

## **Minutes of the Overview and Scrutiny Performance Board**

**County Hall, Worcester**

**Friday, 28 April 2023, 2.00 pm**

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### **Present:**

Cllr Tom Wells (Chairman), Cllr Alan Amos (Vice Chairman),  
Cllr Alastair Adams, Cllr Brandon Clayton, Cllr Matt Dormer, Cllr Steve Mackay,  
Cllr Emma Stokes and Cllr Shirley Webb

### **Also attended:**

Cllr Peter Griffiths  
Cllr Matt Jenkins

Samantha Morris, Interim Democratic Governance and Scrutiny Manager  
Alyson Grice, 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 29 March 2023 (previously circulated).

(A copy of document A will be attached to the signed Minutes.)

### **1314 Apologies and Welcome**

The Chairman welcomed everyone to the meeting.

Apologies were received from Councillor Richard Udall.

### **1315 Declaration of Interest and of any Party Whip**

None.

### **1316 Public Participation**

None.

### **1317 Confirmation of the Minutes of the Previous Meeting**

Overview and Scrutiny Performance Board Friday, 28 April 2023  
Date of Issue: 19 May 2023

The Minutes of the Meeting held on 29 March 2023 were agreed as a correct record and signed by the Chairman.

## **1318 Draft Scrutiny Report: Developer-Funded Highways Infrastructure**

The following members of the Developer-Funded Highways Infrastructure scrutiny task group attended for this item:

Councillor Alastair Adams (Lead Member)  
Councillor Peter Griffiths  
Councillor Matt Jenkins  
Councillor Emma Stokes

The Board was asked to consider and approve the draft scrutiny report on Developer-Funded Highways Infrastructure.

The Lead Member of the scrutiny task group introduced the agenda item and confirmed that, if OSPB was content, the scrutiny report would be presented to Cabinet on 25 May. He went on to explain that, following the building of thousands of new houses in Worcestershire in recent years, residents and Councillors had expressed concern that the supporting infrastructure that was to be built as part of planning conditions (such as junctions, roundabouts, pedestrian crossings and traffic lights), had not always been built or had taken a long time to be completed. The scrutiny task group had been set up to establish why this was the case.

In order to build on the highway network, a developer needed to submit technical drawings of the proposed infrastructure and receive 'Technical Approval' from Worcestershire County Council. Since 2016, the Economy and Environment Overview and Scrutiny Panel had been monitoring the number of days taken to obtain Technical Approval. After reviewing performance information for Q4 2020, the Panel noted that performance was poor and deteriorating. OSPB then agreed to set up a scrutiny task group with the following terms of reference:

- How to get developer-funded highways infrastructure built quicker for the benefit of residents and road users.
- How can WCC help to ensure the planning conditions imposed on developers to build certain highways infrastructure by certain key times are met?

The task group acknowledged that a record number of new houses had been built over the last eight years and so the demand for the Council's Technical Approval services had been high. The task group also recognised the professionalism and expertise of those working in this area and congratulated them on the improvements made since the scrutiny exercise started.

The Lead Member thanked all those who had contributed to the scrutiny exercise including developers, other local authorities, the Council's partners,

officers in the Directorate of Economy and Infrastructure and in the Scrutiny Team, and other Members of the task group. He believed that, if the recommendations were adopted as the way forward, they would help to improve the life of residents.

