinet Member), A Seldon, NE Shaw (Cabinet Member), J Stone and D Summers

Officers: C Baird - Director for Children's Wellbeing, G Hughes – Director for Economy, Communities and Corporate, M Samuels – Director for Adults Wellbeing, A Lovegrove – Chief Finance Officer, A Harris – Head of Management Accounting, J Rushgrove – Head of Corporate Finance and J Coleman – Democratic Services Manager/Statutory Scrutiny Officer.

47. APOLOGIES FOR ABSENCE

Apologies were received from Councillors BA Baker, PGH Cutter, JF Johnson and A Warmington.

48. NAMED SUBSTITUTES

Councillor CA Gandy substituted for Councillor BA Baker, Councillor EPJ Harvey for Councillor A Warmington and Councillor PG Newman for Councillor JF Johnson.

49. DECLARATIONS OF INTEREST

None.

50. MINUTES

RESOLVED: That the minutes of the meeting held on 1 December 2017 be approved as a correct record.

51. QUESTIONS FROM MEMBERS OF THE PUBLIC

None.

52. QUESTIONS FROM MEMBERS OF THE COUNCIL

None.

53. SETTING THE 2018/19 BUDGET AND UPDATING THE MEDIUM TERM FINANCIAL STRATEGY

The Committee's views were invited on the budget proposals for 2018-19 and the updated medium term financial strategy.

Members of the Adults and Wellbeing Scrutiny Committee and the Children and Young People Scrutiny Committee had been invited to attend the meeting. The procedure for the meeting provided for each directorate budget to be considered in turn before the General Scrutiny Committee formulated its recommendations.

The Chief Finance Officer (CFO) gave a presentation, a copy of which had been published with the agenda papers.

Adults and Wellbeing Budget

The Director for Adults and Wellbeing (DAW) commented that the budget was heavily dependent on income from people receiving services and grants. In common with other authorities the service faced pressure from increasing costs, including an increase in the minimum wage, and demographic changes as a result of increasing numbers of people with a learning disability of working age and older people. A range of savings had been identified but these were challenging.

The following principal points were made on the adults and wellbeing directorate budget:

Councillor J Stone as Vice-Chairman of the Adults Wellbeing Scrutiny Committee supported the comments made by the Director noting the pressures faced and the measures being put in place to address them.

Comments had also been submitted in advance by the Chairman and Vice-Chairman of the Adults and Wellbeing Scrutiny Committee. Councillor Bowen read these to the meeting. In summary the principal points were:

- Confirmation was sought that the rapidly growing no of the very elderly (over 85s) been factored in to any proposals?

The DAW commented that account was taken of this point. However, there was not a simple correlation between age and care need.

- It was asked whether account had been taken of the rise in the number of people with learning disabilities and the additional numbers that might be expected to be generated through population growth given the proposed increase in housing in the county.

The DAW commented that the directorate was mindful of this point. The increasing number of people with a learning disability living longer into older age had a very significant impact on the budget with the net spend now equating to the net spend on older people. Account would be taken in the updated housing needs forecast, which was due to be complete in the new year.

- Public Health and other sources were seeking to encourage people to take better care of themselves and allow them to remain within their communities. The Public Health budget should therefore be protected. However, this was a long term project and account had to be taken of the fact that many residents aged 85+ had complex and multiple long term health needs which may require social care support.

The DAW commented that the public health budget was currently ring-fenced. The aim was to ensure that funding was spent in areas where it would have the greatest impact on public health. This was not necessarily on what would traditionally be considered “public health” issues.

- Account needed to be taken of the health care workforce economy. There were particular problems in recruiting qualified staff for nursing homes, registered care home managers and home care workers. In order that the home care service could be maintained or increased, in accordance with the Strategic Transformation Plan, wages may well need to increase with substantial budget implications.

The DAW commented that the demographic pressures implied that to deliver the existing model of service some 18% of the working population would have to be involved in care provision. This was unsustainable. The focus had to be on reducing demand for care.

- It was asked if the implications of the Better Care Fund (BCF)/improved BCF and the risks involved had been fully considered for the future, including security of funding and the increasing channelling of it via NHSE England who frequently had different priorities from Adult Social Care.

The DAW commented that there was increased reliance nationally on funding from the BCF, whether through the NHS for the core BCF or from DCLG under the improved BCF. If that funding were to stop this would present a challenge for every authority in the country. A green paper on adult social care was expected before the end of September.

- Resources had to be allocated for individual placements. Given budget constraints this had meant a reduction in funding for preventative services. It was questioned if this was a false economy given the aim to facilitate independence and reduce the need/demand for social care in the future.

The DAW commented that the resources allocated for preventative work had reduced. There was a focus on this area with a view to making services available through the community rather than by direct council funding.

In discussion the following additional principal points were made:

- Concern was expressed about the planned closure of Hillside rehabilitation centre in February 2018. It was asked whether the council could assist the Wye Valley Trust (WVT) to keep the facility open.

The DAW commented that the Council owned the Hillside building but was in effect a landlord having no role in the service provided from the facility. He understood that Herefordshire Clinical Commissioning Group and WVT considered that the resource expended on Hillside would be better invested in more staff to support people in their own homes.

The council was considering whether the building, once returned to its possession, could be used for adult social care. A business case was being considered.

- It was asked whether to reduce pressure on the accident and emergency unit GPs could be encouraged not to refer patients so readily.

The DAW commented that whilst this was an NHS matter the adult social care team had mapped out links with each GP practice and engaged with practices in determining what was available instead of A&E. Work was taking place with NHS colleagues on how provision outside the hospital service could be improved.

- Asked whether the council could put staff in GP surgeries to signpost patients to alternative services to A&E the DAW commented that this was what the WISH service had been designed to do. The WISH service was currently being redesigned. The website was being upgraded with a further upgrade by the end of March. He acknowledged that not everyone had internet access. However, the face to face service and phone service offered by WISH to date had been barely used hence the decision to focus on web access. A non-public part of the website was also being developed providing information for professionals.
- The adult social care budget appeared to face the same issues and pressures each year. It was asked what consideration was being given to developing a more sustainable approach, moving away from the traditional model of care provision.

The DAW commented that it was recognised in the adults wellbeing plan that a different approach was required. Fees the council paid to care homes were now at the cost of delivery and, increasingly, self-funding residents were now subsidising other residents. This could not continue. A plan was being developed based on quality of life for the individual. This entailed strengthening support networks to enable people to live independently. The intention was to provide more effective care at a lower cost.

- In relation to the improved BCF the DAW stated that confirmation had been received that the council would receive the full grant for 2017/18 and 2018/19. It had been decided that it would be more effective not to take forward some staff savings that had been assumed within the MTFS and to use the resource secured through the BCF to maintain existing services.
- In relation to the level of reserves the CFO commented that a balance had to be struck; he would not wish the level to dip much below the current level.
- It was suggested that it would be helpful if the budget provided detail on the income streams for each directorate so that net and gross expenditure could be understood.
- It was also requested that it would be helpful if it could be demonstrated how the additional 3% precept on adult social care was being spent.

The DAW commented that although the Department for Communities and Local Government had originally expected that budgets would identify how the additional precept for social care had been spent this had been the subject of representations from local authorities because reductions in council income meant that the additional precept in practice allowed the council not to make cuts that would otherwise have had to be made. Identifying where the funding was being spent was therefore difficult, as this would not be on specific projects or services.

- In relation to a question as to whether the budget was a bottom up budget, the CFO observed that there was sometimes a difference in interpretation in these matters. He explained the approach that had been followed in preparing the budget as a whole. This had involved discussing and challenging each budget line with the relevant cost centre manager focusing in particular on areas where there had historically been challenges with the budget. He considered the budget to be robust and deliverable.
- It was asked what account had been taken of the responses to the public consultation on the budget and suggested that it would be helpful if this could be demonstrated in the budget report.

A member also expressed concern about the clarity of the consultation questions themselves and suggested that this merited further consideration in the future.

The DAW commented that the savings proposals had been influenced by the consultation response. He also explained the approach towards the funding of third sector support which had featured in the consultation response and the thinking behind the provision of service via the WISH service and the citizen's advice bureau.

- A member expressed the view that greater investment in mental health including how employers could support their employees would be beneficial.
- It was asked what assurance could be given that the challenging savings targets were deliverable, mindful of a track record of previous budgets having been given the appearance when set of being balanced by savings that had subsequently proved to be undeliverable.

The DAW acknowledged that an overspend was forecast for the current year and a significant proportion of the savings identified for the future were in areas where this

overspend was occurring. However, he was relatively confident that the savings were deliverable given the recent implementation and impact of the new pathway for social care and the new homefirst service.

The cabinet member finance, housing and corporate services highlighted the budget pressure on adult social care of £5.14m. A number of savings areas were currently given an amber/red rating including the implementation of the adult social care pathway. The more areas that were given a green rating by the time the budget was considered by council the greater the assurance this would afford him that the budget was deliverable.

- The CFO commented that based on the budget process he considered the budget could be delivered.

Children and Young People

The Director for Children's Wellbeing (DCW) referred to the CFO's presentation slide on the full year effect of supporting children (p106 of the agenda papers) and the pressures on the budget for supporting children in particular looked after children.

Councillor Gandy as Chairman of the Children and Young People Scrutiny Committee requested that the constitution should be amended to provide that in future each scrutiny committee should have the ability to review the budgets of their directorates as part of the budget setting process.

Councillor Gandy had also submitted some comments in advance and she presented these to the Committee. In summary these were:

- A question as to whether the proposed level of savings of £500,000 on the Looked After Children Service was achievable for 2018/19, whilst it may be possible to see some savings by the mid to end of 2018/19 and going forward.
- A question as to whether the proposed saving from vacant posts was a little high and might encourage a manager to recruit less quickly in order to assist this saving. There was a shortage of experienced social workers and she would not want this saving to delay recruitment.
- Clarification was also sought on the detail of the £682,000 saving attributed to organisational restructure to reflect the service requirements.
- The DCW commented that the savings on looked after children (LAC) were given an amber rating (p107). The county had more LAC than similar authorities. There were plans for achieving permanency by different means. Some aspects were within the council's control. Other aspects were not. Some profiling of current LAC had been undertaken and an estimate had been made of the budget reduction over two years on a monthly basis. This information would be the subject of regular reports to senior management and to Cabinet.
- In relation to managing vacancies he assured the Committee that this would not affect the drive to recruit experienced social workers and other staff. Having regard to the experience of other local authorities and staff flows the vacancy factor had been pitched at what was considered to be an appropriate level. The service had reduced the number of agency staff.
- The slide at p108 (Children's additional savings £660k) detailed the bulk of the £682k to which reference had been made. It was considered that these savings could be achieved whilst still fulfilling the relevant statutory responsibilities.
- It was noted that the Children's Services budget had been increased by £2m. It would be important to ensure that there was not an overspend as had occurred in

previous years and a concern remained that it would be difficult to deliver the savings as planned especially in that first year as new systems were implemented.

- The DCW commented that the money was directly supporting the most vulnerable children. The budget would be monitored closely. There could, however, be no guarantees in that children might enter the care system and require support. This might require additional funding to that in the plans. However, additional sums had been included to try to meet the assessment of that need. It was also intended to manage emergency placements differently to seek to move children to an appropriate permanent arrangement as soon as possible.
- It was proposed that there should be regular reporting to the Children's and Young People scrutiny committee.

In discussion the following additional principal points were made:

- Further concern was expressed about the deliverability of the budget proposals, noting that there had been a persistent overspend for several years. In addition, the overspend could be attributed to systemic issues.
- Different areas of the proposed savings related to one another with a sequential aspect in that savings were required to be made in one area before another area could begin to deliver on its savings.
- The vacancy rate and staff turnover slowed matters down because of the time taken for a new member of staff to familiarise themselves with the details of individual cases.
- It appeared that additional work was being created by partners being more risk averse and referring people into the system, with the council then having to go back to them with an alternative course of action.
- It would be helpful if a timeline could be provided showing how far into the year it would be before planned changes in working would enable savings to begin to be realised. In effect it could be that a more significant level of saving would be required because it would have to be delivered over a shorter time; a few months rather than a whole year.

The DCW commented that savings had been achieved and changes had been made to the way the service supported looked after children. There had been a significant reduction in the number of children subject to child protection plans managed in a way that the Safeguarding Board had considered appropriate in terms of managing risk. The change to employing permanent staff rather than agency staff had reduced costs. Work had been undertaken that had fundamentally changed the spending pattern. The focus was on spend on looked after children. No cast iron assurances could be given on the saving on this area but he had confidence in the work that had been done in relation to the estimates. The county had 80 more looked after children than might be expected based on comparison with statistical neighbours. If half this number were supported in a different way this would release £1m in a full year with a saving of £0.5m estimated for 2018/19.

- The cabinet member – finance, housing and corporate services commented that the directorate was currently over delivering on planned savings for the current year with the exception of the looked after children budget. That budget had been carefully scrutinised by the finance team. It had been concluded that the addition of £2m to the service's base budget was appropriate, noting the implementation plans the directorate had outlined to bring expenditure more into line with statistical neighbours.

- It was observed that if a savings target was realistic and staff believed it was achievable there was a greater chance that it would be achieved. Failure to meet an unrealistic target year after year was demoralising. The DCW commented that he considered the savings target to be challenging but believable. Staff groups had been involved in developing the proposals.
- It was proposed that the savings should be profiled and reported to the relevant scrutiny committee on a 2 monthly basis. It was also requested that this information should be presented to group leader meetings.
- The DCW commented that the safeguarding board had recently considered the number of referrals deemed to require no further action and each agency was reviewing staff understanding.
- In relation to the prospect of rising inflation, the CFO commented that the approach to accounting for inflation was complex. The current model assumed 2% inflation so that was a challenge.

(The meeting adjourned between 12:05 and 12:20).

Economy, Communities and Corporate

The Director Economy, Communities and Corporate (DECC) commented that he considered that the savings targets for the directorate could be delivered.

In discussion the following principal points were made:

- Attention was drawn to the importance of the provision of Broadband and roads to tourism in the rural communities. The public consultation had identified roads as the top priority.
- In relation to road maintenance the DECC acknowledged that it was difficult to maintain all the county's roads to the desired standard. The council had prioritised funding for roads of some £20m and continued to look at bidding opportunities with central government. The additional capital investment in recent years meant that the condition of C roads was now considered the main issue. Capital bids assumed the use of some monies from the savings on the Amey contract. The annual planning process with Balfour Beatty Living Places involving Members would be used to identify priorities for the forthcoming year.
- The DECC clarified the organisational design savings on p42 of the agenda papers. He commented that these were principally efficiencies and back office savings reducing staff numbers. A detailed breakdown could be provided. It was requested that an explanation should also be provided as to why, if the proposed savings had no impact they had not already been delivered.
- The DECC commented that some of the efficiency and organisation design savings flowed from consultations on service delivery which took time to conduct and implement. The asset review had resulted in a number of disposals, generating capital receipts some of which was to be used to contribute to a revenue saving.
- He added that the library savings proposals did not involve closure of current facilities nor reduced opening hours. It was proposed that the direct face to face service customer service would be reduced in the market towns.
- A concern was expressed about the proposed saving in museums and heritage, mindful of the expertise and knowledge of staff that could potentially be lost and would be difficult to recover.

