

# AGENDA

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**Meeting:** Environment Select Committee  
**Place:** Kennet Room - County Hall, Trowbridge BA14 8JN  
**Date:** Tuesday 15 April 2014  
**Time:** 10.30 am

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Please direct any enquiries on this Agenda to Eleanor Slack, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718255 or email [eleanor.slack@wiltshire.gov.uk](mailto:eleanor.slack@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225) 713114/713115.

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## Membership:

Cllr Rosemary Brown	Cllr Alan Hill
Cllr Brian Dalton	Cllr Magnus Macdonald
Cllr Dennis Drewett	Cllr Ian McLennan
Cllr Peter Edge	Cllr Horace Prickett
Cllr Peter Evans	Cllr James Sheppard
Cllr Jose Green	Cllr Bridget Wayman
Cllr Mollie Groom	

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## Substitutes:

Cllr Terry Chivers	Cllr Stephen Oldrieve
Cllr Tony Deane	Cllr Jeff Osborn
Cllr Nick Fogg MBE	Cllr Ian Tomes
Cllr George Jeans	Cllr Nick Watts
Cllr Bob Jones MBE	Cllr Ian West
Cllr Jacqui Lay	Cllr Philip Whalley
Cllr Christopher Newbury	

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# AGENDA

## PART I

### Items to be considered while the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 6*)

To approve and sign the minutes of the Environment Select Committee meeting held on 18 February 2014.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chair.

5 **Public Participation**

The Council welcomes contributions from members of the public.

#### Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so **at least 10 minutes prior to the meeting**. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named above for any further clarification.

#### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named above no later than **5pm on 8 April 2014**. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior

to the meeting and made available at the meeting and on the Council's website.

**6 Highways and Streetscene Contract (Pages 7 - 16)**

a) Report from the Rapid Scrutiny Group

To receive a report in respect of the work of the Rapid Scrutiny Group and consider the proposals submitted.

b) Highways operational performance over winter

At its meeting in November 2013 the O & S Management Committee agreed that a progress report would be presented to the Environment Select Committee after the winter, addressing operational performance.

**7 Flood Plan Update (Pages 17 - 18)**

The Committee has a duty to scrutinise the Flood Plan. Following the extensive flooding this winter, the Flood Plan is being significantly reviewed and revised. An update on progress is provided for the Committee to note, in advance of the new Plan being presented to the Committee later in the year.

**8 Executive response to CIL Task Group**

The CIL Task Group presented its final report to Cabinet in December 2013.

The Task Group recommended that the Council should adopt several rates on their charging schedule for CIL, based on the viability of those rates within specific settlement categories. They also advised that student housing should be included in the residential rates as it was considered a lucrative market and could withstand the higher charges.

The Task Group agreed that strategic sites contributed significantly to on-site infrastructure, schools and strategic transport through section 106, and so considered that these sites should be charged at 50% of residential sites.

The original Executive Report to Cabinet had recommended a single, flat rate of CIL for residential properties. It was welcomed that a split rate was now being recommended, although it did not go as far as the Task Group had recommended. Rapidly changing CIL legislation had impacted on the work of officers and the Task Group throughout this exercise.

Cllr Toby Sturgis, Cabinet member for Strategic Planning, Development Management, Strategic Housing, Property, Waste will be in attendance to provide a verbal response.

## 9 **Executive response to Air Quality Task Group report**

The final report of the Air Quality Task Group recommended that:

- The 'template' created by the Calne Area Board to stage their Environment Event should be made available to other interested Area Boards;
- A mechanism/process should be developed to allow Area Boards to share examples of good practice/templates for other successful activities.

The Executive welcomed the recommendations of the Task Group and confirmed that the Calne Area Board Environment Event was on the agenda of the next Area Board Chairs' meeting.

It was also confirmed that the Area Board Chairs' meetings were the mechanism whereby examples of good practice could be disseminated.

## 10 **Community Speedwatch** (*Pages 19 - 20*)

The Police and Crime Panel (PCP) is currently running a Task Group looking at Voluntary Schemes, which includes Community Speedwatch. This topic also features on the Forward Work Plan of the Committee. To avoid duplication of effort, it has been agreed that the PCP will undertake this piece of work and the Committee will receive a copy of the PCP's final report. Members of the Committee are provided with an opportunity to feed into the work being undertaken by the PCP. A short paper (attached) lists some potential areas of interest.

## 11 **Forward Work Programme** (*Pages 21 - 22*)

To note and receive updates on the progress of items on the forward work programme.

Under the revised Overview and Scrutiny (OS) arrangements there is now a single OS work programme controlled by the OS Management Committee, linked to priorities in the Business Plan.

Therefore it should be noted that, whilst any matters added by Members are welcome, they will be referred to the OS Management Committee for approval before formal inclusion in the work programme for the Environment Select Committee.

A copy of the Overview and Scrutiny Forward Work Programme for the Environment Select Committee is attached for reference.

