

MINUTES of the meeting of Overview and Scrutiny Committee held at The Council Chamber, Brockington, 35 Hafod Road, Hereford on Monday 17 October 2011 at 10.00 am

Present: Councillor H Bramer (Chairman)
Councillor A Seldon (Vice Chairman)

Councillors: AM Atkinson, WLS Bowen, MJK Cooper, PGH Cutter, EPJ Harvey, MAF Hubbard, RC Hunt, TM James, JLV Kenyon, JW Millar, R Preece, SJ Robertson, P Rone and PJ Watts

In attendance: Councillors AJ Hempton-Smith and MD Lloyd-Hayes

20. APOLOGIES FOR ABSENCE

Apologies were received from Miss E Lowenstein and Mr P Sell.

21. NAMED SUBSTITUTES

There were none.

22. DECLARATIONS OF INTEREST

Councillor H Bramer declared a prejudicial interest in agenda item 8: Accommodation Strategy because the business related to decisions by the Executive of which Councillor Bramer was a member at the time.

23. MINUTES

RESOLVED: That the Minutes of the meeting held on 30 September 2011 be confirmed as a correct record and signed by the Chairman, subject to Minute no 19 bullet point 4 line 2 being amended to read, *“gave too little notice to the Committee of Cabinet decisions, Cabinet Member decisions and Officer decisions and therefore did not offer the Committee the opportunity to consider how it might wish to be involved in scrutinising these decisions”*

24. SUGGESTIONS FROM MEMBERS OF THE PUBLIC ON ISSUES FOR FUTURE SCRUTINY

There were none.

25. BRIEFING ON COMMISSIONING ARRANGEMENTS WITH AMEY HEREFORDSHIRE

The Committee received a briefing on the commissioning arrangements between the Council and Amey Herefordshire.

The Assistant Director Place Based Commissioning introduced the report.

The Highway Network Manager (HNM) then commented on the detail of the report. He reported that the Cabinet Office in London had recognised the agreement with Amey as one

of the few examples where delivery of open public services was being achieved and had displayed the arrangements as best practice on their website.

In discussion the following principal points were made:

- A concern was expressed about the overhead it was understood Amey was entitled to add to some contracts. The HNM commented that a large amount of the work carried out by Amey was delivered in accordance with a schedule of rates agreed as part of the overarching contract with Amey. An overhead was applied by Amey where contracts were let for unscheduled works.
- Some Members remained concerned that the work being carried out by Amey did not represent value for money and this was the public perception. The HNM commented that account needed to be taken of the standard of work being delivered, the length of time the work would last, and the deployment of safe and environmentally sound working practices. The evidence suggested that the contract did represent overall value for money and mechanisms existed to encourage continuous improvement.
- It was requested that clarification be provided on the relationship between the Council, Amey and Amey Wye Valley Limited and the funding arrangements.
- Some Members expressed reservations about difficulties they had in communication with Amey, finding some of the procedures cumbersome. The HNM commented on steps that had been taken to facilitate communication between Councillors, Parish Councils and Amey. The Assistant Director agreed to give further consideration to improving communication channels.
- The amount of resource available to Amey to manage the highway network was raised, noting that some other Councils were borrowing to fund repairs. The Assistant Director acknowledged that there were constraints on the resources available.
- A Member commented that he considered Amey had demonstrated an ability to learn and there was evidence of efficient working practices. However, there were concerns about aspects of the contract. It was important that the Committee moved swiftly to identify key, strategic issues that it thought should be explored in detail, given the contract came to the end of its initial term at the end of August 2013 and a contract extension was under consideration.

RESOLVED: That a further report be made to the Committee on the contractual relationship between the Council, Amey and Amey Wye Valley Limited and the funding arrangements and on performance and compliance with the Amey contract.

26. YOUTH JUSTICE PLAN

The Committee considered the Youth Justice Plan prior to its consideration by Cabinet and recommendation to Council.

The Director for People's Services introduced the report and the Head of 11-19 Integrated Services commented on the detail.

The Head of Service highlighted that the Service was a high performing service. An inspection by Her Majesty's Inspectorate of Probation in January 2011 had been positive. Planned activity for 2011/12 was set out in the report. He commented on discussions about the possibility of putting the Service onto a Sub-Regional footing

based on the West Mercia area. This would make the Service co-terminous with the Probation Service and the Police Service and improve value for money.

In discussion the following principal points were made:

- That the Youth Offending Service (YOS) was responsible for offenders from age 10-17 at which point offenders became the responsibility of the Probation Service. There was a concern that the link between the YOS and the Probation Service needed to be strengthened to ensure that there was an awareness of those who were reoffending after age 17.
- It was acknowledged that there was no formal measure of reoffending after age 17. The potential creation of a service for West Mercia provided an opportunity to improve links.
- The implications of the review of the Youth Service were discussed. The Director commented that early intervention work had led to a reduction in the number of first time offenders but there was more to be done. The Youth Service Review was examining the use of resources which would include early intervention work.