- The DECC commented that retention of the knowledge base was important. The aim was to support the service to become financially independent. Market testing was being conducted to see if there was a Trust or other entity that would be interested in running the service bringing in commercial expertise with a view to a report to Cabinet in May. The indications were that there were parties interested in taking on the service. It was hoped that staff would stay and work under that new arrangement. Work was also being undertaken to see if there were capital bidding opportunities available to secure funds to improve the services.
- The DECC commented that to date £8m had been secured in relation to the Amey contract disputes. Some of it had been allocated to the schemes listed in the capital programme report that showed no prudential borrowing was required. The remainder was currently being retained to mitigate risk across the council's budget as a whole. He acknowledged a preference for the savings secured to be reinvested in the road network.
- The CFO commented that no assumption had been made in the budget in relation to the council's indication to government that it would be willing to participate in a pilot scheme for the retention of business rates. Government was expected to make a decision before Christmas.
- The income received by the Directorate of some £18m was not described in the budget. In terms of car parking income it was proposed that information should be presented to demonstrate that that income was being spent in the areas permitted by statute.
- Revenue savings were shown in the budget as a result of a change to the way in which the council paid back borrowing.
- The DECC commented in relation to capitalising the Hereford bypass budgets the advice was that this could be done at the point when Cabinet authorised consultation on preferred lines. A decision was expected in January 2018. In terms of a business case further reports would be made to Cabinet before funds were committed.
- Savings identified in relation to Hoople comprised a dividend payment to the council as a shareholder and savings from staff costs that may result in some service level reductions internally to the council, but not externally.
- The CFO commented that a briefing note could be provided detailing income and additional information could be incorporated in the report to council.
- Clarification was sought on the minimum revenue provision contribution to reserves. The CFO commented that this was being held in the general reserve to address unforeseen pressures. He agreed to provide a breakdown of earmarked reserves.

RESOLVED:

- That**
- (a) the budget papers should make more open and transparent use of the public consultation responses in the commentary;**
 - (b) a clearer narrative be provided on how the 3% uplift in the precept for adult social care is proposed to be used;**
 - (c) as part of the review of the constitution it be recommended that all three scrutiny committees are able to review the budgets of their directorates, with all recommendations being fed in to the General Scrutiny Committee before submission to Cabinet;**
 - (d) that there be ongoing review of the deliverability of the looked after children budget, with reports provided every 2 months to the Children and Young People Scrutiny Committee accompanied by a**

profile of how savings are projected throughout the year with this information also to be made available to Group Leaders for their performance challenge meetings;

- (e) a clear breakdown of how income from car parking is being spent on transport services is shown in the budget papers for council together with a breakdown of the ECC directorate efficiency savings.**

54. PROPOSED 2018/19 CAPITAL BIDS AND APPROVAL

The Committee was invited to consider the proposed capital programme including proposed investment additions for 2018/19 onwards and determine whether to make any recommendations to inform and support cabinet in making its recommendations to council.

The Chief Finance Officer (CFO) invited questions.

In discussion the following principal points were made:

- A member commented that £7m had already been spent on the Southern Link Road some 20% of the estimated cost. Assurance was sought that the project was deliverable within budget.

The DECC commented that the budget represented the best estimate but this could not be confirmed until the market was tested and contracts were let he considered that the appropriate budget had been set to take the project forward.

- It appeared that there was considerable carry forward of proposals. It was questioned what the implications of this for delivery of the economic strategy.

The DECC considered that progress was being made on key projects and the timetable for delivery was not having a negative impact on the economy.

- It was proposed that resources should be found to invest in the model farm development at Hildersley, Ross-on-Wye, a vital infrastructure project.
- In response to questions the CFO commented that he could provide information on the scoring system used for capital projects and, with reference to paragraph 16 of the report, how various funding sources had been applied to projects. In terms of borrowing there had been a very slight rise in the cost. This was being monitored but it was not expected that the rate would rise significantly.
- The DECC provided further clarification of the capitalisation of funding for the Hereford bypass and how this became a saving on the revenue budget as a result.
- The stated position had been that the western relief road would be funded by developer contributions but none of these had so far been received. It was asked what the implications of this were.

The DECC commented that to date contributions had been received from Highways England and Midlands Connect although the majority of funding had been provided by the council. It had not been envisaged that the project would be fully funded by developer contributions. It had been expected Central Government grant would support the majority of the funding and the council would need to make some local contribution. A number of bidding opportunities for government funding were expected over the next 12 months and S106 agreements would be negotiated as the major housing developments for Hereford came forward.

RESOLVED: That it be recommended that the council makes funding available to enable the model farm development at Hildersley, Ross-on-Wye to proceed.

55. PUBLIC ACCOUNTABLE BODY FOR NMiTE

The Committee was asked to review proposals that the council act as the accountable body for the new Hereford University NMiTE (new model in technology & engineering), during its establishment phase.

The Chairman welcomed the following representatives from NMiTE: Professor Janusz Kozinski, President and Chief Executive Officer; David Sheppard, Interim Chief Operating Officer; NMiTE, David Nolan, Interim Finance Director, NMiTE; and Jon Gorringer, Finance Advisor to NMiTE, ex Director of Finance, Edinburgh University.

The Chief Finance Officer (CFO) gave a presentation as appended to these minutes. This replaced that published at appendix 3 to the report. Mr Sheppard outlined the Department for Education funding assurance programme setting out the basis on which grant payments would be paid, the timing of payments, the internal processes in place to ensure that the business plan was delivered, the control structures and the audit framework.

In discussion the following principal points were made:

- However beneficial the proposed University might be, the proposal that the council act as accountable body posed a potential financial and reputational risk to the Council. Accordingly, it was suggested that if the council agreed to act as the accountable body the council itself should establish its own robust and appropriate governance framework to supervise the discharge of this role. The Council might decide that it wished to carry out this role itself or delegate that responsibility to a committee or sub-committee. If Council did decide to delegate that responsibility it was requested that in making such a delegation there was clarity as to the role of the body to whom responsibility had been delegated. This should include, for example, what reports it would be expected to receive, and the level of input that could be expected from the council's external auditors, so that appropriate resources could be allocated to enable the delegated role to be discharged. It was noted that the cost of this monitoring work would be chargeable to NMiTE.
- During the points on behalf of NMiTE it was noted that they wish to avoid duplication and cost. NMiTE has established its own audit framework upon which the council could draw. However, members considered it essential that the council had its own independent assurance framework process in place.
- The cabinet member – finance, housing and corporate services suggested the closest parallel would perhaps be the role delegated to the Audit and Governance Committee in relation to review and monitoring of the waste contract.
- It was confirmed that accountable body status only applied to the grant funding stream. Private funding that NMiTE had to secure, and obtaining this was one of the milestones, would be managed directly by NMiTE.
- The Chief Finance Officer commented that if milestones were not being met discussions would be held with NMiTE in the first instance and if matters could not be resolved a report would have to be made to the Department for Education (DfE) for advice on the next steps. He also commented that the council would be represented on the project advisory board and that the council would be able to review monthly

audit reports that the NMiTE Board prepared for the Department for Education (DfE) so there would be complete transparency.

- It was recognised that this was a complex project and noted that if significant difficulties did arise it tended to be the DfE's practice to put one higher education institution in the care of another higher education institution. NMiTE already had a close partnership with Warwick University. The Council would not be involved.
- In reply to a question on the potential for the council to be left out of pocket in certain circumstances Mr Nolan indicated that he considered paragraph 23 of the report containing this reference to be incorrect. Members requested that Cabinet, the report to which contained the same paragraph, should be updated as appropriate.

In conclusion Professor Kozinski welcomed the debate that had taken place. He acknowledged the points raised by the Committee. However, he stated that he believed that the project would be a source of pride and great benefit to the County and that the NMiTE organisation had the expertise available to it to deliver it.

Members indicated that subject to the development of a robust and appropriate governance framework and assurance that there would be no cost to the council they would support the council acting as the accountable body.

RESOLVED:

- That**
- (a) Council be recommended to put in place a robust and appropriate governance framework to supervise the discharge of its responsibility as the accountable body itself, or delegate this role to a Committee/Sub-Committee providing sufficient detail on the mechanism by which this role is to be discharged is provided to any such body to enable it to fulfil its role;**
 - (b) the wording of paragraph 23 in the report to the Committee mirrored at paragraph 23 of the report to Cabinet on 14 December 2017 in relation to risk management be reviewed and amended as appropriate; and**
 - (c) subject to the above, Cabinet be advised that the Committee supports the proposal that the council acts as accountable body for public funding to support establishment of a new university in Hereford, provided assurances are given that no costs will be incurred by the Council.**

56. WORK PROGRAMME

The Committee was invited to review its work programme.

It was observed that attention needed to be given to the scheduling of work in relation to gathering evidence from Parish Councils in relation to Balfour Beatty Living Places, the proposed spotlight review on public realm improvements needed to accommodate students at the new university and clarification as to the timing of a further report on the Edgar Street Stadium, Hereford.

RESOLVED: That the draft work programme be noted.

57. DATE OF NEXT MEETING

Monday 29 January 2018 at 10.15 am.

Appendix - Revised Presentation

The meeting ended at 1.59 pm

Chairman

Accountable Body

December 2017

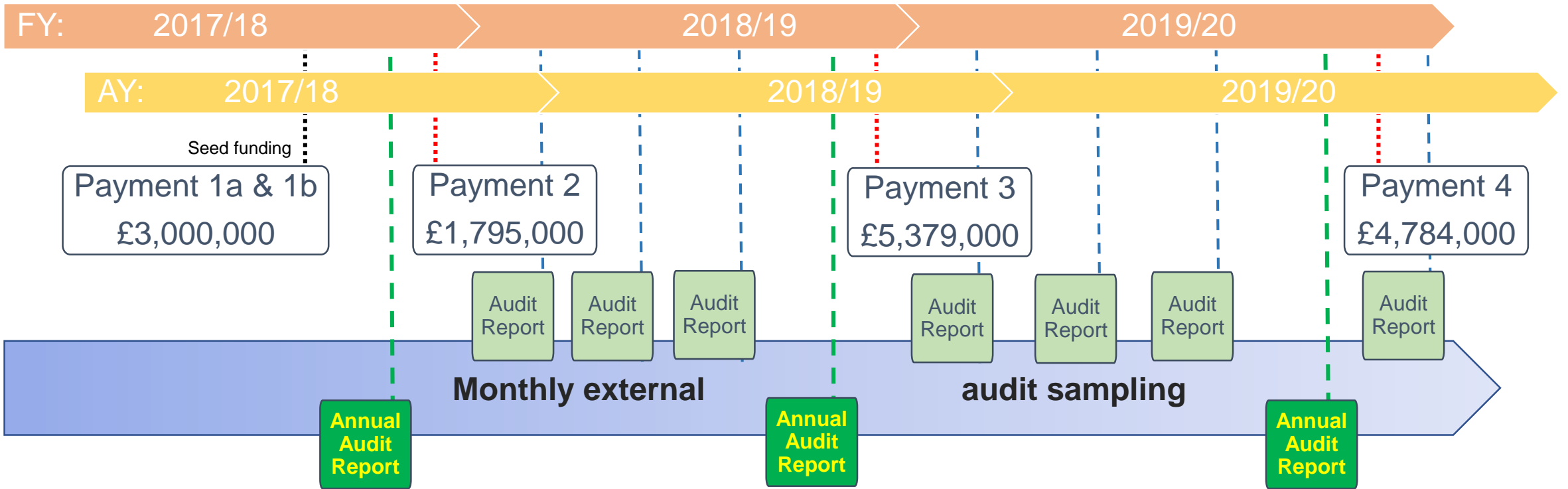
Eyes on hands off:

**Council to ensure that money is spent in accordance with grant.
Council is not responsible for the NMiTE business plan.**

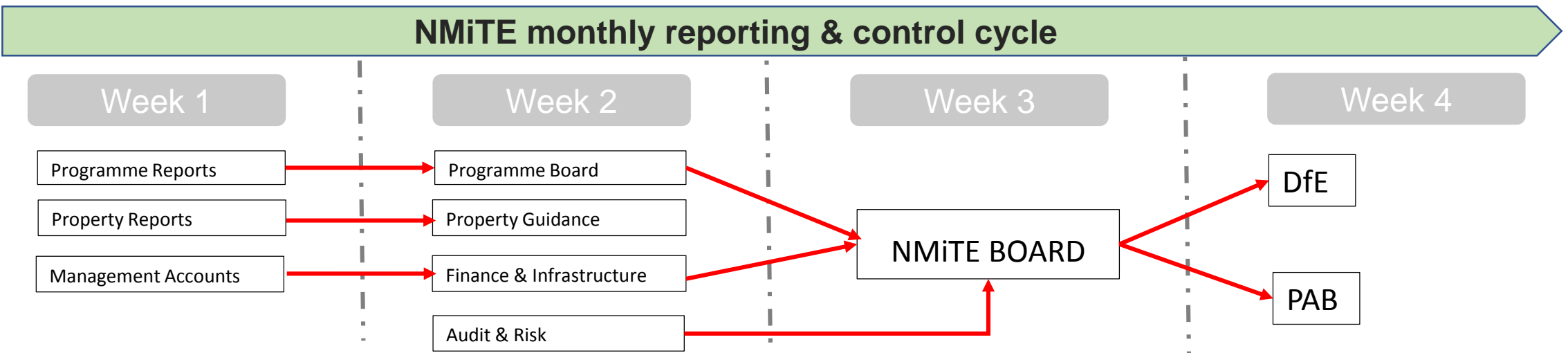
**Council to confirm to Government that milestones have been achieved.
Council's costs to be recovered from grant.**

Council is not being asked to cash flow NMITE

NMiTE – DfE Funding - Assurance Programme



23



The Quarterly Audit Reviews are to provide assurance to the Department for Education (DfE), Herefordshire Council (HC), the Department of Communities & Local Government (DCLG), the Marches LEP (MLEP) and the Board of NMiTE that:

1. funding granted to NMiTE has been expended in accordance with HMT's guidance on *Managing Public Money*;
2. the **DfE Funding Stream** on the NMiTE project is progressing in line with the milestones set in the signed MoU between NMiTE, DfE and HC and its associated annexes; and as reflected in the Grant Letters for both revenue and capital funding streams between the DfE and HC;
3. the **DCLG/MLEP Funding Stream** on the NMiTE capital programme is in line with the projected capital spending and milestones set in the Funding Agreement between Shropshire Council (acting as the Public Accountable Body on behalf of MLEP) and HC; and
4. the timing and correlation of funding between DfE and DCLG/LEP funding streams is effective to ensure that sums committed and the need for future funding is timely and within the requirements laid down by the MLEP.



Meeting:	General scrutiny committee
Meeting date:	Monday 29 January 2018
Title of report:	Herefordshire Council public realm service report
Report by:	Assistant director environment and place

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To review the performance of the public realm service contract to enable the committee to make reports or recommendations to the executive with respect to the discharge of a function which is the responsibility of the executive.

A presentation will be delivered to the scrutiny panel by the council's head of highways and community services, and commercial and contracts manager supported by members of Balfour Beatty Living Places' (BBLP) senior management team. The presentation will provide a strategic overview of this contract, together with explanation as to how the service has been enabled to develop and improve. The presentation will also provide detail on performance, the annual plan process and what is intended for delivery in 2018/19.

Recommendation(s)

That:

- (a) the committee determine any recommendations it wishes to make to the executive regarding the public realm service's performance and opportunities for improvement;
- (b) the committee determine any recommendations it wishes to make to the executive in regard to priorities for consideration in the development of the annual plan for 2018/19 and future years.

Alternative options

1. There are no alternative options to the recommended action as it is a function of the committee to make reports or recommendations to the executive on the discharge of executive functions.

Key considerations

2. The Public Realm services contract with Balfour Beatty Living Places commenced on 1st September 2013. General Overview and Scrutiny Committee considered an update and progress report on the successful delivery of the first twelve months of the contract in September 2014 and established a task and finish group to examine the service in more detail and identify areas for further improvements. In March 2015 the committee received the report of the task and finish group and provided 13 recommendations. These recommendations were welcomed by the executive and informed the implementation of a number of improvements which have been delivered. The recommendations and improvements made included improved communication with the transfer of call handling to the service, the development of contract management team, improving the effectiveness of locality stewards, improved ICT and the roll out of the enhanced lengthman scheme.
3. This report seeks to provide the committee with an overview of the service and provide the opportunity to consider priorities for further improvement as well as priorities to be considered for the development of the Annual Plan for the service for 2018/19 which will be the subject of a Cabinet Member decision scheduled for March. A presentation by the contract management team and Balfour Beatty Living Places contract manager will be provided alongside this report at the meeting and is contained within appendix 2.