12 **Task Group Updates**

To receive verbal updates on the work of the Task Groups.

13 **Urgent Items**

Any other items of business which the Chairman agrees to consider as a matter of urgency.

14 **Date of Next Meeting**

To confirm the date of the next scheduled meeting as Tuesday 10 June 2014.

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## **ENVIRONMENT SELECT COMMITTEE**

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### **DRAFT MINUTES OF THE ENVIRONMENT SELECT COMMITTEE MEETING HELD ON 18 FEBRUARY 2014 AT KENNET ROOM - COUNTY HALL, TROWBRIDGE BA14 8JN.**

#### **Present:**

Cllr Rosemary Brown, Cllr Brian Dalton, Cllr Dennis Drewett, Cllr Peter Edge (Vice Chairman), Cllr Peter Evans, Cllr Mollie Groom, Cllr Alan Hill (Chairman), Cllr Magnus Macdonald, Cllr Ian McLennan, Cllr Horace Prickett and Cllr Bridget Wayman

#### **Also Present:**

Cllr Jon Hubbard, Cllr Bob Jones MBE, Cllr Simon Killane, Cllr Jeff Osborn, Cllr John Thomson, Cllr Anthony Trotman and Cllr Philip Whitehead

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#### **1 Apologies**

Apologies were received from Cllr Green.

#### **2 Minutes of the Previous Meeting**

The minutes of the meeting on 10 December 2013 were presented for consideration. It was,

#### **Resolved**

**To APPROVE as a true and correct record and sign the minutes.**

#### **3 Declarations of Interest**

#### **4 Chairman's Announcements**

The Chairman welcomed Emma Dove, Scrutiny Officer and Eleanor Slack, Democratic Services Officer. They would both be supporting the Committee in the future.

#### **5 Public Participation**

The rules on public participation were noted.

## **6 Final Report of the joint Air Quality Task Group**

The Environment Select Committee had a long-standing interest in the development of the Council's Air Quality Strategy and following the receipt of a report which suggested a more holistic approach should be taken, it was suggested that the subject should also be considered by the Health Select Committee.

The joint Air Quality Task Group was formed in August 2012 to review and scrutinise the implementation of the Air Quality strategic objectives and action plan in addition to the effectiveness of Council Services working together holistically to ensure that respective service contributions were embedded within service delivery plans.

Cllr Peter Evans, Chairman of the Task Group, presented the final report of the Task Group. The Task Group was reassured that key services across the Council (Public Protection, Development, Transport and the ECO team) were working together to ensure that respective service contributions were embedded within service delivery plans and that they were effective in supporting the improvement of air quality across Wiltshire. Cllr Evans therefore asked the Committee to endorse the report's recommendations.

A discussion followed, where it was noted that Wiltshire had three particulate monitors. New research was mentioned which suggested a correlation between particulate pollution and nitrogen dioxide pollution, both were connected with car emissions. Some members felt that in light of new Air Quality Strategy expected later in the year that a new Task Group could be set up, but this would be a decision for the Overview and Scrutiny Management Committee.

### **Resolved**

**That the Committee:**

- 1) Endorse the recommendations in paragraph 26 and refer the report to the relevant Cabinet members for response.**
- 2) Stand down the Task Group until new policy necessitated its reinstatement.**

## **7 Update on Highways and Streetscene Contract (BBLP) rapid scrutiny**

At its meeting on 5 November 2013, the Overview and Scrutiny Management Committee agreed to a number of actions in respect of the Balfour Beatty Highways and Streetscene Contract (BBLP) following a request for its consideration by Cllr Jeff Osborn. They were that:



- A rapid scrutiny exercise would be conducted on the content of the report (from the Cabinet member) to enable greater clarity on the concerns raised.
- A progress report would be presented to the Environment Select Committee after the winter, addressing operational performance
- Environment Select Committee to conduct a full scrutiny exercise in June 2014 after the first full operational year of the contract.

Cllr Jeff Osborn, Chairman of Highways and Streetscene Contract Rapid Scrutiny updated the Committee on the progress of the Rapid Scrutiny Exercise. He confirmed that the group were due to meet in April to discuss matters outstanding from the earlier rapid scrutiny meeting. The Committee thanked Cllr Jeff Osborn for his well presented scrutiny exercise and report.

Cllr Thomson praised the work of Balfour Beatty and Council officers in dealing with the recent flooding issues. Council Officers had worked in partnership with the Fire Service and the Army to support those affected by the floods. The need to learn from the extreme weather events was noted and the need to consider implementing snow and water plans in the future was discussed. The Local Highways and Street Scene performance figures had changed, but had not yet been formally updated.

Members were informed that grass cutting plans, including timetables, were currently being distributed and they would all receive a copy shortly. Parish Councils had been informed that some areas of amenity grass would not be cut due to poor weather conditions.