RESOLVED: That Cabinet be advised that the link between the Youth Offending Service and the Probation Service needed to be strengthened to ensure that there was shared data about those who were reoffending after age 17; and that links to the review of the Youth Service needed to be borne in mind in relation to preventative work.

27. ACCOMMODATION STRATEGY

(Councillor H Bramer declared a prejudicial interest and left the meeting.)

(Councillor A Seldon (Vice-Chairman) in the Chair)

The Committee received a presentation on the Council's accommodation programme.

A report to Cabinet on 20 October: Locality Asset Review and Accommodation Programme had been circulated to the Committee. This included Locality Master plans for the 9 localities that had been identified within the County.

The Chief Officer – Finance and Commercial and the Strategic Asset Manager gave a presentation. The first part discussed the locality asset reviews, the intended outcomes and how pen portraits for each locality had been developed using a common template. The second part focused on the background to the development of the Plough Lane site and the current, revised proposals for the site.

In discussion the following principal points were made:

- It was asked whether there was a back up plan in place for the development of the Masters House, Ledbury, should the application for lottery funding be unsuccessful. The Strategic Asset Manager replied that in that event the options would be to scale down the project or ask Council to consider alternative sources of funding.

It was suggested that it would be detrimental to the Council's reputation if a scaled down project were to result in part of the building being refurbished to deliver Council Services with the community aspirations for the building being left unfulfilled.

That the Locality Master Plan for Ledbury set out in the report to Cabinet was not sufficiently comprehensive.

- The Strategic Asset Manager advised that he did not have information on the number of projects in the accommodation programme as a whole that were dependent on lottery funding.
- A Member cited the way in which the Tudorville Community Centre in Ross-on-Wye had been developed as an excellent example of the community working to develop a community asset.
- The Strategic Asset Manager confirmed that the Council's smallholdings estate was outside the scope of the current accommodation programme work.
- Some Members questioned why the report to Cabinet on 20 October was not classed as a key decision and had not been included on the Council's Forward Plan, given that in their view it proposed a significant change to the Council's accommodation strategy. The Chief Officer commented that Cabinet had previously taken a key decision on the matter authorising the Chief Executive to take further action. Some Members expressed concern that once a key decision had been taken at some point on a particular issue it appeared that a number of decisions flowing from that decision were not being viewed as key decisions. The Deputy Chief Executive commented that the Monitoring Officer would be presenting a report to Group Leaders on the issue of key decisions in view of recent comment from Members.
- Some Members questioned the suitability of the Plough Lane site as the main accommodation for Herefordshire Public Services back office staff. The purchase price for the building and other land (£4.3m) and whether it represented value or money and the resultant annual rental saving (£264k) were also discussed.
- It was suggested that the proposed desk ratio at Plough Lane of 6 desks to 10 staff was tight. It was also observed that the flexible working the proposals envisaged posed a number of challenges for management and staff and were dependent on excellent Broadband provision within the County.
- The Chief Officer: Finance and Commercial confirmed that some work had been undertaken on the Plough Lane site in connection with the original plan to develop a new road and car park and undertook to circulate a briefing note including costs.
- Paragraph 38 of the Cabinet report stated that the Plough Lane refurbishment scheme demonstrated a clear positive Net Present Value of £540k over a 25 year period. It was suggested that this represented a very small saving. The margins for error appeared extremely small and should be considered a risk and identified as such on the Council's risk register given the way in which costs of such building schemes could be volatile and often exceed estimates. The Chief Officer: Finance and Commercial commented that the financial projection was based on very conservative estimates made by consultants EC Harris Ltd, based on the industry standard model, but he would be reviewing the estimate as part of the next stage of the project.
- The locality master plans contained the phrase, "Parish and Town Councils are also likely to have more responsibility for the delivery of services needed by local communities". An explanation of the implications of this phrase was sought and it was asked to what extent Town and Parish Councils were aware of this thinking.

- The Strategic Asset Manager reported that Herefordshire Association of Local Councils (HALC) had been fully involved in discussions about the locality plans and had agreed the wording of the relevant sentence. Where Parish Plans were in place these had been taken into account in the locality plans.

It was highlighted that it needed to be borne in mind that not all Parish Councils were members of HALC.

- The report to Cabinet referred to the relocation of The Shared Services Partnership (TSSP) staff out of Plough Lane. It was asked how this proposal fitted with the stated benefits of co-location, what budget the TSSP had for accommodation and any financial implications for the Council.

The Chief Officer: Finance and Commercial commented that any accommodation solution for TSSP would have to be cost neutral.

The Deputy Chief Executive added that many TSSP staff did not need to be physically located near customers, communicating via ICT, and could be accommodated at a lower cost than at Plough Lane. Those staff who needed to work closely with clients would continue to do so.