Strategic Overview – Creating an environment for change

4. Herefordshire faces many challenges and BBLP are a key strategic partner in tackling those challenges. Herefordshire is a rural county, with an aged highway network and the council is dealing with significant budgetary pressures. In this context a strong and effective delivery partnership is key to ensuring the best possible service, to support economic growth, improve satisfaction, provide a safe clean and well maintained environment and deliver value for money.

5. The public realm service contract is outcome focused and provides end to end service, from planning to design then build and management. This scope enables opportunities to continuously improve the service and deliver value for money. The contract is based on the New Engineering Contract (NEC3) model, with a 10 year initial term and has the potential for up to a further 10 year extension.
6. The contract model uses different payment mechanisms, to account for the range of risk scenarios that exist across the services. All payment mechanisms account for a provider's fee which was set at the tender stage, all operate on open book accounting for full cost transparency.
7. Effective change control systems are used to ensure a culture of early warning which mitigates risk where possible and manages change efficiently.
8. The partnership develops an annual plan, engaging with key stakeholders to do so. The annual plan is designed to support the council's priorities for the year ahead. The annual plan defines service outcomes and performance requirements with the partners jointly managing the delivery risk.
9. The performance of the contract to date has delivered benefits to both parties, providing a solid platform for a successful strategic relationship throughout the contract term:
 - (a) **Lean** - In the first four years of the contract revenue costs have been reduced by a third, whilst successfully delivering significant increase in capital expenditure.
 - (b) **Trusted** - In the 2015 National Highways and Transport Network (NHT) customer satisfaction survey Herefordshire was the most improved council.
 - (c) **Expert** – We are in the top 10 councils nationally for asset management. The highway services has a Band 3 rating from the Department for Transport (DfT), the highest rating available and this brings with it financial benefits.
 - (d) **Safe** – Herefordshire had one of the highest number of third party highway claims, a significant safety, financial and political risk. Claims have reduced by 90% in 2015/16 compared to the 2013 baseline, this is the largest reduction in the country.
 - (e) **Innovation** – The progressive approach enables the trial of new innovations to deliver continuous improvement.
 - (f) **Forward Planning** – Joint development of forward plans enables growth, development and improvements in value for money.

Defects - Enabling a Risk Based Approach

10. Good asset management is essential for success, it is embedded in this contract. Asset management is a common sense approach to the upkeep of large infrastructure assets, such as our highways. It is widely thought that it's best practice to manage and maintain large infrastructure assets through adopting a 'whole life' approach to asset management. This means looking ahead at how the asset is likely to deteriorate and deciding what might be the best treatments to deliver, when, over the life of the asset and if done well this approach will provide value for money and a good state of repair in the long term. Through

sound asset management, the safety, availability, reliability and long-term integrity of our transport assets can be secured.

11. In Herefordshire the public highway is by far the most extensive of those transport assets and is the most significant physical asset that is in the council's management..

Overarching Asset Management Policy

12. The aim of the Asset Management Policy is to support the growth of the county by making the best use of its transport assets and where possible facilitate more efficient usage together with improvements in the quality of our public places. Public places should be safe and enjoyable for all to use responsibly. Public places should also remain safe through all seasons of the year. The infrastructure that is vital to a functioning county should be resilient to the impact of weather and climate.
13. The transport assets should provide a network that facilitates the efficient and safe movement of people and goods whilst protecting the quality of life within communities. Through this approach the council will encourage and enable delivery within localities. This as part of a delivery model that is affordable now and proves to be value for money now and in the future.
14. We encourage and support the growth of competitive local business and enterprise through works to enhance and maintain public places and by the way that work is delivered.

Policy LTP Highway Asset Management Strategy for Herefordshire's Roads

15. Our Highway Asset Management Strategy has the following key components:
 - (1) Major Investment
 - (2) Sustained Investment over the whole life of the highway asset.
 - (3) Reduce the need for reactive 'temporary' pothole repairs as a response to safety defects. We will aim to deliver a high proportion of our routine pothole repairs using permanent fixes that not only make the road safe, but improve the condition of the road and extends its useful life.
 - (4) Shift our routine resources further towards preventative activities.
 - (5) Provide the support that enables routine maintenance work to be delivered locally so that defects on the road can be responded to locally when they are recognised as an issue by local people.
16. Through this five point Highway Asset Management Strategy the council will reduce the cost of potholes to the council and the community by over £1.6 billion. We will reduce the whole life cost of maintenance by over £72 million and the strategy will prevent over 386,000 potholes over the 34 year lifecycle of our roads.

Repairing Defects

17. The council have implemented a risk based approach for repairing defects as the Highways Maintenance Plan (HMP). Our locality stewards routinely inspect our roads for safety and categorise each defect based on the risk that it presents to all highway users. This approach enables a right-first-time approach to defect repair in many instances. This reduces the risk to the travelling public across the entire asset in the longer term. BBLP provide an emergency response service on a functional 365/24/7 basis.

Locality Working

18. A team of locality stewards undertake the highways safety inspections, street works and public rights of way inspections. They also respond to enquiries and emergencies. They interface directly with ward and parish council members and other community groups. They coordinate our activities with the work of the Lengthsman, Parish Paths Scheme and other community groups. In this way, the service works in partnership with communities to tailor delivery to meet the local need, minimising waste and enabling communities to become more self-reliant.
19. The role played by the parish councils in maintaining the public realm is highly valued. Whilst Herefordshire Council's financial contribution is being reduced the scheme will continue to be part of the service and Parish Councils have continued to support the Lengthsman scheme with their own funding.
20. The level of requests for service from communities has increased, and with delivery having to be focused on meeting our core obligations to the county, in some service areas this has led to a 'waiting list'. We have developed a community commissioning model to provide a supportive process for communities who wish to invest in the public realm. This model has been designed to provide clear information regarding scope, service delivery, risk allocation, price and timescales. The model allows communities to decide who they wish to undertake such works.

Herefordshire Major Infrastructure Projects

21. The major projects are managed through four packages, these packages are:
 - **South Wye Transport Package (SWTP)** - The Southern Link Road is the new road linking the to the A465 and the B4349 Clehonger Road, the delivery of the road will be complemented by active travel measures.
 - **Hereford Transport Package (HTP)** - Hereford Bypass will be a new road to the west of the city, with citywide improvements for walking, cycling and public transport.
 - **Hereford City Centre Transport Package (HCCTP)** - City Link Road opened in mid December 2017. Further works will include a transport hub, the refurbishment of Commercial Road, Newmarket and Blueschool Streets.
 - **Hereford City Centre Improvements (HCCI)** – Ongoing High Town Refurbishment delivered in annual phases to create a clean, modern and clutter free city centre and a number of other related improvements to support the role of the city centre.

Continuous Improvement in Value for Money

22. Continuous improvement is written into the contract, each annex of the Annual Plan captures the specific improvement plans for that part of the service. Continuous improvement and innovation is overseen by a Continuous Improvement Cluster Group.
23. Opportunities to improve the service are reviewed jointly. Monthly meetings are held to review key areas that have been identified as having potential for improvement. Audits, which focus on value for money, are also undertaken by the council's contract management team.

Contract Term – How Potential Extension Incentivises Performance

24. The contract offers the potential of extension which incentivises performance. It follows a model that is designed to incentivise BBLP to achieve successful performance delivery throughout the contract term. Successful performance is gauged against strategic indicators (SPI) which are monitored and considered at set points throughout the term of the contract. If BBLP perform they are entitled to a contract extension, unless the council reasonably exercises its discretion to do otherwise.
25. There are 16 SPIs, which measure the contract's contribution to the council's strategic objectives. Each SPI has a definition which includes how each will be measured and performance calculated within set thresholds. The first review of performance against the SPI has been completed. The results are positive with 12 of the 16 indicators being achieved. A full report and audit will be provided to Cabinet in March 2018.
26. There are also 12 Operational Performance Indicators (OPI), these are measured monthly. BBLP are only entitled to a proportion of their fee (25%) if they achieve at least 85% of the OPI's in any month. To date these have been achieved throughout the contract term to date. See Appendix 1 – Performance report presented to the Strategic Partnership Board for the contract in December 2017.

Annual Plan Priorities

27. The annual plan is developed to meet the council's objectives for the public realm within the assigned budgets. Acceptance of the annual plan is designed to ensure that it complies with the terms of the contract and will further the council's objectives well, providing a sound basis for performance and contract management during the forthcoming financial year.
28. The annual plan for 2017/18 is the fourth such plan, it was developed utilising the knowledge and lessons learnt and during the first three years of the contract term.
29. The annual plan consists of the fourteen technical annexes, including supporting financial information. In addition the plan includes a Service Overview. This overview includes a summary of commercial and financial information and points to relevant supporting detail captured elsewhere, for example in the Public Realm Contract itself.
30. The committee is invited to consider the recommendations and provide feedback regarding priorities for improvement and in relation to the development of the 2018/19 annual plan for the service.

Community impact

31. The effective management of the public realm, is an important contributor to the county's health, wellbeing and economy.
32. A clear measurable annual plan provides a mechanism for monitoring performance and supports the achievement of the corporate plan priorities, securing better services, quality of life and value for money for the people of Herefordshire.
33. As set out in the council's code of corporate governance, we must ensure that we have an effective performance management system that facilitates effective and efficient delivery of planned services. Effective financial management, risk management and internal control are important components of this system. The council is committed to promoting a safe and positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development, and review.
34. BBLP closely monitor health and safety, which is reported monthly through the performance monitoring, with benchmarking and continuous improvement supported through Balfour Beatty.

Equality duty

35. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
36. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. BBLP are fully aware of their contractual requirements in regards to equality legislation. This decision will have no negative impact on the council or BBLP's compliance with this duty.

Resource implications

37. The annual contract value does vary year on year, the value of the core services is approximately £20 million, of capital and revenue. The annual plan is developed in advance each year, which sets out the proposed service and budget.

38. An executive decision is taken each March for the financial year ahead, following Council's approval of the annual capital and revenue budgets which in turn align to the council's medium term financial strategy.

Legal implications

39. The council has statutory duties to provide a number of the services which are contracted to BBLP under this arrangement. The council must ensure that the contract is robustly managed and appropriately scrutinised and reviewed to ensure that its specific statutory duties are met and also that the council's wider duty to obtain best value in the provision of all of its services is satisfied.
40. In procuring this long term contractual arrangement in 2013 the council contemplated a series of commercial incentives for the appointed contractor, of which this contract extension mechanism is part. To depart from this agreed mechanism so early in the contract without compelling financial or quality related reasons could give rise to difficulties with the contractual relationship with BBLP.
41. Robust contract management is any event essential for a long term contract which is of high financial value and of significant strategic importance. Price and quality must be regularly benchmarked to ensure that the contract continues to deliver best value for the council and its communities.

Risk management

42. The key associated risks with contract performance are detailed below:

Risk / opportunity	Mitigation
Ensuring value for money is achieved	Value for money is tested at various stages of the annual commissioning process and we are constantly looking at ways to improve value for the council and residents of Herefordshire. Audits are undertaken by the council's contract management team to assess value for money and identify opportunities to drive improvement.
Good quality effective service is continuously delivered	Performance is closely monitored through Operational Performance Indicators and Strategic Performance Indicators, to ensure services are delivering to target and continuously improved, where possible. The contract model incentivises good quality performance. Performance is measured at a strategic and operational level, this is reviewed and

Performance is appropriately measured and captures the priorities and objectives of the council

adjusted at relevant periods to reflect desired changes. The performance is audited by the council's contract management team to ensure the data provided is accurate and is being applied correctly.

Consultees

43. None.

Appendices

Appendix 1 – Balfour Beatty Performance Report to Strategic Partnership Board December 2017

Appendix 2 – Presentation

Background papers

None

HEREFORDSHIRE PUBLIC REALM

Strategic Partnering Board

December 2017



Avenbury Road Bridge is subject to severe flooding from the River Frome. The damage was so severe that the upstream training wall to the bridge was collapsing. The designed solution was to take down the bridge training wall and reconstruct the scoured bank to redirect the flood water back into the river while still protecting the edge of the bridge.

Contents

1. Summary and key decisions
2. Health and Safety
3. Key Performance Indicators
4. Financial Management
5. Challenge Funding
6. Delivery
7. Continuous Improvement
8. Stakeholder Liaison, Community and Partnership working
9. Business Development
10. Risk

1. Summary

The Q3 year forecast is on track to deliver this year's Annual Plan within budget. Savings achieved to date, together with a number of vacancies has provided some contingency for the winter period. In addition NRSWA Income has over performed which has provided revenue savings.

The final drafts of the **Annual Plan Annexes for 18/19** have mostly been submitted and are on track for completion to planned schedule. Once completed and signed-off, the Annual Plan Annex performance will be monitored throughout the year, recording achievement against planned service delivery.

Performance against the new **Operational Performance Indicators (OPI's)** has been positive throughout the year, there has been a few fluctuations with Street Cleansing, as new systems were bedding in and with updated mapping being done on the Gullies in the county. Both of these are leading to improved services in the Public Realm.

The **Challenge Fund** Autumn Phase of works has now completed and a provisional programme for the future Spring Phase of works is in place with an anticipated February start date. A **Lessons Learned** exercise has been completed on the Autumn Phase and will inform our communications with all stakeholders during the next Spring Phase of works.

At the end of November we began the **Pothole Fund** programme of works on the A44 Golden Cross and U67261 Robinsons Meadow and this is due to be completed before the end of the month.

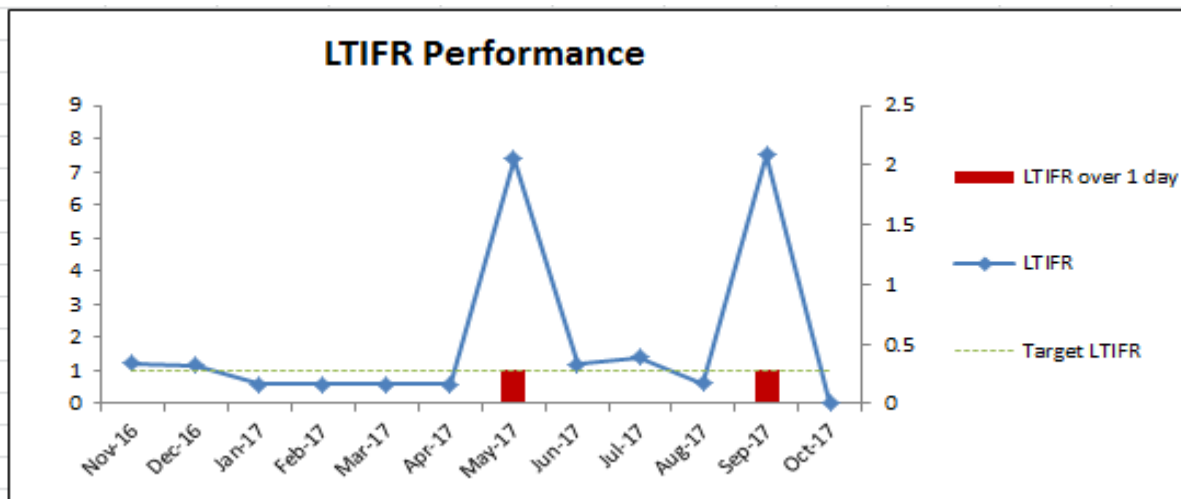
2. Health, Safety & Environment

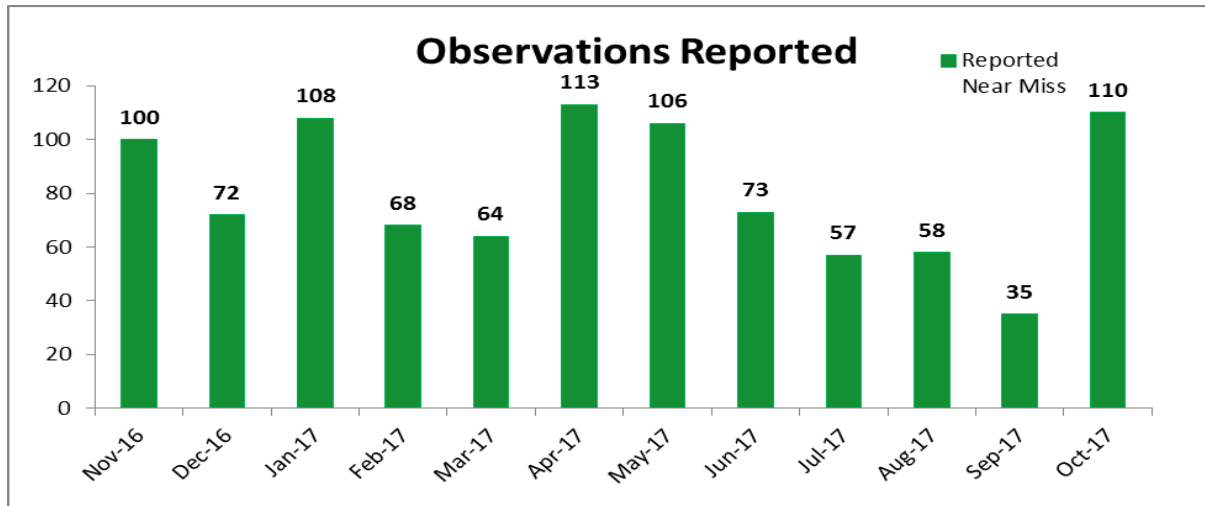
There have been two RIDDOR incidents this year:

- The risk assessment to remove a tree from the highway failed to assess the actions that would be needed to adequately secure the tree on the vehicle. This led to the tree slipping and an operative attempted to prevent it falling off the vehicle and damaged the muscles in his sholder.
- An operative tripped over when carrying out verge/hedge cuts, sustaining a sprained ankle. This incident will be included in the official statistichas next month.