The Committee also praised the leadership of Carlton Brand and the Corporate Directors in responding to the extreme weather.

### **Resolved**

**That the Committee note the report.**

## **8 Response to Waste Task Group**

The Cabinet received the report of the Waste Task Group at their meeting on 21 November 2013. The Task Group had scrutinised the high level service specification for the new waste contracts, the criteria to be used to develop the quality element of the tender evaluation models and the proposed re-modelling of waste collection and recycling rounds. The Task Group was pleased to note that their report had been taken into account in the drafting of the Executive report presented to Cabinet.

On behalf of the Chairman of the Task Group who was unable to be present, Cllr Horace Prickett, another member of the Task Group, gave an update on its work. The Task Group was currently scrutinising the communications plan developed to inform residents about changes to their waste collections.

The Task Group expressed concern that they had not had the opportunity to scrutinise the affordable plan for dealing with Wiltshire's waste in the future, for which contracts had been put out to tender. Concern was also expressed regarding the manner in which the proximity principle was addressed in the plan.

It was confirmed that Dr Peter Alberry would deliver his presentation at the same event as those invited to tender for the contracts. The financial data in the presentation would be revised.

In the discussion that followed, it was confirmed that a meeting had occurred between Dr Carlton Brand (Corporate Director), Cllr Alan Hill (Chairman of the Committee) and Tracy Carter (Associate Director Waste and Environment). As a result of this meeting it was confirmed that a report would be presented on the affordable plan when the tendering response was received. Concerns regarding communication during times of flooding were raised, particularly the need to rely on landlines to report flooding or fallen trees due to patchy mobile phone signal or lack of internet access. The need for the Task Group to continue their work was discussed, particularly with regard to scrutinizing the Affordable Plan.

### **Resolved**

**That the Committee note the update.**

## **9 Response to CIL Task Group**

The final report of the Community Infrastructure Levy (CIL) Task Group was presented at the Cabinet meeting of 17 December 2013. It recommended that the Council should adopt several rates on their charging schedule for CIL, based on the viability of those rates within specific settlement categories. They also advised that student housing should be included in the residential rates as it was considered a lucrative market and could withstand the higher charges.

The Task Group had completed its work in relation to its remit, but the Cabinet member welcomed the continuation of the CIL Task Group in the light of recent legislation and emerging Government guidance.

Cllr Tony Trotman, Chairman of the Task Group updated the Committee. CIL consultation papers had been circulated to Town and Parish Councils, the deadline for which was 24 February. Committee members were encouraged to circulate the consultation papers to members of the public for individual responses. Although the original remit of the Task Group had been fulfilled, the need for its continued existence was discussed. This would allow the Task Group to react to potential changes to the CIL charging schedules as well as the information arising from the consultation.

In the discussion that followed, the Committee noted the need for the Task Group to remain extant. Concern was expressed regarding the short timeframe of the consultation and it was suggested that local neighbourhood planning groups and Parish Clerks should be contacted to encourage consultation feedback.

The Committee thanked the Task Group for their hard work and expressed regret that the Cabinet had not taken on their advice regarding the CIL charging bands.

**Resolved:**

**That the Committee note the update.**

10 **Forward Work Programme**

It was confirmed that the Management Committee would have to be consulted regarding setting up new Task Groups.

Members were informed that the Committee would be receiving a report on the flood plan and lessons to be learnt from the recent conditions.

11 **Task Group Update**

The Committee noted previous discussions on the work of the existing Task Groups, and work to organize the initial meetings of other agreed Task Groups.

12 **Urgent Items**

The Committee discussed the recent increased popularity of property extensions and the possibility that such extensions could result in properties entering a higher Council Tax band. The Wiltshire Council Housing Assessment team had confirmed that assessments which could result in a property moving into a higher band were not carried out until the property was sold. As a result there could be a gap of several years between a property being extended and its subsequent move into the appropriate Council Tax band. The Committee noted that this delay could result in lost revenue for the Council.

The Committee discussed the potential of engaging in property assessments at an earlier stage with the view to exploiting this potential revenue stream. The Committee was informed that valuation of properties for Council Tax purposes was undertaken by the Valuation Office Agency; the Council could not undertake such valuations. Members also discussed the possibility of asking the national valuation service to engage in their service at an earlier point.

Some members also highlighted ongoing consultations with First Bus service, which was due to close on 16 March and could be accessed at [www.firstgroup/faire/faresforall](http://www.firstgroup/faire/faresforall). This was a similar exercise to the consultation

that had already occurred in Bristol and had resulted in significant fare reductions.

In the discussion that followed, the Committee discussed the possibility of circulating a briefing note to members whose local area was served by First buses. Members also discussed the advantages of competitive bus routes where more than one company was running a service. This competition could remove Wiltshire Council's obligation to provide a subsidy. The Children's Select Committee was currently undertaking an exercise regarding children's services which would examine the relationship between Local Authorities and schools and the education of 16 to 19 year olds included the impact transport options had on their decisions over which courses to study. The Committee agreed that the transport topic warranted further investigation and it would consider this again in 4 – 6 months. This would enable it to use the evidence gathered from the Children's Services Task Group.

