

Overview and Scrutiny Performance Board

Wednesday, 5 December 2018, County Hall, Worcester - 9.30 am

Present:

Minutes

Mr C J Bloore (Chairman), Mrs E A Eyre (Vice Chairman), Mr A A J Adams, Mrs J A Brunner, Mr P Middlebrough, Mrs F M Oborski and Mr C B Taylor

Also attended:

Mr S J Mackay, Chairman of West Mercia Police and Crime Panel
Mr P Denham
Mr R C Lunn, Group Leader, Labour Group
Mrs E B Tucker, Group Leader 2017 Group
Dr K A Pollock, Cabinet Member with responsibility for Economy and Infrastructure

Sheena Jones (Democratic Governance and Scrutiny Manager) and Emma James (Overview and Scrutiny Officer)

Available Papers

The members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 26 September and 25 October 2018 (previously circulated).

(Copies of documents A and B will be attached to the signed Minutes).

1069 Apologies and Welcome

Apologies were received from Mr B Allbut.

1070 Declaration of Interest and of any Party Whip

None.

1071 Public Participation

None.

1072 Confirmation of the Minutes of the Previous Meeting

The Minutes of the meetings held on 26 September and 25 October 2018 were agreed as a correct record and signed by the Chairman.

1073 Draft Scrutiny Report: Bus and Community Transport Provision

The Board was asked to consider and approve the draft Scrutiny Report on 'Bus Provision and Community Transport Provision'. The Chairman, who was also the lead member of the Scrutiny Task Group (Task Group) and thanked all those involved.

In introducing the report the Chairman suggested that the Scrutiny had been very revealing and had involved discussions with bus operators. The report was critical of current levels of bus services although some positive aspects had been highlighted and the report reflected what the Task Group believed to be the way forward. The Task Group had found that issues with reliability put people off using buses and there was a need to get to grips with how to connect public transport, which was reflected in the report's recommendations. A Wychavon District Cabinet Member had made valuable points about the economic impact of bus services. A big issue was the lack of incentive for bus operators to increase passenger numbers.

The report's first recommendation addressed the need for a strategic approach to bus services which had been lacking in recent years, for example links to investment sites and accessing funds from Section 106. While it was important to note that the Council was in a very different position now in terms of staff numbers, staff were capable and there were a lot of positive things which the Council could do; the report was an important starting point and intended to be helpful and constructive.

The Vice-Chairman (also a member of the Task Group) endorsed the report and agreed the way forward was about how the Council stepped up to the challenge of changing attitudes about bus services, communicating better and being more strategic. She suggested that the report be sent to District Council Leaders, and advised that Wychavon District Council was thinking of committing investment to supporting public transport in view of its contribution to supporting the economy. She also highlighted the approach of other councils such as Cornwall, which was very different to Worcestershire.

Board members were invited to comment on the report and the following main points were made:

- All Board members praised the report and the detail included.
- A member referred to his work to support bus projects in his local area of Upton, and the core issues of isolation for the young and elderly and

for those with learning disabilities, some of whom faced a difficult walk to the bus stop. Isolation was the problem, but also tackling congestion.

- A member flagged up issues around the Concessionary Fares Scheme referred to in the report. This was a national issue and he suggested that the £5m budget could be better spent to support transport in rural areas and that he would like to encourage the Local Government Association and other networks to look at the impact of the Scheme on the delivery of public transport in rural areas.
- It was suggested that the report should be sent to the Parliamentary Rural Economy Committee, which was looking at public transport options for young people in rural areas.
- The Council and Executive needed to take the report on board and try to reverse the consequences with public transport which had crept up over a ten year period, without the Council understanding the full implications.
- The lead Task Group member acknowledged that the wording around minimum baseline services and definitions of category 1 villages could be tighter, however the report was intended as a starting point.
- It was agreed that a more strategic approach to public transport and expenditure of the budget (£21m approximately) was needed.
- The recommendation for a joined up approach to funding opportunities through the planning process (S106) could be very exciting, and should be pursued, however several members were aware of issues with accessing funds for health services and stressed the need for S106 requests to be very specific, because of legislation involved.
- Several members pointed out that getting people out of cars would also contribute to targets for climate change and air quality.
- Regarding the problems with withdrawal of services to the Habberley estate, the lead Task Group member advised that the problem had been made worse by the fact that local members had not been involved in conversations taking place about this.
- The potential to make more use of school routes and driver capacity was welcomed.
- The Board Member who chaired the Economy and Environment Overview and Scrutiny Panel

welcomed the support for community transport, which his Panel viewed as essential and which only received £90,000 funding.