All incidents are reviewed and procedures and trianing implemented to reduce the likelihood of similar incidents happening in the future.

Company LTIFR Target 0.28	RIDDOR > 3 Days		Lost Time Accident (1-3 days)		Non Lost Time Accident		Service Strike	
	Month	YTD	Month	YTD	Month	YTD	Month	YTD
BBLP	0	3	0	3	4	24	2	27
Herefordshire	1	2	0	2	1	8	0	1
Herefordshire			Month		YTD		MMA	
AFR >7 Days			0		0.4		0.33	
AFR >3 Days			0		0.4		0.33	
LTIFR			0		0.4		0.33	
Observations			110		803		n/a	
HIPO			0		1		n/a	
Inspections			54		689		n/a	





Delivering a culture of positive Health & Safety

As part of the continued focus on Health and Safety, BBLP organised a refresher programme of ‘Making Safety Personal’ (MSP) sessions. The Health & Safety Advisor held three sessions to cover all staff who had missed our earlier sessions. Procedures are in place to ensure that any new employees have this mandatory training. MSP2 training for supervisors is continuing and all the Senior Management Team have attended the MSP4 for Leaders.

3. Key Performance Indicators

3.1 Operational Performance Indicators

	Indicator	Target	Dec 16	Jan 17	Feb 17	Mar 17	Apr 17	May 17	Jun 17	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Trend
O1	Category 1 Defects	100%	85	100	100	100	100	100	100	100	100	100	100	100	↔
O2	Category 2a Defects	80%	83	93	91	92	83	93	95	94	98	97	96	98	↑
O3	Street Lighting Faults	98%	100	100	100	100	100	100	100	100	100	100	100	100	↔
O4	Winter Maintenance	99%	100	100	100	100	100	-	-	-	-	-	-	100	↔
O5	Highway Inspection	98%	100	100	99	100	100	100	100	100	100	100	100	100	↔
O6	Bridge Inspection	100%	100	100	100	100	100	100	100	100	100	100	100	100	↔

O7	Grass Cutting	-	-	-	-	-	100	100	100	100	100	100	-	-	↔
O8	Street Cleansing	90%	67	89	93	90	88	83	94	87	96	96	64	100	↑
O9	Gully Cleansing	90%	93	87	100	97	100	92	100	100	100	91	100	100	↔
O10	Programme Management	80%	100	100	100	100	100	100	100	100	100	96	90	92	↑
O11	Complaint Handling	95%	100	100	100	100	100	100	100	100	100	100	100	100	↔
O12	Risk	100%	-	-	-	-	100	100	100	100	17%	100	100	100	↔

Operational Performance Indicators - performance remains positive for the period September – November with only one indicator falling below threshold during this period.

3.2 Strategic Performance Indicators

Herefordshire Council has audited the SPI Report and it has now gone for external audit.

4. Financial Management

The 16/17 Gainshare has been agreed and certified; £424k in total. The Council have reinvested their gainshare in plant (Tractor) which will deliver savings in 17/18 and 18/19.

The Q3 year forecast is due to be presented this week. We are on track to deliver this year’s Annual Plan within budget. Savings achieved to date, together with running with a number of vacancies has provided some contingency for the winter period. In addition NRSWA Income has over performed which has provided revenue savings, Luggs Flats being a significant contributor. Vacancy levels and NRSWA Income performance are not sustainable; however others (purchase of tractor, procurement of grass cutting) are, and will be included within next year base budgets.

We are working with the Council on the 18/19 Annual Plan, the current indication is that will need to manage any inflationary pressure via additional savings, which will be monitored closely through the process. We are due to finalise the purchase of two gully carts which will secure the savings plan for the 18/19.

The Council’s MTFs requires the Public Realm to identify a further £265k of savings for 2019/20 and 2020/21 – at present these are not identified.

5. Challenge Funding

The **Challenge Fund** Autumn Phase of works has now completed and a provisional programme for the future Spring Phase of works is in place with an anticipated February start date.

The work to date on our Principal Roads involved road surfacing over 90,000 square metres of road.

The delayed notification of the **Challenge Funding** together with the knock-on effect of having to deliver the works in a short period of time, led to a number of challenges in ensuring effective network management and communications. This was managed through the Network Management & Communications Task & Finish Group. The communication strategy during the first phase of the work included advance signage and letter drops as well as a face to face meeting with business owners. Social media was utilised to ensure the community was kept up to speed with the work being done daily along with adverts in the Hereford Times and a frequently asked questions briefing.

Lessons Learned – report attached with agenda

To minimise impact in relation to ongoing delivery of the fund in Spring (phase two) and to use as future reference when planning any similar large investment on the network, a full lesson learned exercise has been undertaken.

This has identified a number of improvement areas around planning, delivery and communication which will be built into a clear process and reference documentation:

- Communication Process
- Key Stakeholders
- Public Perceptions and Information
- Member Participation in Communication

These identified actions will be built into an communication plan with clear timeframes and responsibilities identified. Additional longer term actions have also been identified to enable wider improvements for future projects.

Reporting of delivery of these actions will form part of the Contract's Operations Board reporting and will be included in the update to the Cabinet Member and Assistant Director at their respective two weekly update meetings.

6. Delivery

5.1 Operational programmes

In preparation for the new **Winter Season** a further gritter was replaced in September as part of Herefordshire Council's ongoing fleet replacement strategy. In addition quad bikes with towable spreaders were purchased to support delivery of gritting in areas inaccessible to gritters, such as carparks and footways. We are now well into the winter season and, to date, we've done 16 priority routes treatments. We are planning a top up of salt levels prior to Christmas at both Thorn and Kingsland depots. Plans are in place for a route rationalisation exercise prior to the end of the season. The exercise would not reduce the network currently treated.

Highways routine and reactive

We continue to achieve 100% performance on our category 1 safety defects and we are currently at 98% on the category 2 defects.

Street Cleansing

During the period we have begun a small trial of fill level sensors on 12 litter bins in Hereford. The aim is to explore the possibility of remotely monitored fill levels to allow an optimised collection routes to be generated. The revised OPI continues to be embedded with a detailed spreadsheet tracking performance against plan.

We have held a risk reduction meeting to formalise the plans for the HGV sweeping following gritting of priority routes as there is a significant overlap with the two activities.

Gully Cleansing

The routine gully emptying programme is progressing well. The team are just over one month behind plan but have uncovered, logged and cleansed over 25% more gullies. The method of cleansing all gullies in ward is proving more effective than the previous method of prioritising only certain sections throughout the county. Market testing has been carried out to highlight potential revenue savings by outsourcing the gully cleansing & reactive drainage jetting works.

5.2 Major Projects

Hereford City Centre Transport Package (including the City Link Road)

Opening of the City Link Road is planned for 11th December. A49 Newtown Roundabout and Edgar Street are now completed and the Traffic Regulation Orders are in place to ensure that Parking and Movement Restrictions can be enforced when the road opens. Widemarsh Brook Diversion and Attenuation pond pre-planning advice is being sought prior to commencing detailed design.

South Wye Link Road (inc. South Link Road)

Development of the Business Case & Discharge of planning conditions is on-going and the draft Options Assessment Report has been issued to the Department of Transport. The November Cabinet approved commencement of the procurement process & making of orders for the Compulsory Purchase Order and the Statutory Regulation Orders. The construction programme is estimated to start in spring 2019.

Hereford City Centre Improvements in High Town

Procurement of Phase 2 is nearing completion and a draft target cost document has been submitted to Herefordshire Council for review. St Owen St - Informal consultation completed and further consultation with key stakeholders is being scheduled for early December. Residents Parking - Statutory consultation has concluded and initial analysis undertaken with proposed next steps being prepared for HC review and agreement. On Street Parking - Construction works have completed to programme.

Hereford Transport Package

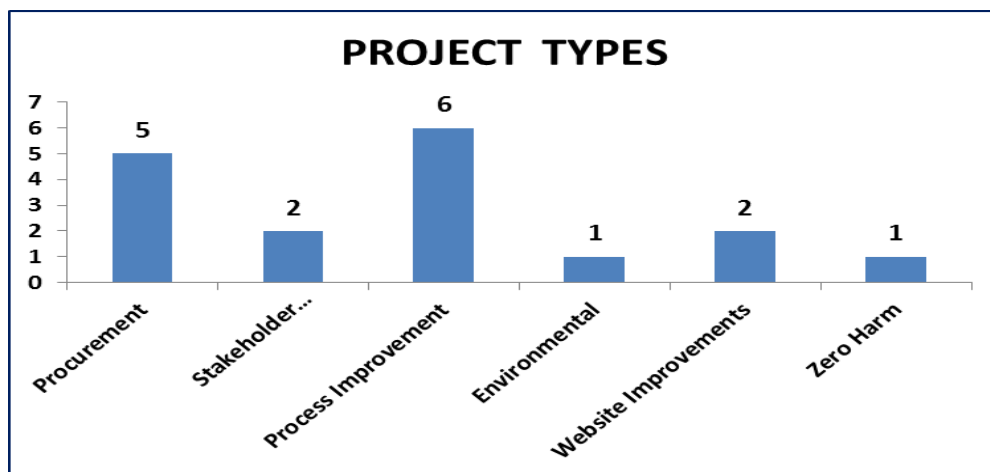
Phase 2 consultation materials have been approved by cabinet and it is anticipated that consultation can commence late. Developing Initial ATM design concepts are being developed to inform a preferred short list. The Options Assessment Report is under review with Herefordshire Council.

6. Continuous Improvement

6.1 Projects

Potential Continuous Improvement Projects continue to be submitted by the staff on contract. We currently have 17 live projects that are being progressed, six further ideas that are being assessed by the Senior Management Team for possible progression to project status and another eight that have been recently submitted through the Balfour Beatty My Contribution system.

Our Ideas to Projects conversion rate is 39.5% and 41.5% of our projects progress to implementation.



6.2 Case Studies

This year is the first year of compiling case studies. They are intended as a record of activities and projects that have been completed during 2017. The Balfour Beatty annual case study booklet features seven of Herefordshire’s case studies out of a total of 54.

This demonstrates the value the contract is bringing around sustainability from profitable markets, healthy communities to setting environmental limits for Herefordshire. Our case studies featured are:

1. Recycles plastic steps for a new public footpath in Herefordshire
2. Work experience at Balfour Beatty Living Places
3. Weather emergency response during Storm Doris
4. Volunteering with Balfour Beatty Living places, Herefordshire
5. Inspiring and investing in a sustainable workforce for the future
6. Energy savings and reduced maintenance through replacement LED Lighting
7. River bank stabilisation works at the Parsons’ Pole project

The case study annual booklet has been provided with the agenda, along with the other case studies that have been completed to date.

6.3 Community Commissioning Model

Work on the development of the Community Commissioning Model has continued leading to the principles of the scheme being formally approved by the Cabinet Member for Transport & Roads in early October. The model, which will enable communities to access a range of services through existing contractual mechanisms, has been process mapped and in the soft launch phase, requests from a small number of parish councils are being used to test the approach. Two streams are envisaged; a quick, “self-service” option for the supply of straightforward services and materials and a more detailed framework that will enable the delivery of complex schemes and projects involving a degree of assessment and design.

A toolkit that clearly sets out the processes to be followed by communities is nearing completion. This provides a step-by-step guide to participating communities and includes indicative costs to enable Parishes to identify schemes that are realistic, taking into account their local circumstances and available budgets. Options available to communities to source their own materials and delivery mechanisms are highlighted throughout and it is emphasised that, beyond the scheme design and supervision, participants are not obliged to use BBLP if they believe they can obtain better value elsewhere. Herefordshire Council requires the design and supervision element to be retained in-house to ensure it meets its requirements as Client under the current Construction (Design & Management) Regulations.

A suite of forms and a flow chart are included within the Toolkit to provide complete guidance but the intention is that communities intending to take part work with their Locality Steward and the newly appointed Locality Liaison Coordinator to develop viable and effective applications.

6.4 Map based Traffic Regulation Orders

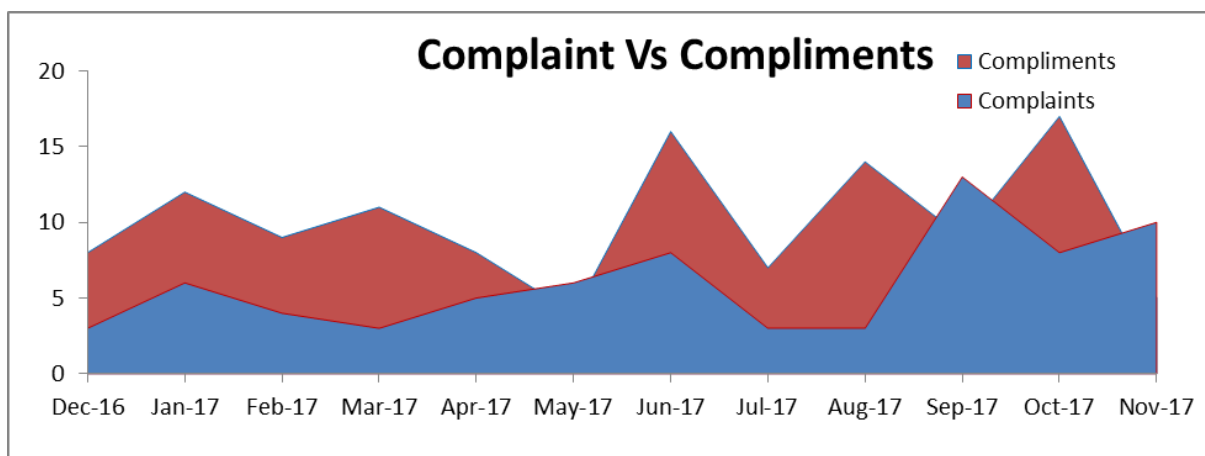
Currently, Herefordshire Council makes TROs with text-based schedules, i.e. where the restrictions being introduced, including their geographical limits, are described in words. The alternative approach is to adopt map-based schedules where the restrictions are represented by standard symbology on a map-base. This can cover both moving (e.g. speed limits) and static (e.g. parking controls) restrictions. The implementation itself should address many of the current known invalid TROs and ongoing delivery of TRO work would become more streamlined and efficient. The investment cost could be significant as it would require the completion of a complete network survey to capture all existing restrictions. Following a visit to a local authority where this has already been successfully implemented, Herefordshire Council has decided to fund a feasibility study on this potential change.