13 **Date of Next Meeting**

The next meeting would take place on 15 April 2014 in the Kennet Room, County Hall.

(Duration of meeting: 10.30 - 11.45 am)

The Officer who has produced these minutes is Eleanor Slack, of Democratic Services, direct line 01225 718255, e-mail [eleanor.slack@wiltshire.gov.uk](mailto:eleanor.slack@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

**Wiltshire Council**

**Environment Select Committee**

**15 April 2014**

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## **Update on the Highways and Streetscene Contract Rapid Scrutiny Exercise (Balfour Beatty Living Places - BBLP)**

### **Background**

- 1 At its meeting in November 2013 the O & S Management Committee agreed that a rapid scrutiny exercise should be undertaken on the content of the report submitted to it by the Cabinet member for Highways and Streetscene, following concerns raised about aspects of the contract. The resulting report was to be presented to the Management Committee.

### **Progress to date**

- 2 On 10 December 2013 members of the Rapid Scrutiny Group (the Group) met with the Cabinet member for Highways and Streetscene, the portfolio holder for Highways Contract, highways officers and representatives from BBLP to undertake the rapid scrutiny exercise.
- 3 A report was compiled following the meeting and presented to the Management Committee on 7 January 2014. In its report the Group identified a number of issues over which it had concerns and it was agreed that the Group would meet again to seek reassurance that progress was being made on these issues. It was also agreed that the second report of the Group would be presented to the Environment Select Committee.
- 4 The Group met with witnesses again on 27 March 2014, when it received an update report on the Highways and Streetscene Contract. Several members of the Group had also attended a Community Team Event on 11 March, organised by the Highways Team, which included how Community Teams, Community Days and the My Wiltshire App would operate.
- 5 The Group heard about developments that had been made in respect of the IT system, feedback from the reporting procedure on the App and the ability of the BBLP to fulfil its contractual commitments in respect of grass cutting. The Group was satisfied that progress was being made on the issues they had

identified. It was also satisfied that the Community Event was valuable and that it should be rolled out to all Communities in May.

- 6 A number of issues still require attention including streetworks noticing, the quality of some work and liaison with SSE over the power supply to street lighting. It was agreed that there was a need for continuing involvement in the Highways and Streetscene Contract and this view was endorsed by the Corporate Director and the executive.
- 6 The Group valued the opportunity to scrutinise the effectiveness of the Contract and, in doing so, had developed a detailed knowledge and understanding of the issues. It was therefore recommended that the Group be put on a more permanent standing.
- 7 The matter of contract performance over the winter period was treated separately and is reported elsewhere on this agenda.
- 8 Due to questions being asked as part of the exercise about how OS had engaged pre and post contract, the Management Committee agreed to consider how it might approach major contract scrutiny in the future. A report by the Scrutiny Manager covering previous approaches and potential future options was considered on 4 March. Following discussion it was decided to allow each of the select committees to determine its own approach. The proposal below is therefore timely in respect of the Highways and Street scene contract.

### **Proposal**

- 9 That, having completed its work as directed by the Management Committee, the existing members of the Rapid Scrutiny Group form a Task Group to ensure that outstanding issues are addressed and to monitor the performance of the Highways and Streetscene Contract, including the report after the first full year of operation.
- 10 If supported, to recommend endorsement by the Management Committee and adjustment to the OS Work Programme.

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**Cllr Jeff Osborn, chairman, Highways and Streetscene Rapid Scrutiny Group**

Report Author: Maggie McDonald, Senior Scrutiny Officer  
01225 713679 [maggie.mcdonald@wiltshire.gov.uk](mailto:maggie.mcdonald@wiltshire.gov.uk)

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**Meeting:** Environment Select Committee

**Subject:** Highways and Streetscene Contract

**Cabinet Member:** Councillor John Thomson

**Date:** 15<sup>th</sup> April 2014

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### **Purpose of Report**

1. To update the Environment Select Committee regarding the operation of the Council's Highways and Streetscene Contract.