- A member pointed out that many villages in the Wychavon area would not come under a category 1 type and included many older residents who could not shop without help from neighbours and did not have the ability to use online services. The feedback he received was that residents wanted minibuses and community transport, and not 52 seater buses.
- The problem of how to get people to use buses was highlighted, when many people had got used to the lack of buses and so did not look to use them, or were deterred by low quality, high pollution buses. The lead Task Group member acknowledged problems with quality and pointed to improvements such as contactless payment and electric buses, which were achievable. What was needed was more incentive for bus operators, but in his view also more capital investment from the Council.
- Members praised Wychavon District Council's work to transport workers to key investment sites.
- The report's recommendation for more marketing and information for bus users was endorsed by a member who used buses and Board members agreed that parishes may be able to contribute towards timetable information.
- It was agreed that community transport had a role in bridging the gap, although some people could be deterred from using what could feel like a small 'club', something which a more standardised branding could improve.
- It was confirmed that District Councils had been advised about the Scrutiny, with Wychavon District Council responding positively. Engagement with parish councils and user groups had been excellent.
- It would be helpful for the report to reference contributions from individual councillors' divisional funds for bus services, although it was acknowledged that these were one-off contributions.

Comments were invited from other councillors present and the following main points were made:

- A member of the Task Group highlighted the implications for health, both physical and mental from a lack of bus services and increasing

pollution. He also highlighted the need to get people out of cars and using buses, even if only occasionally, and urged the Council to look to areas which had been successful in achieving good services, for example Oxfordshire, Brighton and Chester. A contributory factor was discouraging town centre parking and increased parking charges.

- A member reiterated the point that action by the Executive was needed to take things forward. He hoped the bus companies would make use of the report, and the level of detail about its market which few companies would have available to them. He also referred to bus services on the Channel Islands, which would merit a visit from the bus operators. The lead Task Group member reported that he had felt encouraged by the openness of the bus operator representatives in discussing the issues and possible solutions, which indicated a desire to work with the Council.
- A member who represented a rural area, felt the starting point should be to look at how people accessed services they needed, not just buses. Community transport should be an integral part of the Strategy, since although it may not be for everyone, she could not see another way. The Council needed to enable things to happen, which may need a different and flexible approach, for example buying minibuses and paying drivers. She also suggested that the Council could pressure central government to amend legislation which currently prevented local authorities from directly running buses. The lead Task Group member pointed out that the community transport sector had said it could not replace bus services due to lack of confidence in continued funding but also lack of drivers, although obtaining minibuses was not necessarily a problem. He reiterated concerns about the fragmented nature of community transport, although the sector was something the OSPB wanted to look at again.
- Other Board members agreed that community transport was a key element which needed to be looked at and that the appropriate public transport may not be buses.
- The Cabinet Member with Responsibility (CMR) for Economy and Infrastructure commented that in respect of contributions received through the planning process, they were very much one-off rather than continued support. He cautioned about use of public funds, however well-intentioned, for

bus routes, recalling financial support for a service from County Hall to the hospital which was insufficiently used. He also referred to potential legal issues regarding volunteer drivers when they were perceived to be running against commercial operators, although a change in the legal situation may help. Although not the same as a bus service, community transport did make a contribution.

The Chairman acknowledged the need for care when spending public money but also felt it was important to give people the opportunity and as a Council, to lead. At this point he also made reference to use of technology which was an area of interest for Cllr Kent who had expressed an interest in being involved. The Vice-Chair explained that she had shared her information about Cornwall Connect with Cllr Kent.

Arising from the discussion, the Board agreed the draft report, subject to additions to recommendations 1,2,3 and 6, and also an additional recommendation that Scrutiny Members meet with Members of Parliament to ask them to support amending the Concessionary Fare Scheme, to avoid unintended consequences. References would also be made in the report to financial contributions to bus services from the Councillors' Divisional Fund.