In providing further background to the draft scrutiny report, the Lead Member made the following points:

- Quarterly performance data had shown a marked improvement since the task group had been set up.
- A Section 278 agreement referred to alterations or improvements to a public highway, whereas a Section 38 agreement related to highways and associated infrastructure within a development (which may be adopted by the Council if it met agreed standards).
- Work was undertaken by two teams within the Council: the Transport Planning and Development Management Team (TPDMT) (previously Development Control) and the Highways Development Control Team (HDCT) (previously Section 278 & 38 Development Control Team).
- The disappointing length of time to obtain technical approval was first highlighted by the Scrutiny Panel in 2016 and, by the time the task group was set up, the situation was getting worse rather than better. It was suggested that a learning point for the future was to listen to feedback from Scrutiny Panels.
- Different Councils dealt with the approval process in different ways, with some undertaking all of the work internally and others (like Worcestershire County Council) using a technical consultant contractor to provide support in relation to some applications.
- He noted that the laser focus on outcomes (as suggested in Recommendation 1) had already started to happen with better communication between developers, the Council and partners. This linked to Recommendation 4 which stated that milestones should be agreed to ensure that planning conditions were met.
- Although recent applications had progressed through the system more quickly, there was still a backlog of applications. Recommendation 15 suggested that a focus group should be set up to concentrate on clearing this backlog.

Other Members of the scrutiny task group were invited to highlight issues to the Board and the following main points were made:

- The importance of listening to the concerns of Scrutiny Panels was emphasised. The Panels were able to analyse performance data and quickly identify issues and pick up any trends.
- It was in the interest of all road users that the backlog of applications was cleared. It would be important to have a clear plan about how this would be done, including targets where appropriate.
- Future performance monitoring was important so that improvements could be monitored. It was acknowledged that improvements were already happening.
- Recommendation 18 was highlighted. At an appropriate time, consideration should be given to reviewing the contract with the

Council's technical consultant to incentivise efficient finalisation of drawings and speed up approval of schemes. It was suggested that the Directorate should look again at how much work needed to be outsourced. Where used, consultants should be onside with the Council's ethos to build quickly and to a high standard. A change of culture was needed to ensure that both sides worked together to resolve issues rather than passing work back and forth.

- Recommendation 2 aimed to prevent the cycle of multiple submissions for one scheme. After two or three submissions, the application should be escalated and a final meeting held to resolve outstanding issues and ensure a successful application, something that was in everyone's interest.
- Recommendation 3 supported the development of a more robust management approach with a greater focus on outcomes. The use of a master spreadsheet (updated month by month) and other management tools would also allow the monitoring of the conditions and timescales set at the time of planning approval.
- The master spreadsheet gave a very good overview of where each application was in the system. The Board was informed that Hampshire County Council used a software package to monitor progress against applications, although they had the benefit of a member of staff with computer expertise. The Task Group felt that introducing such software in Worcestershire at the current time was an unnecessary additional layer of complication but may be something that could be considered in the future.

On behalf of OSPB, the Chairman thanked the scrutiny task group for a fulsome report and a well-considered and well-presented set of recommendations. He went on to invite questions from Members of the OSPB and the following main points were raised:

- A Member informed the Board that at District Council level he was a member of the Planning Committee and he was shocked to learn about some of the issues raised in the report. In particular he supported Recommendation 7 which advised reviewing the management arrangements for the two departments to maximise closer working. He also felt Recommendation 5 (which suggested regular meetings between all parties throughout the process) was crucial in encouraging better communication. He went on to suggest that the issues should be looked at again in 12 months' time to review progress.
- The Chairman reminded Members that it would be key to see which recommendations were accepted by the Cabinet Member with Responsibility for Highways and Transport.
- The scrutiny task group's Lead Member suggested that, although complex processes were involved, there should be a way for the two teams to work more closely together to prevent some of the issues uncovered by the task group. He hoped that the Cabinet Member would accept the recommendations and agreed that progress should be considered in 12 months' time.