### **Background**

2. The Highways and Streetscene contract was awarded to Balfour Beatty Living Places (BBLP) in December 2012. The contract started on 1<sup>st</sup> June 2013 and is for five years, with the option to award a further two year extension subject to performance.
3. A large proportion of the Council's highways functions are delivered by the contract. It combines a number of services previously provided by separate contracts and an element of in-house provision. Expenditure through the contract is expected to be in the region of £24 million this financial year, and over £30 million in 2014/15. The contract brings significant benefits to the Council (See **Appendix A**)
4. The contract provides construction and highways maintenance services in connection with roads and bridges, including road resurfacing, drainage works, bridge strengthening and maintenance, improvement schemes, road markings, gully emptying and pothole repairs. It provides the Council's out-of-hours emergency response on the highway network, and delivers the Council's winter precautionary salting operation. It also delivers street cleansing, grounds maintenance, street lighting maintenance and the maintenance of the highways and streetscene vehicle fleet.
5. The Environment Select Committee was actively involved in the review of the highway and other services prior to the decisions regarding the new contract and the contract award criteria.
6. On 10<sup>th</sup> December 2013 a rapid scrutiny exercise was undertaken of the operation of the contract, and rapid scrutiny met again on 27<sup>th</sup> March 2014 to review the work undertaken in connection with the contract, especially with regard to IT, local streetscene and Community Teams, reporting and feedback procedures, grass cutting and operational performance during the winter.

## **Current Position**

### Weather and Flooding

7. The Environment Select Committee was particularly interested in monitoring the performance of BBLP through the winter. This was also an aspect of the service considered by the Rapid Scrutiny exercise.
8. The main issue during the winter was the severe weather and extensive flooding that started in December and continued into March in some parts of the county. The response by BBLP to these events was very good. As the extent and duration of the event became apparent BBLP redirected resources as required by the Council and took operatives off less urgent work. The actions of the BBLP work force were a large element in the Council's successful response to the flooding. There were also several periods of high winds and storms, which required immediate response across the highway network.
9. It may not be immediately apparent, but despite the flooding and fairly mild winter, this winter there were 43 occasions when precautionary salt runs were required. The BBLP operation of the winter maintenance was very good, which was particularly helpful given the other ongoing weather problems.
10. The operation of both the response to flooding and winter maintenance has already been the subject of an initial review by officers to see if there would be benefits in making minor changes to the management of these operations. Further consideration is being given by the Council and BBLP to means of reducing the impact on the usual day to day operations when operatives have to be diverted to these vital tasks.
11. The weather had an adverse effect on the delivery of some of the construction works being provided under the contract, with schemes having to be deferred because sites or traffic diversion routes were flooded, or the weather was unsuitable for some types of work. The diversion of operatives to flooding and weather response duties also meant that work had to be reprioritised.
12. The flooding and severe weather has had a significant impact on the condition of the network with a massive increase in potholes and carriageway defects. In order to meet this need BBLP have committed additional resources to address the carriageways repairs, and processes are being reviewed to ensure that the Council is able to react to the changing demands on the network.

### Contract Management

13. The performance of BBLP was reported to rapid scrutiny, and the relevant information is also included below. There are robust measures in place to manage the contract and monitor the performance of BBLP. As well as the regular Service Delivery Team and Contract Management Meetings, there are weekly Director level meetings with BBLP. These are chaired by Dr Carlton



Brand, Corporate Director, and attended by Cllr Whitehead, the Portfolio holder. An Action List with Red/Amber/Green ratings was used to monitor how outstanding issues were being addressed, and information on this was provided to rapid scrutiny. By the end of December this process was no longer needed as most of the actions have been progressed sufficiently.

14. The weekly Director level meetings have continued, and are focussed on particular aspects of the service, which were identified by the rapid scrutiny. These include pothole repairs, gully emptying, grass cutting, work programming and Community Teams. BBLP have been working with the Council officers to address the remaining issues, including participating in workshops to develop service improvements, review procedures and increase resources in key areas.
15. There are a number of areas where BBLP's performance has been generally good, including the response to weather emergencies, winter maintenance and drainage works. In highway resurfacing the project delivery has been good, but improvements are being made in streetworks noticing, communications with the public, and the speed in agreeing final accounts.
16. The Key Performance Indicators (KPI) satisfaction scoring results for October, where Wiltshire Council, Atkins and BBLP score each other, was reported at the start of the rapid scrutiny exercise, and the latest results are shown below:

Service Area	October 2013	February 2014
Highways Major Maintenance	7.10	7.00
Drainage Works	8.00	7.90
Integrated Transport	6.90	5.60
Local Highways and Streetscene	4.50	4.50
Major Schemes	7.70	8.00
Street Lighting Maintenance	7.80	7.80
Street Lighting Improvements	7.70	7.80
Structures	6.70	7.00

17. The Community Highway Steward and Community Team operations were a problem at the start of the contract, but steps have been taken to ensure that the Stewards are now available to carry out their duties, and Community Days are now taking place and being well received by local communities. The benefits of the recent changes to the Community Teams operations have not yet had sufficient time to be reflected in the February scores, but these would be expected to become apparent in the scores over the next few months.
18. With Integrated Transport schemes there were problems with delivery during 2013, and the weather this winter caused further problems. BBLP now are developing a programme to address the backlog and to deliver schemes during 2014/15. Progress on delivering these schemes will be closely monitored in the months ahead to ensure that the programme is followed.

