

These Minutes have been amended. Please see Minutes of 9 June for amendments.

## **OVERVIEW AND SCRUTINY MANAGEMENT COMMISSION**

### **MINUTES OF THE SPECIAL MEETING HELD ON WEDNESDAY, 18 MAY 2011**

**Councillors Present:** Brian Bedwell (Chairman), Dominic Boeck, Jeff Brooks (Vice-Chairman), Virginia von Celsing, Marcus Franks, Dave Goff, Mike Johnston, David Rendel, Tony Vickers, Quentin Webb and Emma Webster

**Also Present:** John Ashworth (Corporate Director - Environment), Nick Carter (Chief Executive) and Mark Edwards (Head of Highways and Transport), David Baker (Policy Officer) and David Lowe (Partnerships & Scrutiny Manager)

**Apologies for inability to attend the meeting:** Councillor David Holtby

**Councillor(s) Absent:** None

#### **PART I**

#### **4. Declarations of Interest**

*Councillor David Rendel declared an interest in Agenda Item 4, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.*

#### **5. Item Called-in following an Individual Decision taken by the Executive Portfolio Holder on 28 April 2011**

##### **The Three Year Highway Improvement Programme 2011/12 – 2013/14**

The Commission considered the call-in of the Individual Decision (ID2266) taken by the Executive Member for Highways, Transport (Operations) and ICT on 28<sup>th</sup> April 2011 relating to the Three Year Highway Improvement Programme 2011/12 – 2013/14 (agenda Item 3).

Councillor Jeff Brooks, one of the Members that had called the decision in, made the following two main points in support of the reasons for calling-in the Individual Decision:

- He was concerned that the consultation process had not been robust. The consultation period, initially provided only one day to respond and then that period was extended without making all Members aware, which was inappropriate within an election period when Members were necessarily distracted by the campaign itself and unable to give the item the attention it had required. The consultation process did not include any evidence or comments from town and parish councils and had excluded the emergency services.
- The programme did not reflect the requirement to concentrate on the poor state of urban area roads and was unbalanced in favour of rural areas. The programme of repairs in the Highways Improvements Plan as described in Appendix A of the report did not reflect adequately those roads in most need of repair or take into account the volume of traffic that was using the roads in most need of repair.

Councillor David Betts (Executive Member for Highways, Transport (Operations) and ICT) responded by saying the initial consultation period was one week not one day and following the receipt of Councillor Brook's letter, consultation was extended by a further

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week. All Members had been notified by email. The balance of rural versus urban roads in the report was 1/3 rural to 2/3 urban. There had been no comments received during the consultation process regarding any issues of balance between rural and urban roads in the report.

Mark Edwards (Head of Highways and Transport) confirmed that the consultation process started with an e-mail sent to all Members on 14<sup>th</sup> April requesting comments by 15<sup>th</sup> April which was initially extended to 21<sup>st</sup> April and following a letter from Councillor Brooks was extended again to 28<sup>th</sup> April. Consultation on the Highways Improvement Plan had taken place in the same period over the last few years. The plan had been on display in the Members room. The main reason the timescale for consultation was at short notice was the delayed publication of the Government settlement of £200m grant for the repairs of potholes which was finally published on the 13<sup>th</sup> April.

Regarding the balance of rural and urban roads in the Highways Improvement Plan, all roads were assessed by condition. The condition of each road was scored under a consistent methodology used across all councils. The point scoring system was used to generate a list of roads in priority order (worst first) for maintenance and the improvement programme was then determined by drawing a line in the list at a point based on the maintenance budget available in that year.

Councillor David Rendel questioned the basis of the calculation that had shown the balance of rural versus urban roads to be 1/3 rural to 2/3 urban.

Mark Edwards advised that Appendix A listed the 68 roads that were in this year's Highways Improvement Plan, 41 of these roads were classed as urban. If the balance of the programme was viewed by the length of road to be repaired then the rural urban split was approximately a 50:50 split.

Councillor Tony Vickers stated his concern over the methodology used to determine which roads were considered a priority to repair. He observed that the inspection by SCANNER or Course Visual Inspection (CVI), referred to in paragraphs 2.4 and 2.7 in the report, did not appear to highlight the worst cases. He was of the opinion that within his own ward there were roads in much greater need of repair than those listed in Appendix A. This was a view that had also been expressed by a number of his ward residents.

Mark Edwards explained that both SCANNER and CVI were tried and tested methodologies used very widely by local authorities which yielded consistent data regarding the quality of road surfaces.

There was a period of discussion centred on the measures used to compare the balance of rural versus urban roads which confirmed the general view that the balance was 1/3 to 2/3 based on number of roads and 1/2 to 1/2 based on length of road to be repaired. It was also noted that the total length of rural roads was greater than the total length of urban roads. The relative costs of the three types of road repair - inlay, overlay and surface dressing were explained by the Highways officer.

Councillor Quentin Webb proposed the Commission had reviewed the decision and that it had determined it concurred with the decision and would not be referring the decision back to the Executive for further consideration.

Councillor David Rendel re-stated his reasons as to why the decision should be referred back to the Executive:

- The Highways Improvement Plan did not reflect citizens' view of the roads in most need of repair;

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- The consultation period had been inadequate;
- There was a real need to consult more widely with parish and town councils and residents;
- That the methodology used to determine the priority of repairs was not right;
- The balance of rural and urban roads was inappropriate because the methodology used failed to take into account that urban roads carried higher volumes of traffic.

By taking that higher usage into account then greater value for money would be achieved by placing more emphasis on urban roads.