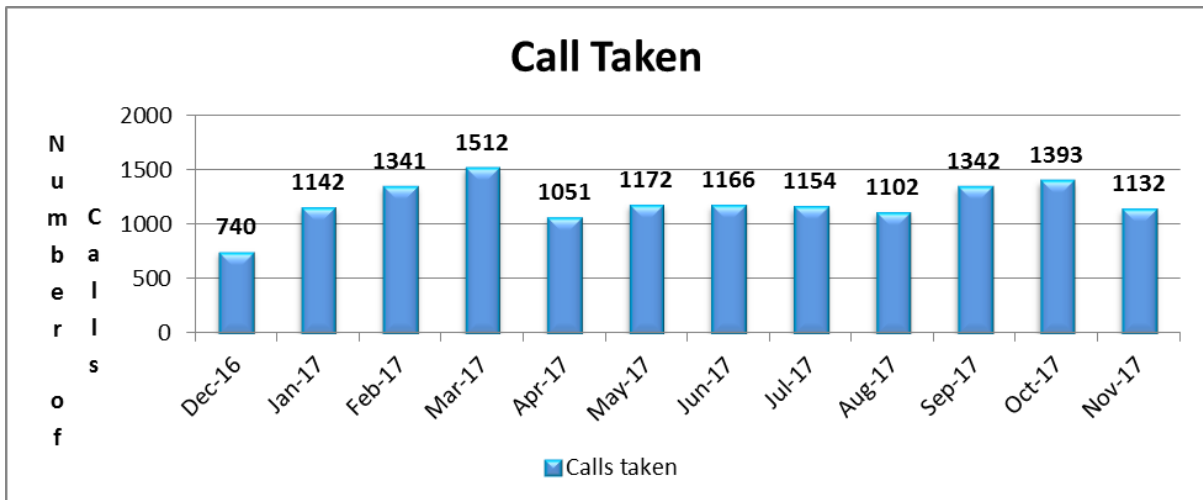
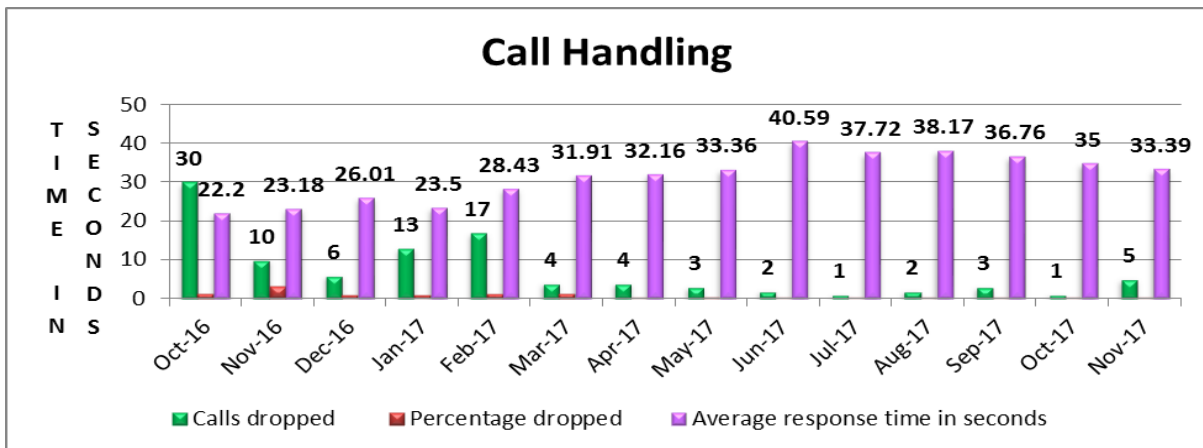
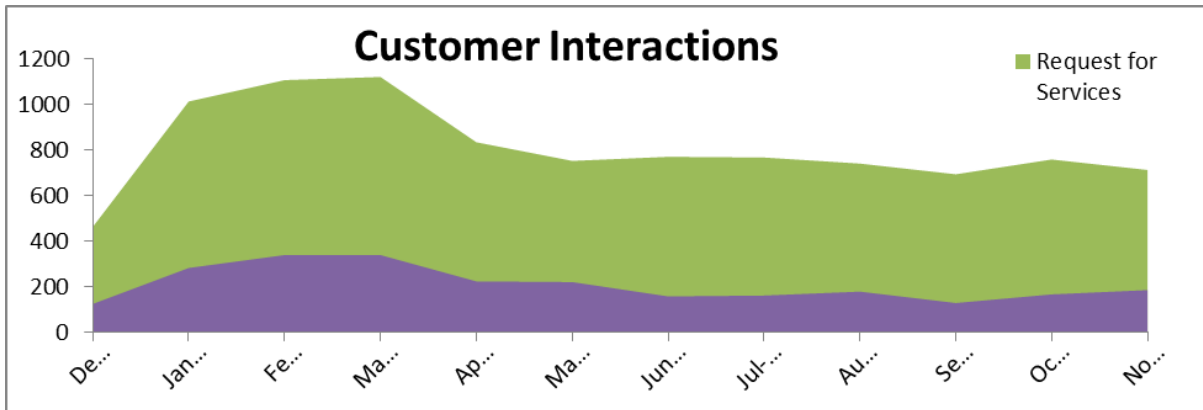
7. Stakeholder liaison & community support

The Locality Liaison Coordinator has now bedded into our stakeholder management strategy, enabling us to coordinate the community commissioning model with a focus on promoting, supporting and enabling communities through such mechanisms as volunteering, lengthsmen and commissioning of services.

7.1 Customer Interactions

Instances	Apr 17	May 17	Jun 17	Jul 17	Aug 17	Sep 17	Oct 17	Nov 17	Dec 17	Jan 18	Feb 18	Mar 18	Totals
Complaints	5	7	8	3	3	13	8	10					
Complaints Resolved by month end	5	7	8	3	6	13	7	10					
Complaints Resolved in time	100%	100%	100%	100%	100%	100%	100%	100%					
Compliments	8	4	16	7	14	9	17	5					
Total Requests for Services	835	753	771	768	741	694	759	713					
Requests for Services via HC website	223	220	157	161	178	128	166	185					
Calls taken	1051	1172	1166	1056	1102	1337	1393	1132					
FOI Received	4	2	8	6	6	13	6	12					
FOI Outstanding	10	0	2	1	1	5	3	2					





7.2 Stakeholder Communication

The Challenge Fund programme has continued to bring several challenges in delivering effective network management and communications. The Network Management and Communications Task & Finish group will continue to meet until the completion of Phase 2 of the delivery phase, which begins in February and will be completed by the end of March 2018. A stakeholder mapping exercise has been completed for those impacted by phase 2 of the works, which will form a key component of the Communications Plan for the Challenge Fund phase 2.

We have continued a multi-faceted approach to other communication activities, including face to face meetings with business owners, adverts in the Hereford Times, and business specific signage. We have increasingly used social media to inform the public of the work that we are doing, gaining significant reach and positive engagement.

In October and November we held briefing sessions for Ward Councillors, and for Parish Clerks and Parish Councillors. These well attended sessions were used to inform stakeholders of the current performance of the contract, and provided an opportunity for provision of useful technical information, as well as a lively Q&A session.

All locality updates continue to be issued to members and Parishes in line with agreed timescales.

7.3 Community Support

Since the start of April there have been 67 projects that have been provided with support through the community engagement scheme. This also includes the charity fundraising days, and contributions to education such as attending careers events.

Some of the events between September and the end of November include – assistance with the construction of the new labyrinth at Bishops Meadow.



There was also collecting and disposing of rubbish following a community scheme to tidy up Castle Green duck pond, and collecting rubbish from bins on Bromyard playing fields. Support was given to various Remembrance Day events, including traffic management for both the Armistice Day and remembrance parade in Hereford, and hedge cutting and tidy up at the skate park in Hereford where the popular launch took place.

Signs, and barriers were loaned out to various events including the firework display at Castle Green, an event held by West Murcia police, and a couple of festivals and, finally, in November assistance was provided to both Hereford and Ross on Wye to put the Christmas trees up.

7.4 Skills academy

The skills academy in in the first year of the second three-year run and is on track to meet or exceed all targets. One area that have seen a reduction in take up has been the recruitment of apprentices. Whilst opportunities have been provided there has been limited take up from potential candidates so not all apprentices have been filled.

KPI	1st February 2017 - 31st January 2020	2017 Year 1 Target	Total Achieved to date year 1	Still to be achieved year 1
1	Work Placements	6	6	0
2	Jobs Created by NSAFC	5	1	4
3	CCIAG events	5	11	0
4	Training Weeks	194	171	23
5	Qualifying the workforce	21	11	10
6	Training Plans	3	3	0
7	Case Studies Approved	1	2	0

We have also been asked to support Kingstone High School with their Mock Interview Morning in January, by providing one or two interviewers to help students prepare for life in the outside world or work. The aim of the morning is to give students the chance to answer questions as if they were applying for a job, but in a safe, learning environment.

Following on from our successful work experience week back in July, BBLP have arranged to attend the 'Meet your Future Event' in March 2018 at Hereford Sixth Form college. The event is open to all students from Herefordshire and Ludlow College, Hereford Arts College and Hereford Sixth Form College. The student population for the three colleges consists of 5,000 students, primarily aged between 16–19 years who study across a diverse range of subject areas and qualifications.

These types of events are done on a volunteering basis by our Managers and support our skills Academy work.

8. Business Development

8.1 Annual Plan Development 18/19

The development of the 2018/19 Annual Plan is well underway working to the new process agreed following joint workshops held specifically to review key partnership processes.

Each annex has been allocated both a Herefordshire council and Balfour Beatty champion who takes ownership in liaising with key stakeholders in the organisations to ensure content reflects delivery to needs in line with available budget.

Annexes are now being reviewed with the indicative budgets provided by HC.

8.2 Project Magnis

BBLP have supported Balfour Beatty Regional Construction in a works tender on a MoD project, the bid was submitted in April 2017 and the outcome of the tender and award is expected to be announced in November 2017.

8.3 Hereford Enterprise Zone

Target costs have been submitted for delivery of clearance works on the Enterprise zone. These are currently being finalised ahead of works progressing.

8.4 Funding bids

Preparation works for Challenge fund 2B continue. Options are being explored for A44, A438 and their respective corridors.

9. Risk

Project Risks						
Service Order	Report level	Category	Risk title	Event	Post	Current Status
2017-02-01/02	D	Reputation	Customer Perception	Perception of the service is negatively impacted stakeholders, members, parishes, public Local media (including social media) and press generates negative view of performance and delivery	Y	Oct 17 - Strategic messaging. Briefing sessions for Members/parishes delivered. Impact of Challenge fund works is having negative perception in certain stakeholders. Nov 17 - Lesson Learnt completed and being shared. learning feeding into communications plan for next phase. Weekly key stakeholder brief template in process
2017-10-02, 03	D	Cost	Claim liability and highway Maintenance Plan	BBLP unable to mount a Section 58 defence under the Highways Act and therefore forced to pay out against an insurance claim	R	Rising claim numbers indicate an increase in risk associated with this item. Change in the Highways Maintenance Policy has exposed an increased risk. Early warnings raised with the client highlighting both the ambiguity in the new policy and the increasing claim numbers Review of Highways Maintenance Plan completed - actions to ensure compliance. Plan established and start and finish group set up 23-11-17 - Completion of actions ongoing
2017-00-01	D	Cost	Business Management System	Balfour Beatty has recently rolled out a new BMS systems with new H&S procedures and forms. One of which has the potential to significantly impact the way in which pothole defects are managed	R	Concerns have been raised to John Dowling (BBLP H&S Manager) who will be applying for derogation for a number of the procedures.23-11-17 - Derogation written and submitted. Actions to prepare contract for audit completed
2017-00-01	D	Quality	General Data Protection regulations	Data is held on behalf of HC which falls under data protections. New regulations to be introduced require changes in the way data is held and managed. failure to will result in breach and non-compliance	R	Balfour Beatty has a centralised working group led by HR and supported by IT looking at all data held. Working with Anthony Sawyer to understand implications and audit completed. Nov 17 - No further contact from BB IT. Communications taking place on contract to build awareness with staff

2017 - 00	D	Schedule	Delays in accessing systems	Unable to deliver the service effectively due to long delays in accessing required documents and systems	Y	Raised again with BB IT when on site to confirm implications of change to Service location. Being discussed with David Smith on options. Feedback expected Nov.
2017-09-02	E	Programme	Traffic engineering requests	Continual requests for delivery of small schemes, traffic, TRO etc that impact on existing programmes or where there is no budget allocation.	Y	Commissioning model now implemented, toolkit nearing completion. Locality Liaison Coordinator in place as first point of contact
2017-09-03/04	E	Cost	TRO programme - invalids	The identification of a number of invalid TRO which require attention. No programme in place	Y	Awaiting client decision on how to manage the invalid TRO. No indication of how will be funded but possibly outside of existing budgets EW raised with client. Risk reduction meeting held. Visit to park map positive. Nov 17 EW re Capital underspend. HC agreement to progress selected Invalids
2017-00-01	E	HSE	Contact with operatives – mobile signal strength	Poor or no signal may result in operatives being unable to make contact in the event of an emergency. There have been many near misses raised regarding lack of signal.	A	19/10/17 - currently collating list of those impacted by issue and assessing where dual sim cards are required 7th Nov 17 - List has been collated and passed to IT for action. 23-11-17 no further update

Herefordshire Council General Scrutiny Committee
Review of
Highway and Related Services
as delivered through
The Public Realm Services Contract
with
Balfour Beatty Living Places

A Strategic Overview
29 January 2018

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A Strategic Overview

- **Creating the Environment for Change**
- **Defects - Enabling a Risk Based Approach**
- **Community – Locality Working**
- **Continuous Improvement in Value for Money**

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Creating the Environment for Change

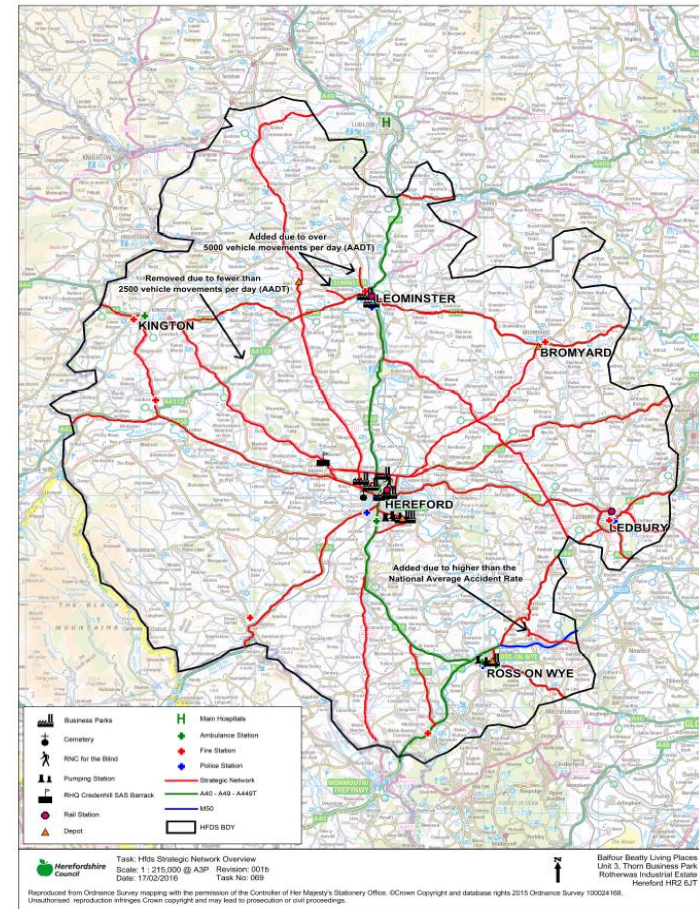
Creating the environment for change

Our Asset Management Strategy is set out in the LTP. The network is comprised of 3 parts

Vision for Herefordshire:

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

- Strategic Network (including the Resilience Network)
- General Network
- Low Priority Network



Creating the environment for change

The Asset Management Strategy is also set out in the Local Transport Plan

The Highway Asset Management Strategy for Herefordshire's Roads

1. Major Investment
2. Sustained Investment
3. Reduce the need for reactive 'temporary' pothole repairs
4. Shift our routine resources further towards preventative activities
5. Provide the support that enables routine maintenance work to be delivered locally



Sustaining Investment – Challenge Fund

Sustaining Investment Through Successful Bids to Government

Returning three strategically important routes to good condition throughout

- £8M Investment (£5M DfT, £3M Council)
- Supports economic growth in the county by investing in the 3 strategic A roads (A4103, A465 & A438) leading to Herefordshire's Enterprise Zone
- 25 miles of resurfacing 12 miles of surface dressing - improved road condition and improved safety
- Delivering quality treatments maximises improvement in road condition reducing future costs and disruption for all

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Herefordshire Council

Hereford is changing...