19. The street lighting maintenance performance did drop towards the end of 2013, but this has been turned round so that the service is now on target. It should be noted that many of the long standing street lighting faults were because of supply problems which are the responsibility of SSE, who are have up to 20 working days to visit sites. BBLP are not allowed to work on SSE equipment.
20. The KPI scoring reported to the rapid scrutiny meeting in March indicated that based on the scale set out in the contract documentation the BBLP performance had been 'adequate', which was below the level anticipated.

Organisation	Scored by	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Dec 2013	Feb 2014
Wiltshire Council	Atkins	7.7	6.6	7.9	7.8	8.0	8.2	8.2
	BBLP	7.2	7.1	7.8	6.4	7.0	8.2	6.6
Atkins	Wiltshire	8.1	8.4	8.4	8.1	8.4	8.4	8.9
	BBLP	7.4	7.4	7.6	6.4	7.2	8.1	7.6
BBLP	Wiltshire	5.6	5.4	4.9	5.5	5.0	6.2	5.3
	Atkins	5.3	-	5.4	5.4	6.3	6.1	6.3

21. From the above results it can be seen that the BBLP average score did increase from 5.45 in June to 6.15 in December. The disruption because of the weather has meant that scoring in January has not been possible. The February score for BBLP was slightly lower at 5.80, but this reflected the ongoing disruption in some service areas because of the weather. The scoring process will continue and be used to inform the contract performance review to take place in June.
22. The contract monitoring systems and measures in place to manage the contract are continuing, with regular service delivery team meetings and monthly Contract Management Meetings. Where there are outstanding commercial or financial issues to be resolved it has been agreed that the processes should be sped up so that matters are escalated and resolved quickly.

#### Contract and Early Warning Notices

23. The Contract is based on the NEC3 form of contract, which was developed by the construction industry because the more traditional forms of contract had not kept pace with developments in technology and management. Contracts had not changed much over the 120 years since the railway era and there was dissatisfaction with increases in cost of projects, delays in completion and frequent disputes. A review by the Institution of Civil Engineers in 1991 and the government sponsored report by Sir Michael Latham resulted in the development of the New Engineering Contract (NEC) in 1995. This form of contract is now widely used on major projects, both in the UK and abroad.
24. The NEC contract was drafted with the three main objectives of flexibility, clarity and stimulus to good management. A key principle is that foresighted co-operative management of the interactions between the parties can shrink

the risks inherent in construction work. The use of Early Warning Notices allows either of the parties to raise potential problems at the earliest opportunity. These could include cost, performance or quality issues.

25. With the older types of contract Default Notices were often used to deal with some of these issues, often accompanied by some form of penalty. The problem with this approach is that it is applied after the event has occurred. The change to Early Warning Notices is to provide a means of identifying these events before they occur so that the parties can work to avoid them.
26. Collaborative working is a key aspect of the NEC3 contract. On the Wiltshire contract the monthly Risk Management Meetings review the potential problems to determine what steps should be taken to reduce the risk or address the issue. The issues dealt with could range from the need to agree prices for a minor element of work to concerns about delivery of whole service areas. Any unresolved issues would be referred to the regular Contract Management Meeting for consideration.
27. The contract may not include Default Notices, but it does include requirements for the contractor to rectify defects and other obligations with regard to performance. However, rather than penalise the contractor for poor performance, the Wiltshire contract generally provides an incentive for good performance. The contractor can be awarded extensions of the contract if the performance reaches the required standard. On the previous Highways Works contract this acted as a significant incentive for the contractor who made significant efforts to meet the requirements. In the event of poor performance the contract does offer the opportunity to terminate the contract.

#### Community Teams and Grass Cutting

28. The Community Team has a key role in delivering the local highway service, and it has taken longer than had been hoped for the teams to operate effectively. Getting an understanding of their role and operation has involved considerable work by both the Council's staff and BBLP, with a series of workshops taking place including the staff involved in the service. There is now a better understanding of the role of the team.
29. It is important that the Community Team's role is communicated effectively to the local communities, including local members and Parish and Town Councils. It is clear that this has not happened, and there is a need to build that trust and understanding. BBLP are working with the Council to attend a number of events to promote the scheme, which have started this month in Trowbridge, and will continue in other areas, with a larger event in June.
30. BBLP have reviewed the resources required to deliver grass cutting and have considered the number of operatives required for each area. It is proposed that new equipment will be introduced following the lessons learnt from last year, and the experience currently being gained. Initial indications are that grass cutting will be better than last year, but it is still early in the season, and the situation continues to be monitored as it is an area of potential concern.

## IT and Technology

31. The IT issues identified at the rapid scrutiny meetings are being addressed, but this took longer than anticipated. There are security issues with both organisations systems which need to be satisfied. The interface problems between the Council's systems and BBLP systems are being resolved, but this has hampered operations in some areas and required temporary arrangements in the short term.
32. The system interface problems have affected the effectiveness of the MyWiltshire App which allows the public to report issues directly. The App offers enormous potential to provide a more reactive service, but does present problems in terms of the quality of information submitted, and the high numbers of reports having to be dealt with using the existing arrangements. The IT issues have been substantially resolved which is allowing the more effective operation of the system, with more up to date reporting of work completed. However, the operation of the processes will continue to be monitored.