1074 Withdrawal of West Mercia from the Strategic Alliance With Warwickshire - Report From The County Council's Representative on the West Mercia Police and Crime Panel

Cllr MacKay, the Chairman of the West Mercia Police and Crime Panel (PCP) had been invited to update the Board on the recent decision of West Mercia's Police and Crime Commissioner to withdraw from the Strategic Alliance with Warwickshire.

The PCP Chairman referred to his update in the Agenda papers. The Alliance with Warwickshire Police would end in October 2019 in accordance with the terms of departure of the Agreement. The West Mercia Police and Crime Commissioner (PCC) had informed the PCP that while he wanted collaborative working with Warwickshire to continue, he and the Chief Constable were in agreement that the Alliance was a drain on resources for West Mercia, which mutual discussions about governance had been unable to resolve. The PCC believed that ending the Alliance would enable a more efficient and effective policing service for West Mercia residents.

During the Board's discussion with Cllr Mackay the following main points were raised:

- The way in which the withdrawal from the Alliance had been handled and the lack of prior communication with the PCP, was very concerning
- The lack of detail about financial implications was also concerning
- It was suggested that the background to the situation referred to in the report raised questions about the working relationship between the Chief Constables of West Mercia and Warwickshire Police Forces
- It was clarified that whilst the Alliance had been set up by the then Police Authorities, provision had been made for it to continue when the PCC took over governance of the Police later in 2012
- In moving forward, members urged robust scrutiny from the Police and Crime Panel in order to ascertain the impact on areas such as day to day work including in the areas of domestic violence, road safety deaths and serious injury in Worcestershire, funding, caseload management for crime in rural areas and tackling cross-border crime – the Police and Crime Panel should be entitled to such information
- Members pointed out that cross-border liaison and support were essential to tackle cross-border crime and expressed concern that this may be adversely affected. Cllr Mackay reported that the proposal was for continued collaborative working with Warwickshire
- A member commented that the aims of the original Alliance agreement had sounded positive and asked whether the PCP had been able to ascertain whether the Alliance was actually working? Cllr Mackay explained that specific details had not been provided but the PCP intended to look deeper as the situation evolved. He had been advised that savings had been made through the Alliance but not to the extent where West Mercia residents were receiving the best service . The funding agreement (West Mercia met 69% and Warwickshire met 31%) appeared to be out of step with the governance split.
- Cllr Mackay clarified that the PCP had limited powers to influence the PCC constitutionally, however the Panel had expressed its disappointment at the lack of prior notice and now hoped to move forward in its role as 'critical friend'.

Other councillors present were invited to comment. The

**1075 Member Update
and Cabinet
Forward Plan**

view was expressed that the two respective Police Authorities should have negotiated improvements to the current Alliance, with costs and savings being the key questions. Concern was also expressed about potential costs of any rebranding. In response, Cllr Mackay reported that his Panel had been advised that discussions over the past 18 months between WM and Warwickshire had not delivered any changes regarding governance. Details of costs and savings would not be known until the outcome of discussions about collaborative working. It was true that branding could incur costs although in other cases elsewhere a rebranding exercise had not taken place.

The Board noted the update from the PCP Chairman and whilst members were concerned about the nature of the situation, the Board was reassured that the Police and Crime Panel would continue to fulfil its role in scrutinising the PCC's proposals as robustly as its remit allowed. The Board asked that the PCP Chairman keep it updated as more information became available.

Children and Families O&S Panel

The Family Front Door Scrutiny would now focus on the Council's relationship with schools, rather than all parties involved.

The Panel continued to keep updated on the future of Short Breaks for children with disabilities.

Corporate and Communities O&S Panel

The Panel had looked at the Libraries consultation and withdrawal of the school library service. The Panel Chairman was also aware of briefings at district level. The Panel had been reassured that the aim of the consultation was to look for savings and better ways of working and there had been no mention of closing libraries.

Health Overview and Scrutiny Committee (HOSC)

During a meeting attended by the Worcestershire Hospital Trust's new Chief Operating Officer and Deputy Chief executive, the HOSC had been updated on evaluation work of Winter pressures and detailed plans for this Winter..

