

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

Meeting	item	Recommendations	Action	Status
9 May 2017		<p><b>RESOLVED:</b></p> <p><b>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;</b></p> <p><b>(b) briefing notes be provided:</b></p> <ul style="list-style-type: none"> <li><b>• to confirm that the pupil premium is being used effectively;</b></li> <li><b>• on how the council provides support to the governance</b></li> </ul>		To update

		<p><b>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.</b></p> <ul style="list-style-type: none"> <li><b>• on the current school funding position and the introduction of the national funding formula.</b></li> </ul> <p><b>(c) the executive be requested that schools be reminded of the need to publicise information on how they are using the pupil premium</b></p> <p><b>(d) it be requested that quantative</b></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><b>That (a) the strategy should clearly link targets to the strategy's aims and objectives</b></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	<b>and ensure that it showed how actions can deliver on those objectives;</b>	Added to final doc- no further update	
		<b>(b) the wording in relation to the vacant seat payment scheme should be modified</b>	The wording has been amended in the strategy. (Page 10) Added to final doc- no further update	
		<b>(c) the strategy should contain a clear timetable for review of the strategy;</b>	Timetable for review has been added. (Page 21) Added to final doc- no further update	
		<b>(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;</b>	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	
		<b>(e) officers be requested to liaise</b>	We have established an internal cross- department working group to assist in the delivery of a number of actions including	

		<b>with public health colleagues to assist in the development of effective targets;</b>	the identification of health targets (Included in the Action Plan at page 19) Inaugural meeting due to take place on 2nd November 2017	
		<b>(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;</b>	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	
		<b>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;</b>	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	
		<b>(h) accident information in the strategy and methods of data collection should be clarified;</b>	Accident information has been clarified within the strategy document. (Page 13) Added to final doc- no further update	

		<p><b>(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;</b></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><b>(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;</b></p>	<p>Amended within the strategy. (page 10)</p> <p>Added to final doc- no further update</p>	
		<p><b>(k) the executive be requested to ensure that the capacity and performance measures in the Sustrans contract are aligned to the</b></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>	

		<b>strategy;</b>		
		<b>(l) the executive is requested to ensure that an implementation plan translating strategy into action was developed to accompany the strategy;</b>	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	
		<b>(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</b>	The Sustrans delivery project was taken into account when developing the SMOTS.  No further update	
		<b>(n) the Statutory Scrutiny Officer be informed of the annual review of the action plan and following consultation with the Chairman and Vice-Chairman</b>	We will forward update reports on an annual basis to the scrutiny officer for distribution to GSC. Report to be drafted for July 2018	

		<p>consider whether there are any material matter requiring consideration by the Committee.</p>		
	<p>Herefordshire local flood risk management strategy</p>	<p><b>That</b></p> <ul style="list-style-type: none"> <li><b>(a) the strategy should recognise the importance of clear and effective communication of responsibilities in respect of all relevant parties;</b></li> <li><b>(b) the executive be advised of the importance of preparing a joined up implementation plan;</b></li> <li><b>(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;</b></li> <li><b>(d) a public facing</b></li> </ul>	<p>Considered by cabinet 28/9/17.</p>	<p>To update</p>



		<p><b>document be produced setting out what to do in the event of flooding and relevant legal remedies for those affected;</b></p> <p><b>(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</b></p> <p><b>(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.</b></p>		
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21 August 2017	West Mercia Police and Crime Consultation on Fire Governance	<b>RESOLVED:</b> 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	<b>RESOLVED:</b> <b>That</b> (a) <b>the executive be recommended to consider whether an additional temporary stopping place should be identified;</b>  (b) <b>co-operative working with neighbouring authorities should</b>	(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) <b>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;</b></p> <p>(d) <b>consideration be given to specifying when a review of the policy should be conducted;</b></p> <p>(e) <b>dialogue continue with the Showmans' Guild to identify an appropriate site to meet their needs;</b></p> <p>(f) <b>the scope to acquire land for sites by Compulsory purchase order to</b></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"> <li>• The amount of new traveller pitch commitments and completions.</li> </ul> <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><b>increase the options and select sites in the most suitable locations be explored;</b></p> <p><b>(g) site allocation policy on residential sites should be clear;</b></p> <p><b>(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.</b></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"> <li>o that it is authorised by statute to purchase land compulsorily for a particular purpose and the CPO is necessary to achieve this purpose;</li> <li>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;</li> <li>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</li> </ul> <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	<b>RESOLVED:</b> <b>That (a) the Youth Justice</b>	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><b>informal disposals be included in next year's plan;</b></p> <p><b>(iii) to request that next year's plan be drafted so as to enable performance year on year to be compared;</b></p> <p><b>(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</b></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><b>RESOLVED:</b></p> <p><b>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</b></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><b>RESOLVED:</b> 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><b>RESOLVED:</b></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><b>RESOLVED:</b> That (a) the budget papers should make more open and transparent use of</p>	<p>Cabinet response 12 January 2018.</p> <p><a href="http://councillors.herefordshire.gov.uk/mgAi.aspx?ID=48062#mgDocuments">http://councillors.herefordshire.gov.uk/mgAi.aspx?ID=48062#mgDocuments</a></p>	

	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	<b>RESOLVED:</b> 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	<b>development at Hildersley, Ross-on-Wye to proceed.</b>	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><b>RESOLVED:</b></p> <p><b>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></p> <p><b>(b) the wording of paragraph 23 in the report to the Committee</b></p>	<p>Responses submitted to Cabinet on 14 December 2017</p> <p><a href="http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=251&amp;MId=6424&amp;Ver=4">http://councillors.herefordshire.gov.uk/ieListDocuments.aspx?CId=251&amp;MId=6424&amp;Ver=4</a></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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