There's a lot of work on Herefordshire's roads that can make it tricky and frustrating to get around. But there is light at the end of the tunnel. The City Link Road will open at the end of the year, which will make driving around Hereford quicker and easier and funding from Government has meant we can resurface some of the busiest roads across the county. This is the biggest investment we've been able to make for over twenty years. Cycle, walk or take the bus if possible if you're travelling around the city and allow a little extra time to get around Herefordshire. You can check where the latest works are that might affect your journey on the council's website and social media feeds. We'll be off the city centre roads in December in time for the Christmas shopping period.

Road works timeline October-November

Roads open at weekend unless indicated otherwise

A4103 Worcester road

- 9 - 27 October A4103 Fromes Hill Closure: 8am-6pm with diversions
- 31 October - 3 November A4103 Lower Eggleton to Upper Eggleton Traffic convey in place: 9am-5pm

A438 Brecon road

- 25 - 30 October A438 near the Rhydspence Inn Closure: 8.45am-5pm
- 31 October - 3 November A438 near Stowe Farm Closure: 8.45am-5pm
- 6 - 9 November A438 Winforton towards Stowe Farm Closure: 8.45am-5pm
- 9 - 15 November A438 Winforton Village Closure: 8.45am-5pm
- 16 & 17 November A438 Bridge Sollars Closure: 8.45am-5pm
- 14 - 17 November A438 Huntington Lane to A480 Junction (Credenhill Road) Traffic convey in place: 6pm-1am

A465 Abergavenny road

- 24 - 27 October near Cobham Common track junction Closure: 8am-6am
- 30 October - 1 November A465 Willax Bridge Traffic convey in place: 8am-6pm
- 2 - 13 November A465 Tesco Roundabout (Belmont) to Clehonger Traffic convey in place: 9am-4.45pm

A49

- 22-27 October A49 Edgar Street (Prior Street junction) to The Courtyard Night time closure: 6pm-6am with a diversion in place
- Until 30 November A49 Newtown roundabout Southbound lane closure for lane widening with a diversion in place (including weekends)
- 23 October - 11 November A49 Starting Gate to Priory Place Highways England closure: 8am-6am for street lightings and white lining works

For all county road works, visit: herefordshire.gov.uk/roads

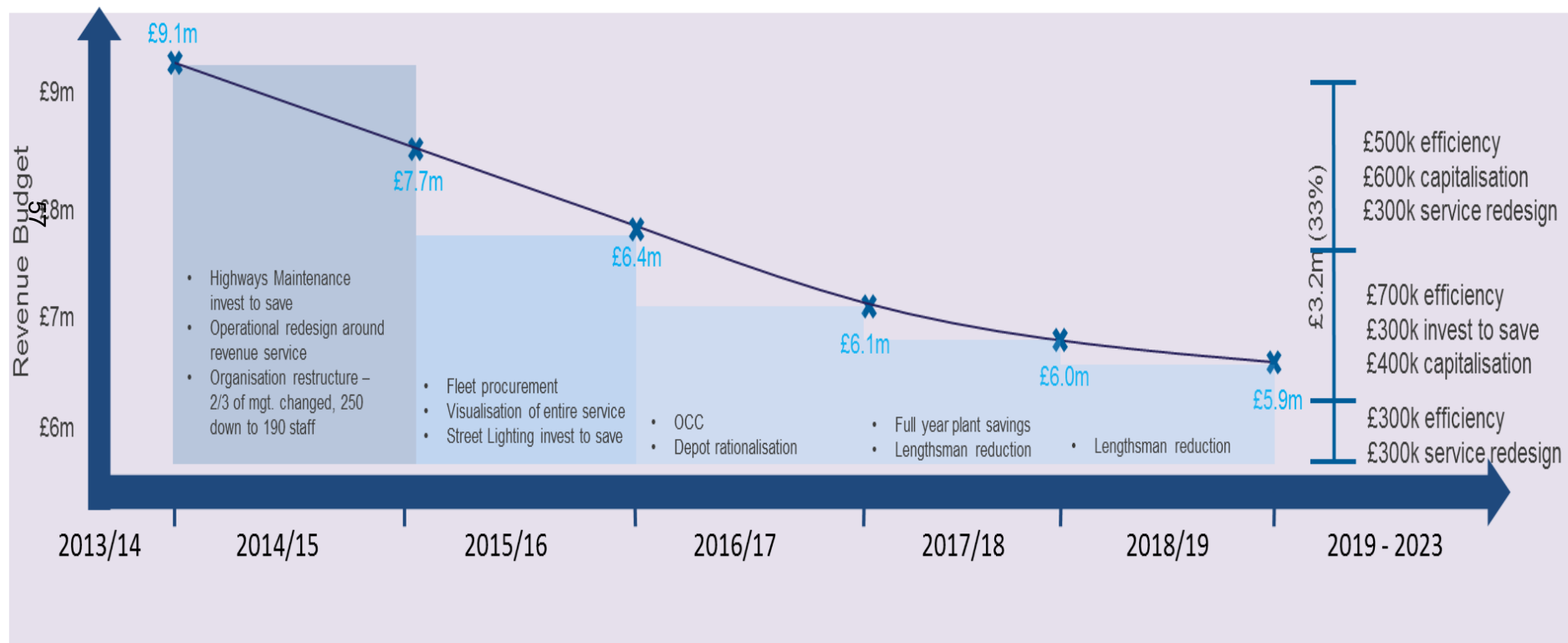
hfdscouncil

BUSINESSES OPEN AS USUAL

A Journey to Efficiency

A Change Journey Focused on Efficient Delivery and Cost Reduction

The first three years of the contract term have been focused on developing an efficient service and delivering a significant capital injection to the asset

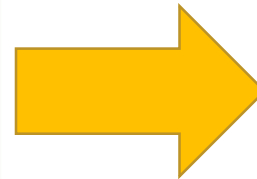


Enabling a Risk Based Approach to Defects

Enabling a Risk Based Approach to Defects

High Level Principles for the Risk Based Approach to Safety Inspections and Defect Response times. So LHAs can develop their highway safety inspection policies and practices with a view to ensuring that highway users experience an appropriately consistent approach to highway safety inspection and maintenance.

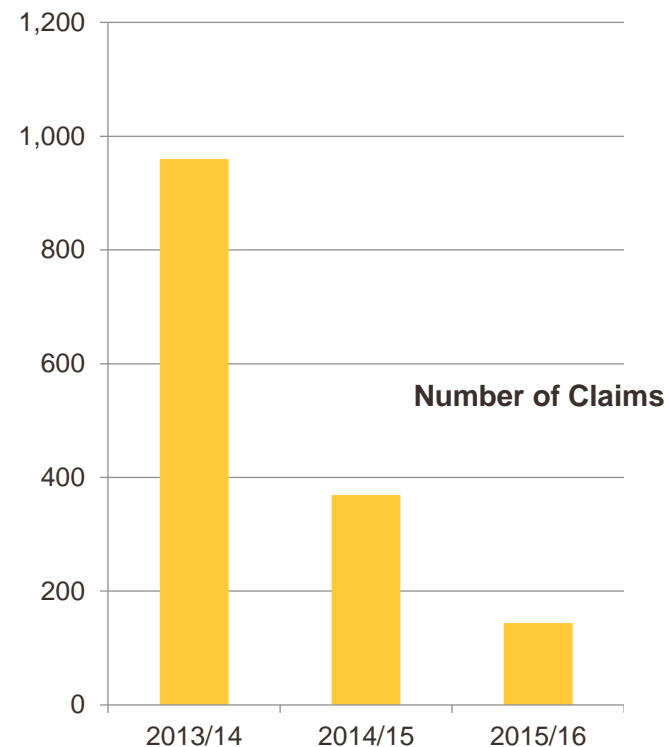
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Defects – Consequence of Change

Consequence

- Transition to a preventative maintenance strategy
- Should see fewer potholes develop into an issue for highway users
- Move to a first fix preventative
- Sound defence against highway claims



Community – Locality Working

Community – Working directly with the community

Understanding the Needs of the Community, Enabling Local Delivery

2 Community development & stakeholder management

Providing high quality customer and stakeholder interaction through open and honest communication and by working with communities enabling them to take responsibility for local issues

Balfour Beatty **Herefordshire Council**

SAFETY INSTRUCTIONS
Delivery of regular safety messages of the network and responding to customer enquiries

CUSTOMER SERVICES
Proactive handling of all enquiries and requests for service from public

COMMUNICATION
Provision of clear information through weekly locality steward briefs, the Herefordshire Council website, newsletters, newsletters and political responses to requests

ENGAGED COMMUNITIES
Support and empower local communities to contribute to construction work

VOLUNTEERING SUPPORT
Support to organisations and community with projects and engage community through volunteering

LEADERSHIP/ FEEDBACK
Co-ordination of all engagement opportunities and working for local SME, education providers and disadvantaged groups training opportunities

SKILLS OPPORTUNITIES
Providing range of opportunities both in and out of work, apprenticeships and training for local SME, education providers and disadvantaged groups training opportunities

Balfour Beatty Living Places

BBLP COMMUNITY STRATEGY AT A GLANCE

Team of **13 LOCALITY STEWARD AREAS** responsible for supporting the network and local engagement

$\{ \text{Phone} + \text{SMS} \} \times 10,000 =$ The number of requests for service

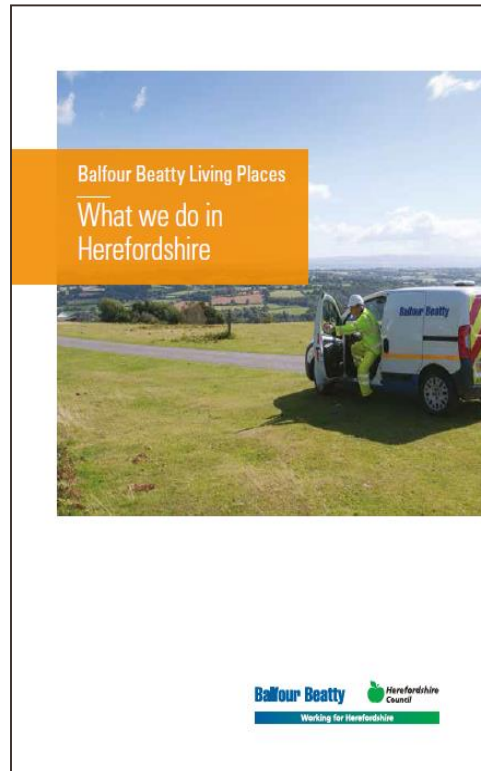
Monthly Quarterly Annually

The frequency of highly responsive responses to local issue, feedback and requests

12,000+ High quality customer service interactions

100+ Local community sites to projects

Balfour Beatty **Herefordshire Council**
Working for Herefordshire



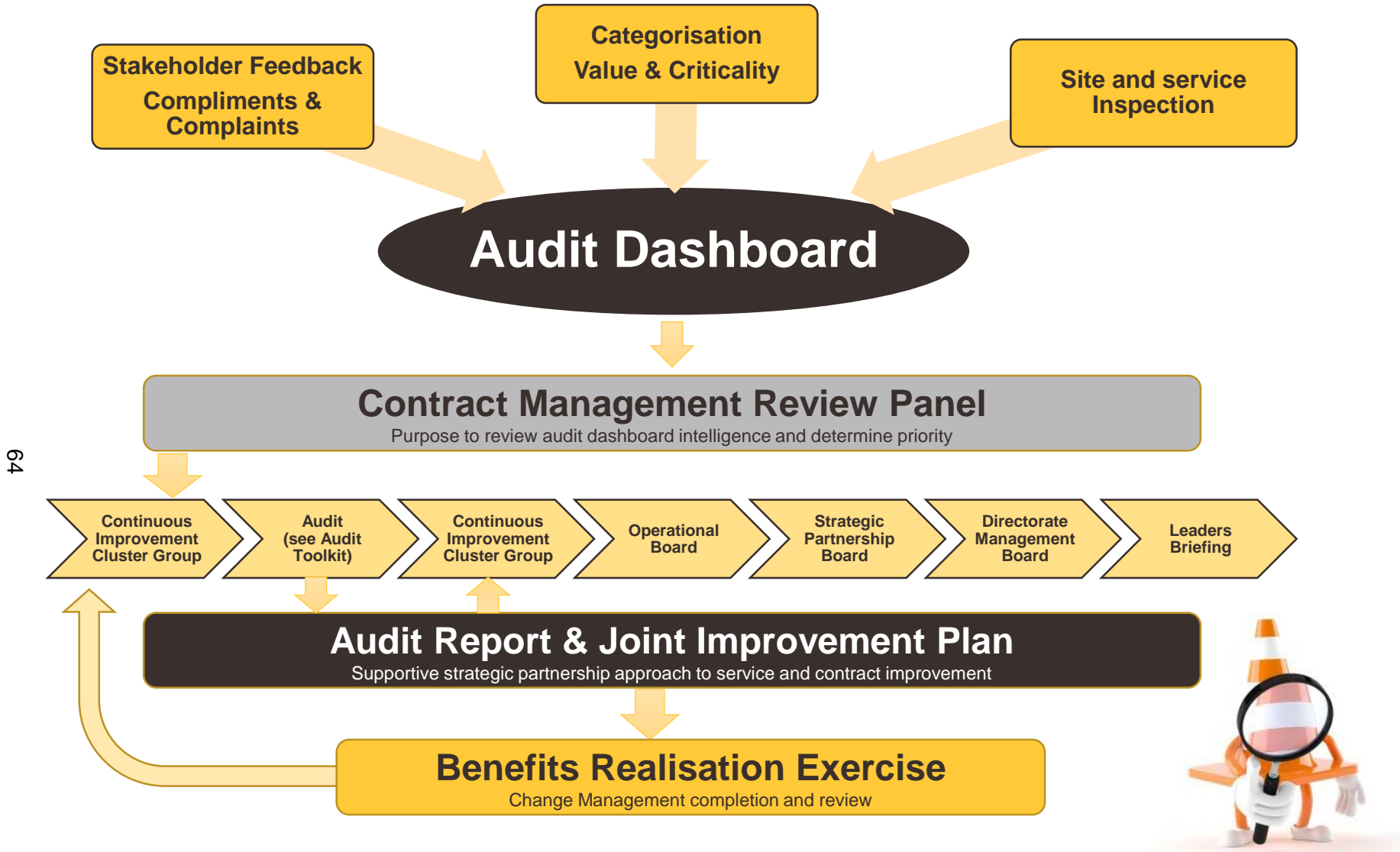
TRAFFIC REGULATION ORDERS APPLICATION TOOLKIT
HEREFORDSHIRE TRAFFIC MANAGEMENT

1 Introduction
2 Do for Highway & Road
3 Loading After use
4 Shared Use Zones
5 Transport & Safety
6 Health & Safety
7 Pedestrian Control