An update had also been provided on the quality of Acute Hospital Services and feedback from the latest Care

Quality Commission inspection. The HOSC Chairman had invited himself to one of the Trust's staff feedback sessions at Kidderminster Hospital which had provided detail about the moves taking place, from which it was hoped to see improvements.

Other Board members who were also HOSC members were disappointed by the delay in completion of the bridge work at Worcestershire Royal Hospital which would delay implementation of extra bed capacity. There had been optimism from the Trust about plans for the winter but members queried whether aspirations were achievable and the potential impact if this winter was harsh.

Adult Care and Wellbeing O&S Panel

The Panel would now be receiving regular updates on the Adult Social Care Outcome Framework and would be updated on the Adult Social Care Business Plan.

Referring to the comments from the November O&S Panel budget meetings, the Chairman highlighted the Panel's concern about the £14.3m overspend in Adult Services, although it was recognised that in part this was due to savings from the new Three Conversation Model coming through later than anticipated. Public Health was predicting a small surplus budget, however from 2020 the budget would no longer be ring-fenced.

Updates on the Three Conversations model and on assistive technology were planned.

A Board member queried the value of assistive technology against a human visit, and was advised that members had seen assistive technology working very well and for many people it gave back a degree of control. It was hoped to arrange a member visit to see assistive technology in action.

A Board member asked whether the Panel Chair had been able to attend Directorate meetings which included updates on quality assurance at nursing homes and was advised that this was being arranged.

Economy and Environment O&S Panel

The Panel had been updated on broadband, with the Council's initiatives proving very successful and 90% of businesses were now connected to fibre. The latest

rollout was for fibre to premises in areas more difficult to connect. There were grants of up to £3,000 available for those who were not part of the rollout programme, and details were available on the Superfast Worcestershire website.

An update on allocation of the additional £6m for footways had been positive about numbers of those being upgraded although the programme would continue until August due to delays.

Regarding highways and communication with the public, there had not been any progress to develop a mobile app for public use, which Panel members wanted, and with no real commitment gained, this was something the Panel may need to revisit.

On the issue of work with district councils to reduce grass growing along carriageway kerbs, the Panel had been updated that there was a reluctance because of lack of funds. The Panel may request a further update.

The Panel had been provided with some performance data, although some information was not easily interpreted and a further, informal session was being arranged. The Panel Chairman encouraged all Scrutiny Chairmen to push for information on performance and trends.

The Task Group review of the budget for the Panel's remit had started and while the information made available was much better than the previous year, the Chairman felt there was still a long way to go before members could really scrutinise the budget.

In response to a suggestion from the OSPB Vice-Chairman that one approach for the following year could be to invite all Directors to an OSPB meeting to present the relevant data in an accessible format, the Panel Chairman referred to the Directorate performance dashboards, which would be useful for Board members, although constant changes to the format made it harder to compare like for like.

Performance Monitoring

The OSPB Chairman referred to his meeting with the Chief Financial Officer and Director of Commercial and Commissioning to discuss scrutiny's role in performance monitoring. Because of the resulting lack of clarity on availability of data to enable dates to be scheduled, the

1076 Process for handling the Call-in: Cabinet Member Decision: 21 November 2018 - Proposal to introduce Parking Charges at Worcester Woods Country Park

Chairman had written to the Chief Executive. A reply had not yet been received and would be followed up, however the Chairman was clear that Scrutiny should be able to review performance four times a year and if the information was not forthcoming he asked Panel Chairmen to let him know, at which point the Board would need to revisit how this should be pursued.

The Chairman invited the Board to consider how it wanted to handle the Call-in received in respect of the cabinet Member Decision on 21 November 2018, regarding the proposal to introduce parking charges at Worcester Woods Country Park.

The Agenda report included the options available to the Board.

In discussing the desired approach, the Board agreed the importance of offering all those individuals and groups affected with the opportunity to put forward their views, in person or through written comments – this should also include local residents, Cllr Rob Adams (due to the proximity of residents in his division) and the MP Robin Walker.

The Board agreed to deal with the Call-in itself, on the proposed date of 14 January 2019, which was a date which the Scrutiny Officers had checked with the Cabinet Member for Communities and with the callers-in. The discussion should be the main business of the meeting and where possible, written comments circulated in advance.

The meeting ended at 11.50 am

Chairman