## Conclusions

33. The performance of BBLP during the recent flooding has been acknowledged as good, and BBLP made significant contribution to the Council's response to the adverse weather. The winter maintenance service involving the precautionary salting of the roads was also carried out successfully despite the need to respond frequently to flooding incidents on other parts of the network.
34. The Council's contract with BBLP provides substantial financial benefits of over £2 million annually, and will deliver significant long term benefits in terms of more flexible and effective service delivery. It remains a key contract for both parties and there is a clear commitment from BBLP senior management to address the difficulties that have been experienced.
35. An initial audit of the contract was undertaken by the South West Audit Partnership in August 2013, which concluded that it was possible to give partial assurance in relation to the areas reviewed and the controls found to be in place. Since then the outstanding issues have all been satisfactorily completed. A further audit in connection with the contract is planned for later this year.
36. The operation of the contract will continue to be monitored closely by the Council's officers to ensure that the BBLP contract does deliver all of the benefits originally anticipated. There will be a full review of BBLPs performance, including monitoring against the undertaking given at the tender stage, which will be undertaken in June to review the first full year of the contract.

## APPENDIX A

### Benefits of New Contract

The benefits of the new contract are expected to include:

1. Community involvement opportunities.
2. Simplified management of the service currently provided by three contractors and in-house teams.
3. Ability to reconfigure resources in event of reduced workload.
4. Contractor carries workforce employment risks in connection with redeployment and occupational hazards.
5. Specialist personnel and corporate best practice processes and procedures.
6. Management capability and capacity which has been assessed at the prequalification stage and tender quality assessment.
7. Greater flexibility for optimising deployment of operatives and resources.
8. Greater flexibility for redeploying personnel in response to budget changes.
9. Group-wide call-off arrangements for highway related materials and consumables resulting in price benefits due to bulk buying.
10. Established skills in dealing with highways related sub-contractors.
11. Ability to apply common operational management systems across services.
12. Established mobile working solutions for communications with field operatives.
13. Provision, updating, maintenance and renewal of specialist highways related ICT included in rates.
14. Effective specialist IT support for operational management systems.
15. Expertise in working with clients to develop public interfaces.
16. Dedicated Health and Safety specialist personnel and best practice procedures.
17. Economies of scale by dealing with Health and Safety issues across services and contracts.
18. Ingrained familiarity with regulations and procedures relating to CDM, H&S, HSE, etc.
19. Corporate Quality management and Environmental Management Systems.
20. Group wide training programmes for operatives and management.
21. Apprenticeships or work opportunities.
22. Access to wider highway community through other contracts and industry groups.
23. Highways research and development activities.
24. Joint innovation trials and sharing costs.
25. Collaboration and systems thinking reviews in conjunction with client.
26. Transfer of responsibility for non-strategic fleet to contractor.
27. Local management structure across the range of services.
28. Potentially reduced overhead costs for centrally provided support.
29. Potential capital investment in plant and equipment.

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Wiltshire Council

Environment Select Committee

15 April 2014

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## Report on Flood Plan Review Programme

### Purpose of report

1. To update the committee on the work programme to review the council Flood Response Plan.

### Background

2. The risk associated to flooding is increasing due to climate change and increased levels of winter rainfall and more intense summer rainfall. Widespread flooding is the second highest risk of the National Risk Register.
3. Within Wiltshire flooding events are the result from excessive rainfall leading to rivers overtopping their banks, excess of water beyond the capacity of drainage systems and groundwater saturation.
4. The aim of the flood plan is to detail the coordinated response that would be required from Wiltshire Council, including all service areas, officers and councilors prior to and in the event of a severe flooding within the county.
5. The plan sets out Wiltshire Council's flood management arrangements and takes into account the council's responsibilities under the Flood and Water Management Act 2010 and Reservoirs Act 1975.
6. The latest update of the Wiltshire Council Flood Plan was released in February 2011. The plan is a live document and requires regular reviews and updating. The plan is currently due for review.

### Summary of Review Programme

7. In Autumn 2013 the emergency planning resilience and response team began a review of the Council Flood Plan. The aim of the review was to incorporate a number of changes including:
  - Up to date risk assessments with regard to flooding in Wiltshire.
  - Improvements in local resilience delivered through the Wiltshire Flood and Drainage Strategy.
  - Changes to management structure across the authority.
  - Incorporating the role of Public Health and new local authority responsibilities to protect the health of the population.

8. On the 23 December 2013 Wiltshire Council began actively responding to flooding events across the county. During the Christmas period and through the first two months of 2014 Wiltshire experienced the worst and widest spread flooding event seen for over 13 years.