- With reference to Recommendation 5, the Lead Member suggested that modern communications technology should make it easier to hold regular meetings, although it may require a change of mindset.
- A Member of OSPB informed the Board about a new development in Bromsgrove where the roads had been adopted by the County Council at the time the development was completed. She went on to express concern that some older developments (some over 20 years old) had not yet been adopted. She felt the way forward was to ensure adoption at the time of completion. The task group's Lead Member agreed that this would make life easier but some developers decided not to have the roads adopted, instead giving the responsibility to a management committee.
- In response to a question about whether, in talking to other local authorities, the task group had identified a different way of doing things or had seen proven best practice, the Lead Member confirmed that the task group had talked to Hampshire and Staffordshire County Councils and alternative ways of working had been identified which may be considered in the future. For example, Hampshire CC used a software system and Staffordshire CC used one contractor for both the design and build phases. He reminded the Board that some improvements had already been seen and it would be a case of fine-tuning systems that were already in place.
- With reference to the adoption of roads within new developments (via Section 38 agreements), a Member of the task group reminded the Board that Section 278 agreements were prioritised as they were seen as critical to road safety. Currently, in law the developer is not required to put roads up for adoption.
- It was clarified that a GANNT chart (mentioned in Recommendation 4) was a project management tool which allowed processes and timings in a project to be monitored.

The Board approved the scrutiny report which would be considered by Cabinet on 25 May 2023.

## **1319 Refresh of the Scrutiny Work Programme**

The OSPB was asked to consider the Scrutiny Work Programme for 2023/24.

During the discussion, the following main points were raised:

- The Interim Democratic Governance Manager was asked to clarify when plans for Redditch Library were due to be brought to Cabinet and schedule this item for an appropriate scrutiny meeting (either Corporate and Communities O&S Panel or the Overview and Scrutiny Performance Board).
- It was agreed that Budget Scrutiny would be added to the Board's work programme for July to allow an initial discussion ahead of Corporate Strategy Planning.
- It was confirmed that the scrutiny task group on Education, Health and Care Plans (EHCPs) had not yet started and would remain on the work programme. A letter received from the Department for Education and

shared with the Children and Families O&S Panel indicated that improvements had been made to the service. The Panel would retain a 'watching brief' on the issue.

- Members asked whether Q4 performance data and year-end budget information could be reported to May Panels rather than July as currently scheduled. The Interim Democratic Governance Manager agreed to check whether this would be possible.
- It was agreed that the 'Member portal – case management system' would be added to the work programme for the Corporate and Communities O&S Panel for July.

It was agreed that the scrutiny work programme 2023/24 would be amended as agreed and forwarded to Council for consideration on 18 May 2023.

## **1320 Scrutiny Chairmen (and Lead Member) Update and Cabinet Forward Plan**

The Scrutiny Panel Chairmen/Lead Members provided an update on recent Scrutiny meetings and activities.

### Adult Care and Wellbeing Overview and Scrutiny Panel (Cllr Shirley Webb)

The Chairman reported that some Panel Members from Bromsgrove and Redditch had recently visited a social worker team based in Bromsgrove.

### Children and Families Overview and Scrutiny Panel (Cllr Steve Mackay)

No update to report as the Panel had not met since the last meeting of OSPB.

### Child and Adolescent Mental Health Services (CAMHS) scrutiny task group (Cllr Steve Mackay)

The task group's final report had been discussed at Cabinet on 30 March.

### Corporate and Communities Overview and Scrutiny Panel (Cllr Emma Stokes)

No update to report as the Panel had not met since the last meeting of OSPB.

### Environment Overview and Scrutiny Panel (Cllr Alastair Adams)

The Chairman reported that the Panel was due to consider Road Diversion Signs at its next meeting and asked that, if Members had any examples or stories in relation to this, please could they let him know so that he could raise them with officers and the CMR at the meeting. The Chairman of OSPB shared an example from his own division.

### Health Overview and Scrutiny Committee (Cllr Brandon Clayton)

The Chairman reminded the Board that HOSC would elect a new Vice Chair following the District Council elections on 4 May as the current Vice Chair was

not standing for re-election. The Committee may also have new District Council Members following the elections.

The Committee planned to visit the new A&E department at Worcestershire Royal Hospital in due course.

The meeting ended at 3.23 pm

Chairman .....