Mark Edwards explained that most rural roads were unclassified or C class, and their construction standard was defined as 'undesigned' whereas most urban roads were built to higher standards of construction to take into account higher traffic volumes. This tended to result in rural roads sustaining greater damage during winter periods. The Council has carried out a lot of careful measurement to confirm that the repair work in recent years had provided value for money. Traffic volumes were part of that assessment and as an authority, internal audit had confirmed that the Council provided good value for money when compared to other authorities and that the overall condition of roads in West Berkshire was better than the average.

Councillor Jeff Brooks was concerned that roads in West Berkshire had deteriorated in recent years following two severe winters. The survey process used to assess those roads in most need of repair was flawed. Residents were angry with the state of roads in West Berkshire. The consultation process followed by the Council was ad hoc and needed to be made more robust. It was essential that parish and town councils and the emergency services were consulted.

Councillor Jeff Brooks proposed that the consultation process should be scrutinised.

The Chairman asked the Highways Officer to set up a training session for Members to provide a greater understanding on the how the road condition was assessed and the process used in determining the annual Highways Improvement Plan.

Councillor Jeff Brooks asked that a similar training session be given to parish and town councils at the next district parish conference.

Councillor Emma Webster was of the opinion that the concern of the balance rural versus urban was unfounded, road users used the road network as a whole, not just in the area where they lived. Residents and Members were able to scrutinise the road network all year round and issues could be reported to Street Care or raised in the Annual Residents Survey. The Highways Improvement Plan was founded on a solid body of evidence.

Councillor Emma Webster seconded the proposal put forward by Councillor Webb.

In considering the proposal Members voted to concur with the decision and they would not be referring the decision back to the Executive for further consideration.

Councillor Tony Vickers seconded the proposal put forward by Councillor Brook.

In considering the proposal that the consultation process should be scrutinised Members vote against the motion.

**RESOLVED that**

- (1) The Individual Decision (ID2266) should not be referred back to the Executive
- (2) The Highways Service would arrange and deliver training for District and Parish Councillors on the assessment of road conditions and the process used for the determination of the Highways improvement plan.

**6. Membership and Terms of Reference for the Health Scrutiny Panel**

*Councillor David Rendel declared an interest in Agenda Item 4, but reported that, as his interest was personal and not prejudicial, he determined to remain to take part in the debate and vote on the matter.*

**Terms Of Reference for The Health Scrutiny Panel.**

The Chairman confirmed the membership for the Health Scrutiny Panel was as follows:

Panel Members were Councillors Quentin Webb, Carol Jackson-Doerge, Sheila Ellison, Howard Bairstow, Dominic Boeck, Tony Linden, Alan Macro and Gwen Mason.

Substitutes were Councillors George Chandler, Andrew Rowles, Roger Hunneman and Julian Swift-Hook.

Councillor Quentin Webb was proposed and seconded as Chairman of the Health Scrutiny Panel.

In considering the above proposal Members voted to approve Councillor Quentin Webb as Chairman of the Health Scrutiny Panel.

Councillor Gwen Mason was proposed and seconded as Vice-chairman of the Health Scrutiny Panel.

In considering the above proposal Members voted to approve Councillor Gwen Mason as Vice-chairman of the Health Scrutiny Panel.

The Chairman asked if Members were in agreement with the Terms Of Reference for the Health Scrutiny Panel.

The Chairman proposed that the Terms of Reference be approved. Councillor Quentin Webb seconded the proposal.

In considering the above proposal Members voted to approve the Terms Of Reference for the Health Scrutiny Panel.

**RESOLVED that:**

- (1) Councillor Quentin Webb would be appointed as the Chairman of the Health Scrutiny Panel
- (2) Councillor Gwen Mason would be appointed as the Vice-Chairman of the Health Scrutiny Panel.

**7. Membership and Terms of Reference for the Resource Management Working Group**

**Terms Of Reference for The Resource Management Working Group**

The Chairman confirmed the membership for the Resource Management Working Group was as follows:

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Group Members were Councillors David Holtby, Laszlo Zverko, Richard Crumly, Jeff Beck, Roger Croft, Andrew Rowles, David Rendel and Tony Vickers.

Substitutes were Councillors John Horton, Garth Simpson, David Allen and Alan Macro.

Councillor Tony Vickers was proposed and seconded as Chairman of the Resource Management Working Group.

In considering the above proposal Members voted to approve Councillor Tony Vickers as Chairman of the Resource Management Working Group.

Councillor David Holtby was proposed and seconded as Vice-chairman of the Resource Management Working Group.

In considering the above proposal Members voted to approve Councillor David Holtby as Vice-chairman of the Resource Management Working Group.

The Chairman asked if Members were in agreement with the Terms Of Reference for the Resource Management Working Group.

The following amendments were discussed and agreed:

Paragraph 3.1.1 was re-worded to read – The setting and monitoring of the Council’s revenue and capital budgets.

Paragraph 3.1.6 was re-worded to read – The impact of resources on services, clients and performance.

Paragraph 3.1.10 was added to read – The effective use of information.

Paragraph 3.1.11 was added to read – The setting and monitoring of the Council’s Timelord programme, asset management and organisational strategy.

Paragraph 4.1.4 was re-worded to read – There has been a pattern of significant budgetary underspend or overspend in service delivery.

The Chairman proposed that the revised Terms of Reference be approved. Councillor Emma Webster seconded the proposal.

In considering the above proposal Members voted to approve the revised Terms Of Reference for the Resource Management Working Group.

**RESOLVED that:**

- (1) Councillor Tony Vickers would be appointed as the Chairman of the Health Scrutiny Panel
- (2) Councillor David Holtby would be appointed as the Vice-Chairman of the Health Scrutiny Panel.
- (3) The Terms of Reference would be amended as agreed.

*(The meeting commenced at 6.30 pm and closed at 8.00 pm)*

**CHAIRMAN** .....

**Date of Signature** .....