The most recent estimates confirm 490 homes and 52 businesses in Wiltshire were flooded during this period. Wiltshire Council has received praise from the Department of Community and Local Government and local multi-agency partners such as the Police and Fire Service on the effective way we have responded to such a prolonged flooding incident. Due to the costs incurred by the Local Authority, Michael Hudson will be making a claim for reimbursement from the central government under the Bellwin Scheme arrangement.

9. The collation of lessons learned during this most recent flooding event and staff debriefings took place throughout the incident and continue with a full strategic debriefing scheduled to take place on 14 May 2014.
10. The drainage team is using their network of local flood warden and parish and town councilor contacts to map the exact nature, duration and impact from of the recent flooding. This information is being collated and shared with colleagues from the Environment Agency and Wiltshire Fire and Rescue Service to create an invaluable resource of real life flooding information.
11. The Emergency Planning Resilience and Response Team are committed and currently in the process of capturing and coordinating all the intelligence gathered from this most recent flooding experience. This informed will be used to inform the pre-programmed Flood Plan Review.

## Recommendations

The committee is asked to note and support the current review programme with a view to receiving the complete updated Flood Review Plan for consideration in September 2014.

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Report Author: Deborah Haynes  
Consultant in Public Health (Designate)  
01225 716835  
[deborah.haynes@wiltshire.gov.uk](mailto:deborah.haynes@wiltshire.gov.uk)



## **COMMUNITY SPEEDWATCH – input into Police and Crime Panel Task Group**

### Background

Speedwatch was included on the forward work plan when agreed by the Committee in October 2013. There was interest in this topic as the police, who have responsibility for Speedwatch, had indicated that they would address a number of concerns members had about the scheme, and members were keen to see that these had been resolved.

Subsequently, the Police and Crime Panel (PCP) set up a Task Group looking at Voluntary Schemes, which included Speedwatch. The Committee is keen to avoid duplication of effort and also wishes to work constructively with its partners therefore, as the Police have responsibility for this topic, it was agreed that it was more appropriate for the PCP Task Group to continue its work, but with the Committee being given the opportunity to provide any questions and raise any issues it would like the PCP to address in its review.

### Potential issues for consideration by the PCP Task Group

- a) The following had been identified previously as issues that needed addressing in relation to Speedwatch:
- Difficulties with IT functionality;
  - 'Follow-up' letters not being sent to offending motorists;
  - Insufficient training opportunities for those wishing to take part in the scheme;
  - Shortage of speed guns.

The Committee may wish to see that these issues have been resolved.

- b) The areas below are suggested as potential areas of questioning:
- What are the total resources of the scheme?
  - Where are individual schemes currently sited?
  - Does the scheme have an end date or is it indefinite?
  - How are decisions made, and by whom, about where individual schemes are located?
  - Are Speed Indicator Devices (SIDs) included in the scheme?
  - What level of monitoring or support is required from the Area Boards and to what extent do the police liaise with Area Boards and provide feedback?

### Input into the PCP Task Group

Members are asked to consider the suggestions above and also to raise any questions they may have that they would like the PCP Task Group to address in its review.

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Committee	Review / Task Group	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Scrutiny Officer	STATUS (incl. date)
		Cabinet 21st Nov	Cabinet 17th Dec	Cabinet 21st Jan	Cabinet 11th Feb	Cabinet 18th Mar	Cabinet 22nd April	Cabinet 20th May	Cabinet 17th Jun	Cabinet 22nd Jul		
		Council 12th Nov			Council 4th and 25th Feb			Council 13th May		Council 29th Jul		

ENVIRONMENT	Community Infrastructure Levy (CIL) Task Group		Environment Dec 2013									Review in progress	MM	Task Group presented proposed rate of CIL to ESC and Cabinet Dec 13. Work to continue due to changing legislation.
	Waste Task Group		Environment Dec 2013										MM	Task Group presented final report to ESC and Cabinet member Dec 13.
	Adoptable Estates Task Group							Environment April 2014					MM	Task Group reviewing systems and communications around planning processes. Report to Committee June 2014
	Investing in Highways												MM	Task Group to scrutinise involvement of Area Boards and how money to be allocated. Work to begin April/May 2014.
	Car Parking Review												MM	Task Group to scrutinise presentation to ABs on parking and 'town profile', incl identifying gaps in information.
	20 mph Policy		Environment Dec 2013										MM	Policy supported. Task Group to review developing policy. Inaugural meeting 8 April.
	Speedwatch												MM	Ctte to suggest lines of enquiry for PCP Working Group on Volunteer Groups.
	Highways and Streetscene Contract BBLP				Environment Feb 2014			Environment April 2014					MM	RS completed, second meeting to be held 27 March, to report back to ESC in April.
	Flood Plan Annual Report									Environment June 2014			MM	Annual report - duty to review. Flood plan being significantly revised. To Cttee Sept 2014. Report to ESC in June

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