Herefordshire Council

63 Continuous Improvement in Value for Money

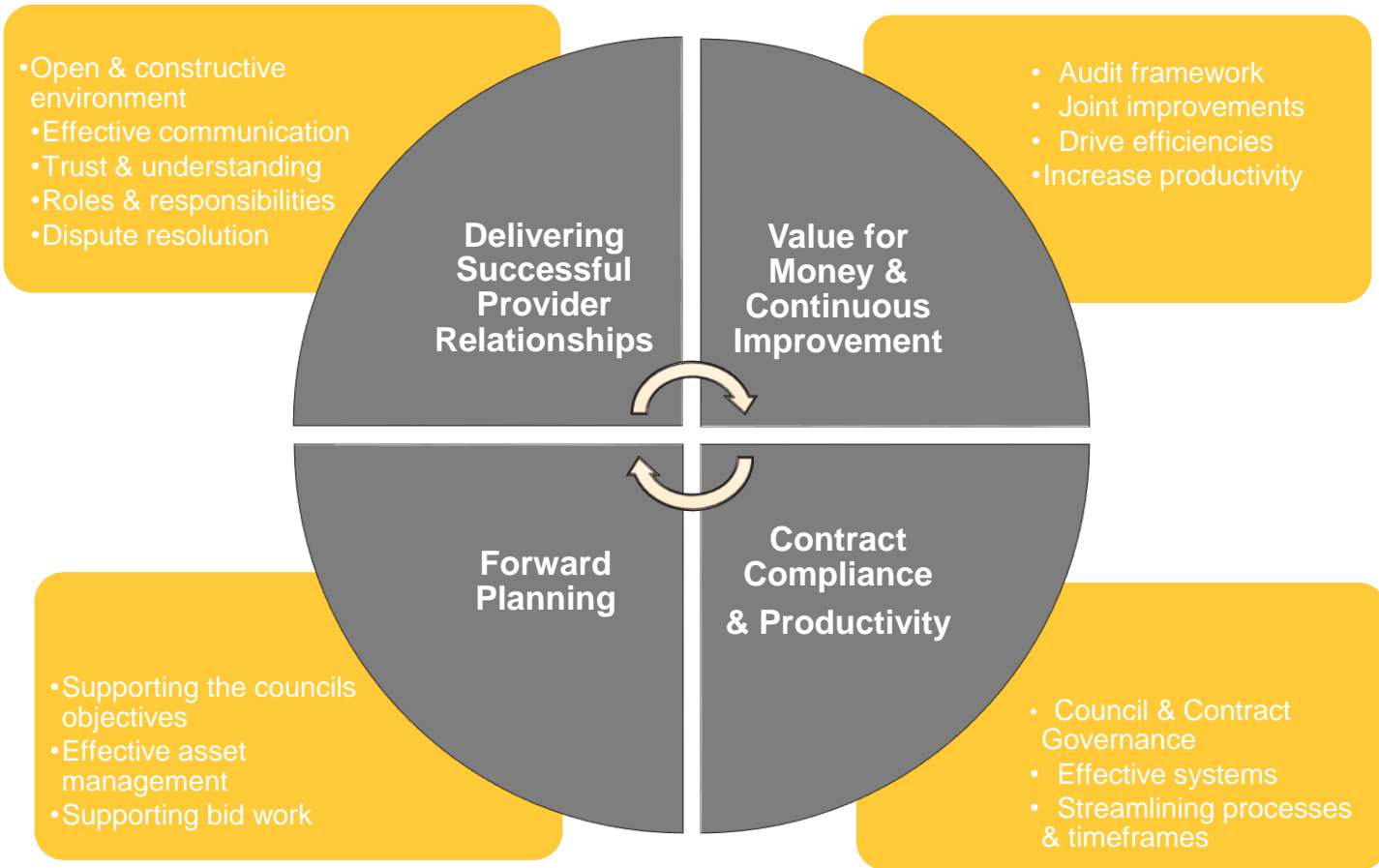
Continuous Improvement in Value for Money



Contract Term

How Potential Extension Incentivises Performance

Contract Management Objectives



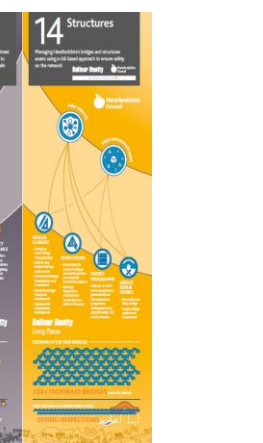
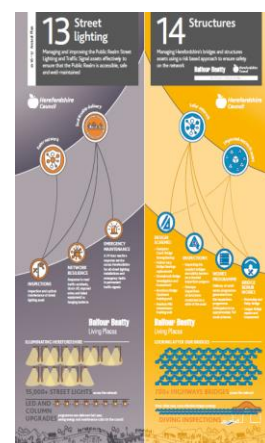
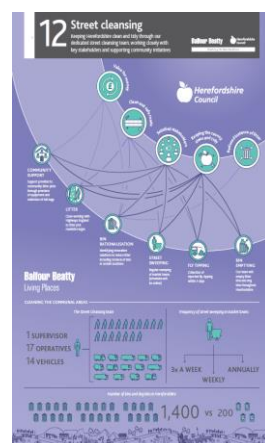
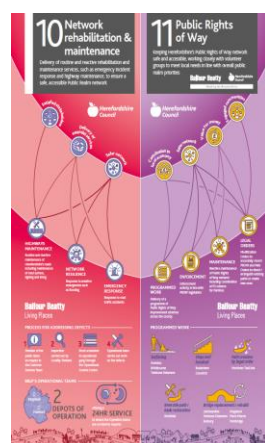
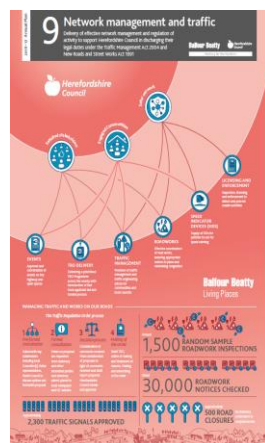
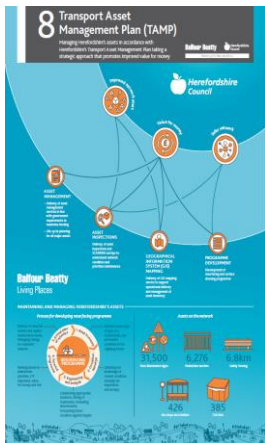
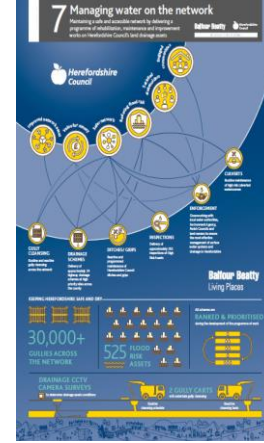
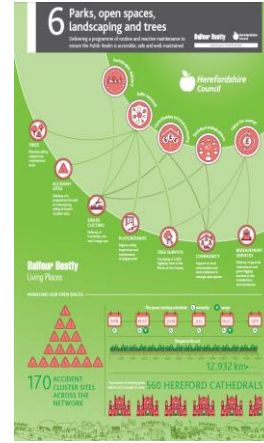
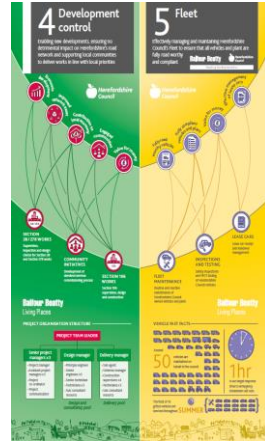
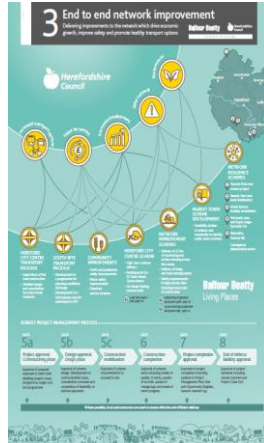
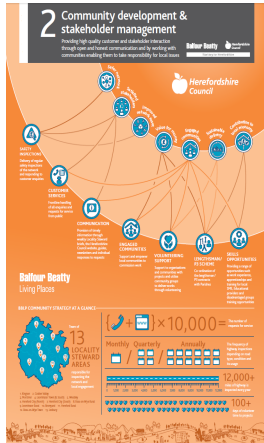
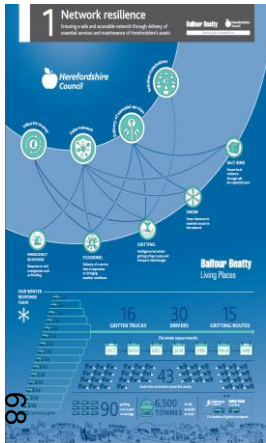
Herefordshire Council General Scrutiny Committee
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The Annual Plan
29 January 2018

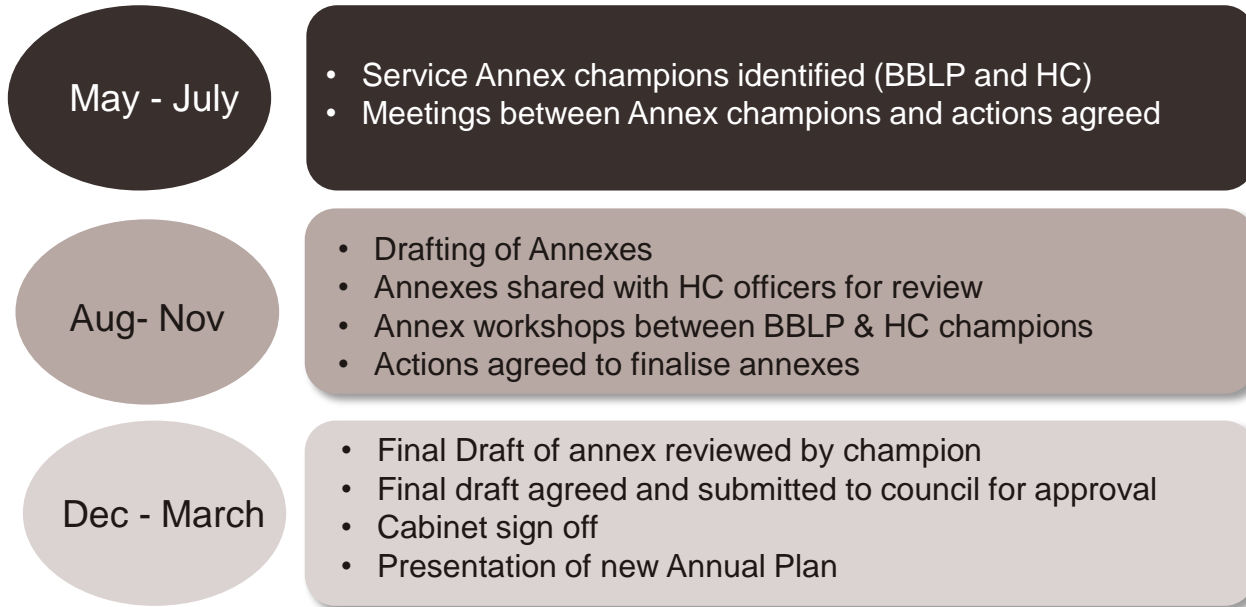
The Annual Plan 2018/19

Maintaining and Investing in the Public Realm



Developing the Plan 2018/19

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Meeting:	General scrutiny committee
Meeting date:	29 January 2018
Title of report:	Work programme
Report by:	Governance services

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose and summary

To review the committee's work programme.

Recommendation(s)

THAT:

- (a) the draft work programme as set out at appendix 1 to the report be approved, subject to any amendments the committee wishes to make;
- (b) the committee determines any other matter in relation to the appointment of task and finish groups their chairmanship and any special responsibility allowance or the undertaking of a spotlight review; and
- (c) the committee decides whether there is any matter for which it wishes to exercise its powers of co-option.

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

Draft work programme

- 3 The work programme needs to focus on the key issues of concern and be manageable allowing for urgent items or matters that have been called-in.
- 4 Should committee members become aware of any issue they think should be considered by the Committee they are invited to discuss the matter with the Chairman and the statutory scrutiny officer.
- 5 In November the Committee accepted Cabinet's request that if the application for the authority to be a business rate pool pilot for 2018/19 was accepted, the committee would consider the implications for Herefordshire. However, it has now been confirmed that Herefordshire will not be a business rate pilot in 2018/19.
- 6 The current draft work programme is attached at appendix 1.

Constitutional Matters

Task and Finish Groups

- 7 A scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances.
- 8 The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairman, timeframe, desired outcomes and what will not be included in the work. A task and finish group will be composed of a least 2 members of the committee, other councillors (nominees to be sought from group leaders) and may include, as appropriate, co-opted people with specialist knowledge or expertise to support the task. In appointing a chairman of a task and finish group the committee will also determine, having regard to the advice of the council's monitoring officer and statutory scrutiny officer, whether the scope of the activity is such as to attract a special responsibility allowance.

- 9 The Committee is asked to determine any matters relating to the appointment of a task and finish group and the chairmanship and any special responsibility allowance or undertaking a spotlight review including co-option (see below).

Co-option

- 10 A scrutiny committee may co-opt a maximum of two non-voting people as and when required, for example for a particular meeting or to join a task and finish group. Any such co-optees will be agreed by the committee having reference to the agreed workplan and/or task and finish group membership.
- 11 The Committee is asked to consider whether it wishes to exercise this power in respect of any matters in the work programme.

Tracking of recommendations made by the committee

- 13 A schedule of recommendations made in 2017/18 and action in response to date is attached at appendix 2.

Forward plan

- 14 The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. The current Forward plan is available to Members through the Councillors' handbook intranet site. Forthcoming key decisions are also available to the public under the forthcoming decisions link on the council's website:

<http://councillors.herefordshire.gov.uk/mqDelegatedDecisions.aspx?RP=0&K=0&DM=0&HD=0&DS=1&Next=true&H=1&META=mgforthcomingdecisions&V=1>

Community impact

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

Equality duty

- 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 Statutory scrutiny officer meet on a regular basis to review the work programme.

Appendices

Appendix 1 – Draft work programme

Appendix 2 – schedule of general overview and scrutiny recommendations made and action in response 2017/18.

Background papers

- None identified.

General Scrutiny Work Programme 2017/18

Meeting/items	Purpose	Comment	Notes
29 January 2018 (tbc) Balfour Beatty Living Places (BBLP) Contract	To consider performance against BBLP's annual plan.		General look at performance against BBLP's annual plan and the plan proposed for next year to ensure that the plan satisfactorily addresses any performance issues. Decide in light of that whether further work required.
January/February 2018			
New university / Economic themed meeting			Proposed spotlight review involving key stakeholders in late November/early December of public realm improvements needed to accommodate numbers of students (cycleways/public transport/ leisure facilities)/ measures to avoid any adverse impact on current residents.
February/March 2018			
Edgar Street Stadium, Hereford			14 November 2016 Committee requested further report setting out the long term proposals for the Edgar Street stadium following an appraisal by the football club, council and potential development partners of the options.
TBC			
Community Safety Partnership	Annual review.		Consider scrutiny approach in light of outcome of meeting in January 2017.

	Waste Contract review (t&f) in preparation for end of current contract in 2023.		
Themed meeting on infrastructure/economic development,	Annual Review of Economic master plan. Consider Development Partnership outline work programme Marches Draft Strategic Economic		
9 April (am)			
OTHER ISSUES/PROPOSALS			
Consideration given to review period of minerals and waste local plan and synchronising with Core Strategy.			
Hoople			
Performance indicator - killed and seriously injured on roads (will involve partner agencies)			Possible task and finish topic.
One off spotlight: All aspects of enforcement (parking/planning/environmental health)			
(GSC 11 September 2017) It was requested that further consideration be given to the inclusion of the delivery of			

housing growth targets in the work programme.			
Review of the introduction of on-street parking in Hereford City to assess amongst other things whether the economic benefits were outweighing the costs. (see 13/11/17)			
construction and facilities management (see 13/11/17)			
Unallocated cross-cutting review suggestions Support for voluntary sector Young Carers			
Budget and policy Framework Minerals and waste local plan			

Briefing notes requested	Comment
Approach to appeals against planning decisions – whether the council should seek costs more regularly?	Briefing note to establish current approach. Review need for further consideration in light of advice received.