The TSSP was a separate organisation that would seek to grow its business. Its own accommodation would be part of its identity and this was a decision of the Board.

A Member commented that the Council would remain the TSSP's major customer for a number of years and therefore needed to work closely with the Council. Reference was also made to a report to Cabinet in July 2011 on the TSSP which it was suggested indicated a reprofiling of the savings target set for the TSSP.

The Deputy Chief Executive commented that the TSSP had not been given a lower savings target. The Council was represented on the TSSP Board and the TSSP would be expected to meet its contractual requirements.

- Concern was expressed about the suggestion that a new site for the Council Chamber might be provided at the Shirehall, Hereford. It was essential that the County retained the Crown Court in the City and increased use of the Shirehall for Council and other meetings might put that at risk. The proposal would also detach the political centre from senior officers.
- That whilst acknowledging that not all the detail was appropriate for inclusion in a Cabinet report there appeared to be far too much uncertainty about too many elements of the accommodation programme.

RESOLVED:

- That**
- (a) the Vice-Chairman be authorised to reflect the comments made by the Committee to Cabinet and Members of the Committee be invited to submit any further comments they wished to be brought to Cabinet's notice to him in advance of the Cabinet meeting; and**
 - (b) a further report on the accommodation programme be included in the work programme.**

28. WORK PROGRAMME

The Committee considered its work programme.

A number of questions had been received from Mrs E Morawiecka. The Strategic Delivery Manager responded to these at the meeting. A copy of the written response subsequently provided is appended to these Minutes.

A question had also been received from a Mrs P Churchward. The questioner had not expected an answer at the meeting given the late submission of the question. A copy of the response subsequently provided is included in the appendix to these Minutes.

It was reported that one of the Statutory Co-optees had reiterated a request that the Committee include a review of the Council's consultation processes as a whole, not just the consultation relating to the Local Development Framework (LDF), within its work programme.

In the course of discussion the following principal points were made:

- The Vice-Chairman of the Committee reported that it was intended to arrange a meeting of the Chairman and Vice-Chairmen to give further consideration to the arrangements for Health Overview and Scrutiny given the statutory workload in that area.
- Some Members expressed concerns about the current LDF Consultation Process. Issues raised included a wish that officers would attend public meetings in the parishes to answer technical questions; the documentation on the website relating to the LDF was not easy to locate and follow; concern that older people in the County without internet access would be disadvantaged; and that it was not made clear in the documentation that the consultation included the transportation strategy for the County. It was noted that there would be an opportunity for these concerns to be considered by the Local Development Framework Working Group;

RESOLVED: That the work programme be noted, subject to the following additions:

- **consideration of proposals for Major Trauma Care**
- **further consideration of the accommodation programme.**
- **a report on Amey performance and funding arrangements**

29. RECONFIGURATION OF MAJOR TRAUMA SERVICES IN THE WEST MIDLANDS

(In accordance with Section 100B 4(b) of the Local Government Act 1972 (as amended) the Chairman agreed to allow consideration of this item as a matter of urgency to enable a response to the West Mercia Specialised Commissioning Group to be submitted by the required deadline.)

The Committee considered whether to authorise a response accepting that a formal period of engagement (as opposed to a formal consultation period) be undertaken with key stakeholders across the region on the preferred option of 3 major trauma centres for the West Midlands.

A report had been circulated in advance of the meeting.

The Vice-Chairman – Health and Wellbeing commented that the proposal was designed to improve the major trauma service. The major trauma centres would be supported by Trauma Units. Because Hereford and Shrewsbury were more than 45 minutes away from the major centres they would automatically become Trauma Units. This was good news for Hereford and would require the Hospital to be provided with some additional

resources including staffing, although this would have resource implications for the Primary Care Trust. Other hospitals would have to apply to become Trauma Units. He considered a process of formal engagement rather than a full 3 month formal consultation would be acceptable. This had been the view of other Health Overview and Scrutiny Committees within the West Midlands Region.

The distinction between a formal period of consultation and a formal engagement exercise and a formal consultation exercise was noted. Members raised the following issues that might merit further discussion when considering the detail of the proposals during the formal engagement exercise: scope to extend the use of air ambulances; cross-border provision, noting that for some parts of the County treatment could be more readily accessed in Cardiff or Gloucester than in Birmingham; and the financial implications of Hereford Hospital becoming a Trauma Unit. The Committee noted that the Board of NHS Herefordshire had supported the proposals at its meeting on 28 September 2011.

RESOLVED:

- That (a) a response be authorised accepting that a formal period of engagement (as opposed to a formal consultation period) be undertaken with key stakeholders across the region on the preferred option of 3 major trauma centres for the West Midlands; and**
- (b) a further report be made to the Committee to enable a response to be made to the detail of the proposals during the period of formal engagement.**

The meeting ended at 1.00 pm

CHAIRMAN