Schedule of General Overview and Scrutiny Committee recommendations made and action in response (May 2017 on)

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Meeting	item	Recommendations	Action	Status
9 May 2017		<p>RESOLVED:</p> <p>That (a) it be requested that In future reports performance data is also provided in a manner which allows the attainment of cohorts of pupils to be seen and understood;</p> <p>(b) briefing notes be provided:</p> <ul style="list-style-type: none"> • to confirm that the pupil premium is being used effectively; • on how the council provides support to the governance 		To update

		<p>process in schools and the process by which this is delivered outlining any difference in approach in the support provided to maintained schools and academies.</p> <ul style="list-style-type: none"> • on the current school funding position and the introduction of the national funding formula. <p>(c) the executive be requested that schools be reminded of the need to publicise information on how they are using the pupil premium</p> <p>(d) it be requested that quantative</p>		
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		<p>analysis be provided in reports of the extent to which education provision is highly valued by children and young people, parents and carers, the community and employers indicating where areas of education provision are valued and where they are not valued.</p> <p>(e) a spotlight review of the trend in performance of sponsored academies be proposed for consideration in the work programme session in June.</p>		
11 July 2017	Sustainable modes of travel to school	<p>That (a) the strategy should clearly link targets to the strategy's aims and objectives</p>	Table of actions to be amended to show what objectives each action will deliver. The table setting out targets will be updated to show the link to objectives. (Page 16)	To update

	strategy	and ensure that it showed how actions can deliver on those objectives;	Added to final doc- no further update	
		(b) the wording in relation to the vacant seat payment scheme should be modified	The wording has been amended in the strategy. (Page 10) Added to final doc- no further update	
		(c) the strategy should contain a clear timetable for review of the strategy;	Timetable for review has been added. (Page 21) Added to final doc- no further update	
		(d) the executive should again be asked to request schools to update their school travel plans making clear to them the potential benefits to schools of doing so and drawing on the support of councillors who are school governors to encourage this work to take place;	We are requesting that the councillors make request to schools within their constituencies to update school travel and support the SMOTS process. (Included in Action Plan at page 19) This will need to be added to a councillor newsletter- this will form an outcome of the cross-directorate meeting	
		(e) officers be requested to liaise	We have established an internal cross- department working group to assist in the delivery of a number of actions including	

		with public health colleagues to assist in the development of effective targets;	the identification of health targets (Included in the Action Plan at page 19) Inaugural meeting due to take place on 2nd November 2017	
		(f) the executive be asked to ensure that relevant council held data is actively shared with schools to prompt them to share their own data for the SMOTS;	We are happy to share data with relevant schools, as long as it complies with data protection rules. No update- no request for data has been made by a school	
		g) the executive be requested to explore means of data collection for the SMOTS, to seek to secure more robust data to inform policy and assist in prioritising actions, with regard also being had to NHS data;	We shall use School census mode share from 2011 and will discuss ongoing data collection at cross- directorate working group. (Page 10) Added to final doc- no further update	
		(h) accident information in the strategy and methods of data collection should be clarified;	Accident information has been clarified within the strategy document. (Page 13) Added to final doc- no further update	

		<p>(i) the executive be requested to seek support from local MPs to assist in resolving transport issues and that their attention should be drawn to the value that Plasc surveys had previously been in assessing needs;</p>	<p>A letter has been drafted from Cabinet Member for Transport and Roads and from the Cabinet Member for Young People and Children's Wellbeing.</p> <p>A reply was received from Bill Wiggan MP that the issue will be raised with the minister- we await further outcome).</p>	
		<p>(J) the executive is requested to ensure that the SMOTS makes clear the evidence used to inform the strategy, the efforts made to secure evidence and any deficiencies in collecting evidence;</p>	<p>Amended within the strategy. (page 10)</p> <p>Added to final doc- no further update</p>	
		<p>(k) the executive be requested to ensure that the capacity and performance measures in the Sustrans contract are aligned to the</p>	<p>We will review the Sustrans contract to ensure the contract goals will be compatible with the SMOTS. (Included in the Action Plan at page 19)</p> <p>Sustrans are a key partner in the delivery of the SMOTS and will continue engagement to ensure our outcomes and targets are matched</p>	

		strategy;		
		(l) the executive is requested to ensure that an implementation plan translating strategy into action was developed to accompany the strategy;	A implementation plan will be developed for delivery to a pilot school. (Page 19) Plan to be developed and a school/locality to be chosen	
		(m) the Sustrans contract was part way through its duration yet the strategy had not been published. The relationship of that work to the strategy needed to be considered to ensure that that work contributed to the delivery of the strategy; and	The Sustrans delivery project was taken into account when developing the SMOTS. No further update	
		(n) the Statutory Scrutiny Officer be informed of the annual review of the action plan and following consultation with the Chairman and Vice-Chairman	We will forward update reports on an annual basis to the scrutiny officer for distribution to GSC. Report to be drafted for July 2018	

		consider whether there are any material matter requiring consideration by the Committee.		
	Herefordshire local flood risk management strategy	<p>That</p> <ul style="list-style-type: none"> (a) the strategy should recognise the importance of clear and effective communication of responsibilities in respect of all relevant parties; (b) the executive be advised of the importance of preparing a joined up implementation plan; (c) careful consideration be given to how land use and management affect flood risk, ways of educating people on this point and developing mitigating measures; (d) a public facing 	Considered by cabinet 28/9/17.	To update

		<p>document be produced setting out what to do in the event of flooding and relevant legal remedies for those affected;</p> <p>(e) BBLP be requested to seek information from lengthsman and local councillors on local conditions and identified flood risks as a matter of course; and</p> <p>(f) the Statutory Scrutiny Officer be informed of the annual review of the action plan and following consultation with the Chairman and Vice-Chairman consider whether there are any material matters requiring consideration by the Committee.</p>		
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21 August 2017	West Mercia Police and Crime Consultation on Fire Governance	RESOLVED: That a draft submission to cabinet be circulated to members of the committee for comment and the statutory scrutiny officer authorised to finalise the submission on the committee's behalf following consultation with the chairman and vice-chairman of the committee.	Response submitted	
11 September 2017	Travellers' Sites Development Plan Document	RESOLVED: That (a) the executive be recommended to consider whether an additional temporary stopping place should be identified; (b) co-operative working with neighbouring authorities should	(a) The occurrences of unauthorised encampments across the county will continue to be monitored and this information will feed into future reviews of the GTAA and be a relevant factor in consideration of the need to review the DPD. The effectiveness of providing the temporary stopping place at Leominster will also be monitored. (b) Agreed, local planning authorities are required to cooperate with neighbouring authorities, engage constructively, actively and on an ongoing basis with regard to relevant strategic matters under the Localism Act. (c) it would be beneficial to expand on the text in paragraph	

		<p>be pursued;</p> <p>(c) clarity be provided on how the TSP would operate in practice, including protocols for the allocation of places on the site including the management of different families, so that there is a clear public understanding;</p> <p>(d) consideration be given to specifying when a review of the policy should be conducted;</p> <p>(e) dialogue continue with the Showmans' Guild to identify an appropriate site to meet their needs;</p> <p>(f) the scope to acquire land for sites by Compulsory purchase order to</p>	<p>4.20 – 4.25</p> <p>to clarify the purpose and characteristics of this type of site. This will now refer to a management policy that will explain how the temporary stopping place will be managed by the Licensing, Traveller and Technical Support team. A management policy for the site will be produced in consultation with the Police to ensure that a fair, transparent and accountable method of allocating pitches on the temporary stopping place is set out. The lengths of stay for each encampment will be negotiated on a case by case basis but will not exceed 14 days.</p> <p>(d) Response – Agreed, it is recommended to strengthen section 7 to refer to a five yearly review of the accommodation requirements of travellers. It is also recommended to include reference to the monitoring of the effectiveness of the policies through the Annual Monitoring Report using the following indicator:</p> <ul style="list-style-type: none"> • The amount of new traveller pitch commitments and completions. <p>Finally it is recommended that the records of both unauthorised encampments and turnover of site kept by the council are reviewed to help monitor the effectiveness of the policies.</p> <p>(e) Response – Agreed, officers will continue to engage with the Showmans Guild in order to help identify and bring forward sites to meet the identified requirement.</p>	
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		<p>increase the options and select sites in the most suitable locations be explored;</p> <p>(g) site allocation policy on residential sites should be clear;</p> <p>(h) officers be requested to ensure that existing sites are appropriately managed and maintained and that appropriate resources are in place for both capital improvements and maintenance.</p>	<p>The progression of the draft plan to adoption will not prevent such a site being brought forward during the plan's lifetime.</p> <p>(f) Response - Legal advice has been sought on the suitability of this process in relation to this matter. CPO could be used in the context of gypsy and traveller sites and there are several acts which enable public bodies to compulsory purchase land for a particular purpose but they would have to justify and demonstrate that the required criteria have been fulfilled. Before a CPO can be implemented, the acquiring authority will have to justify it to the Secretary of State and must be able to demonstrate (in respect of the CPO):</p> <ul style="list-style-type: none"> o that it is authorised by statute to purchase land compulsorily for a particular purpose and the CPO is necessary to achieve this purpose; o there is a compelling case in the public interest that sufficiently justifies interfering with the rights of those with an interest in the land affected; o the provisions of Article 1 (protection of property) of the First Protocol to the European Convention on Human Rights 1950 (and if a dwelling), Article 8 (protection of a person's home), should be taken into account <p>Therefore at this stage it is not recommended that the CPO process be pursued to identify land whilst there are options available to meet the requirement in the</p>	
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			<p>GTAA.</p> <p>(g) Response - Site allocation policy is not a matter for the DPD. There is an existing Gypsy and Traveller Site Allocation and Management Policy for Herefordshire 2015 which covers the existing residential sites managed by the council. However to aid a comprehensive picture to be provided, a document explaining the management and pitch allocation policy relating to the management of the Temporary stopping place will also be produced to accompany the DPD though the publication and examination processes.</p> <p>(h) Response – the management of the sites and allocation of resources are not matters for the DPD. Revenue and capital requirements for existing or planned sites in the council's ownership will be considered and prioritised through the council's normal budget planning process, and sites will be managed in accordance with the relevant policies</p>	
11 September 2017	Youth Justice Plan 2017-2018	RESOLVED: That (a) the Youth Justice	To update.	

		<p>Plan (at appendix A to the report) be endorsed and submitted to Cabinet for recommendation to full Council for approval;</p> <p>(b) the Cabinet Member (young people and children's wellbeing) be asked:</p> <p>(i) to request the West Mercia Youth Justice Service Management Board to review the process for preparing the Youth Justice Plan in order to permit the scrutiny committee to comment on next year's plan at an earlier stage so that its comments can be taken into account in the plan's preparation;</p> <p>(ii) to request that an evaluation of</p>		
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		<p>informal disposals be included in next year's plan;</p> <p>(iii) to request that next year's plan be drafted so as to enable performance year on year to be compared;</p> <p>(iv) to request that mindful of the fact that the low numbers of offenders in Herefordshire can distort statistical comparison with other authorities information be presented within the Plan in a way that enables the circumstances of the Herefordshire cohort of offenders and performance of the service in addressing their needs to be assessed and compared year on year; and</p>		
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		<p>(c) a briefing note be requested setting out: how the statistics quoted at paragraph 2.4/2.6 of the draft plan compare in full with the 2016/17 plan; and also providing clarification on the operation of transition protocols and reassurance that there is a seamless and fully effective transition from youth to adult services.</p>		
13 November 2017	Construction and Facilities Management Services to Herefordshire Council	<p>RESOLVED:</p> <p>That (a) a further report/scoping statement be presented to the Committee to enable it to decide how it wishes to be involved in any further consideration of this matter and to</p>		

		<p>what timetable and to include a review of matters of concern identified during the debate; and</p> <p>(b) officers be requested to be mindful of the importance of communicating any contractual changes to those potentially affected by them.</p>		
13 November 2017	Task and Finish Group Report: Devolution	<p>RESOLVED: That (a) the findings of the task and finish group report: devolution be approved for submission to the executive with the addition of reference to exploring the possibility of forming connections with non-contiguous areas with shared values and</p>		

		<p>interests; and</p> <p>(b) the Committee be advised of the executive's response.</p>		
1 December 2017	Call-in of cabinet member decision in respect of charity shop waste disposal	<p>RESOLVED:</p> <p>(a) (i) there was inadequate evidence on which to base a decision and that not all relevant matters were fully taken into account; and</p> <p>(ii) the decision is disproportionate to the desired outcome; and</p> <p>(b) the decision be referred back to the Cabinet Member – contracts and assets and he be asked to reconsider it, reviewing: . the reputational implications for</p>	Cabinet Member decision scheduled for 1 February 2018	

		<p>the Council, the charity shop waste disposal policy as set out at appendix 4 to the report prior to the policy being implemented, such review to include the cost of administering the proposed policy and its enforcement; and actively considering partnership working to minimise waste tonnage from charity shops, and with the request that he consider an exemption for local county based charities that help to fulfil the council's corporate objectives.</p>		
13 December 2017	Setting the 2018/19 budget and updating the medium term	<p>RESOLVED: That (a) the budget papers should make more open and transparent use of</p>	Cabinet response 12 January 2018. http://councillors.herefordshire.gov.uk/mgAi.aspx?ID=48062#mgDocuments	

	financial strategy	<p>the public consultation responses in the commentary;</p> <p>(b) a clearer narrative be provided on how the 3% uplift in the precept for adult social care is proposed to be used;</p> <p>(c) as part of the review of the constitution it be recommended that all three scrutiny committees are able to review the budgets of their directorates, with all recommendations being fed in to the General Scrutiny Committee before submission to Cabinet;</p> <p>(d) that there be ongoing review of the deliverability of the looked after children budget, with reports provided every 2</p>		
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		<p>months to the Children and Young People Scrutiny Committee accompanied by a profile of how savings are projected throughout the year with this information also to be made available to Group Leaders for their performance challenge meetings;</p> <p>(e) a clear breakdown of how income from car parking is being spent on transport services is shown in the budget papers for council together with a breakdown of the ECC 12 directorate efficiency savings.</p>		
13 December 2017	Proposed 2018/19 capital bids and	RESOLVED: That it be recommended that the council makes funding available to enable the model farm	(Cabinet report 12 January 2018 para 27) A new line has been added to Appendix 1 for funding towards the development partnership activities with the detail of the activity to be provided as part of the approval to spend decision. In addition the	

	approval	development at Hildersley, Ross-on-Wye to proceed.	committee asked for clarity on the proposal scores and funding, additional tables have been included in paragraphs 8 and 13 to provide this detail.	
13 December 2017	Public Accountable body for NMiTE	<p>RESOLVED:</p> <p>That (a) Council be recommended to put in place a robust and appropriate governance framework to supervise the discharge of its responsibility as the accountable body itself, or delegate this role to a Committee/Sub-Committee providing sufficient detail on the mechanism by which this role is to be discharged is provided to any such body to enable it to fulfil its role;</p> <p>(b) the wording of paragraph 23 in the report to the Committee</p>	<p>Responses submitted to Cabinet on 14 December 2017</p> <p>http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=251&MId=6424&Ver=4</p>	

		<p>mirrored at paragraph 23 of the report to Cabinet on 14 December 2017 in relation to risk management be reviewed and amended as appropriate; and</p> <p>(c) subject to the above, Cabinet be advised that the Committee supports the proposal that the council acts as accountable body for public funding to support establishment of a new university in Hereford, provided assurances are given that no costs will be incurred by the Council.</p>		
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