

HERTFORDSHIRE COUNTY COUNCIL

MINUTES of the Meeting of the County Council held at County Hall, Hertford, on Tuesday, 15 November 2016

MEMBERS IN ATTENDANCE

D Andrews	C M Hayward	I M Reay
D A Ashley	R J Henry	R M Roberts
J R Barfoot	T C Heritage	P A Ruffles
D J Barnard	D J Hewitt	R Sangster
S Bedford	F R G Hill	D T F Scudder
R H Beeching	N A Hollinghurst	A M R Searing
N Bell	T Hunter	R H Smith
J Billing	T R Hutchings	A Stevenson
M Bright	S L C Johnston	J J Taylor
F Button (Chairman)	A Joynes	S J Taylor
R F Cheswright	L R Kercher	R A C Thake
G R Churchard	A King	R G Tindall
C Clapper	J G L King	A S B Walkington
M J Cook	J Lloyd	M A Watkin
M Cowan	P V Mason	J A West
M S Crawley	G McAndrew	C J White
H K Crofton	R Mills	A D Williams
T L F Douris	M D M Muir	J D Williams
D S Drury	R G Parker	C B Woodward
S B A F H Giles-Medhurst	A Plancey	C B Wyatt-Lowe
R I N Gordon	R G Prowse	W J Wyatt-Lowe
D Hart	S Quilty	P M Zukowskyj
K M Hastrick		

Upon consideration of the agenda for the Meeting of the County Council held on 15 November 2016, as circulated, action was taken or decisions were reached as follows:-

1. MINUTES

- 1.1 The minutes of the Meeting of the Council held on 19 July 2016 were confirmed as a correct record and were signed by the Chairman.

**CHAIRMAN'S
INITIALS**

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2. CHAIRMAN'S ANNOUNCEMENTS

(a) DEATH OF FORMER MEMBER OF THE COUNTY COUNCIL – KEN COLEMAN

The Chairman advised that Council had received the sad news that former County Councillor Ken Coleman had passed away on 25 August 2016. Ken had been elected to the County Council in 1997 and served until 2009, representing Berkhamsted. During that time he had served on several of the Council's committees including the Social Services Committee, Adult Care Services Select Committee on which he served as Vice-Chairman in 2002, and Health Scrutiny Committee. Ken had also been very active locally, serving as a borough Councillor, town councillor and parish councillor and as a member of the local Health Trust over many years.

I M Reay and N A Hollinghurst spoke in tribute.

Council stood in memory of Ken Coleman.

(b) SHARON TAYLOR, LGIU AWARD FOR LEADER OF THE YEAR

Council congratulated Sharon Taylor on being awarded Leader of the Year in the Local Government Information Unit Awards for her leadership of Stevenage Borough Council.

(c) NATIONAL MEALS ON WHEELS AWARD

Council congratulated Hertfordshire Independent Living Services, who provided meals on wheels for the County Council, on winning the National Meals on Wheels Award at the National Association of Care Catering Awards.

(d) EXCELLENCE IN PUBLIC SECTOR AWARDS

Council was advised that Hertfordshire County Council, Herts Independent Living Service, and North Hertfordshire District Council had collectively picked up the 'Best Public/Public Partnership Working Initiative' Award at the Excellence in the Public Sector Awards in September for their Careline Service; congratulations were given to all involved.

**CHAIRMAN'S
INITIALS**

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(e) PUBLIC SECTOR COMMUNICATIONS AWARDS 2016

The Council's 'Good Care' campaign received the Platinum Award and the 'We Care about Carers' campaign received a Silver Award at the 2016 Public Sector Communications Awards.

The 'Good Care' campaign, run in partnership with Health and Community Services colleagues and the Hertfordshire Care Providers Association, and is about celebrating the care workforce and encouraging more people to consider careers in care.

The 'We Care about Carers' campaign is also run in partnership with Health and Community Service colleagues and with partners in the community and voluntary sector and is about showcasing Hertfordshire's offer of support for carers and encouraging more carers to come forward for assessment.

Council congratulated all the teams involved.

(f) 2016 OLYMPICS AND PARALYMPIC AWARDS

Council congratulated former Cheshunt resident Laura Trott-Kenny who became the first woman in British history to win four Olympic gold medals. The 24-year-old was triumphant in the omnium, adding to the Rio gold she had already won in the women's team pursuit in defending the titles.

Council also congratulated Hemel Hempstead-born Max Whitlock who, during the 2016 Games, won a bronze medal in the all-round gymnastics event, which was Great Britain's first medal in this Olympic event for 108 years and who, days later, won the gold medals in the Men's Floor and Men's Pommel Horse events, becoming the Country's most successful Olympic gymnast, and its first Olympic champion in Gymnastics.

Congratulations also went to Oliver James and his GB mixed coxed four team who won gold at the Rio Paralympics. Oliver, who was from Stevenage and went to Nobel School, started coxing in 2009 at the University of Warwick while studying for a BA in philosophy. He signed up for the boat club in his first year and continued with them during his studies before progressing on to a Berkshire-based rowing club and then the GB team.

**CHAIRMAN'S
INITIALS**

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(g) RECOGNISING HERTFORDSHIRE

Council was informed that since the last County Council meeting in July the Chairman and Vice-Chairman had, between them, attended several functions recognising Hertfordshire, including:-

- The Great Fire Afternoon Tea at Mansion House with the Lord Mayor of London, marking the 350th anniversary of the Great Fire, and hearing that Hertfordshire raised £373 12s 0p (that's 373 pounds, 12 shillings and no pence) 'for the relief of distress following the Great Fire of London in 1666'.
- Hertfordshire Association for the Care and Resettlement of Offenders (HACRO) Conference and Annual General Meeting at Police Headquarters
- Community Development Action - Hertfordshire's Rural Conference
- Annual General Meeting for Breaks Manor Youth & Community Centre, now chaired by former County Council Chairman Hilary Burningham
- Hertfordshire Domestic Abuse Helpline Annual General Meeting
- The opening of an ecotoilet (Unused)
- The opening of wild life park at Panshanger
- A visit by HRH The Duke of Edinburgh to the University of Hertfordshire

The Chairman had also hosted a number of events including:-

- Campaign to Protect Rural England - Hertfordshire's Rural Living Awards presentation evening
- Our own Volunteer Award Ceremony
- The British Empire Medals investiture by the Lord Lieutenant
- The Schools Debate in this Chamber during Democracy Week (with students from Onslow St Audreys and The Nobel School)
- Lunch for the Premier of the British Virgin Islands and his colleagues during his recent visit to England

3. PUBLIC QUESTIONS – STANDING ORDER 8(10)

3.1 There were no public questions.

4. PUBLIC PETITIONS – STANDING ORDER 15

4.1 There were no public petitions.

4

**CHAIRMAN'S
INITIALS**

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5. OFFICER REPORTS RELEVANT TO EXECUTIVE PORTFOLIOS

5A ADOPTION OF THE REVISED MINERALS AND WASTE DEVELOPMENT SCHEME

- 5.1** The following motion moved by **D A Ashley** and duly seconded was CARRIED:-

“That County Council approves the revised Minerals and Waste Development Scheme and new timetable as set out in the report and its appendices.”

6. THE EXECUTIVE REPORT

6A. LEADER OF THE COUNCIL – EXECUTIVE REPORT

- 6.1** The following motion proposed by **R I N Gordon** was CARRIED:-

“That the report of the Executive (being the report under Standing Order 7) be received and that the position of Key Decisions in the decision-making process shown in the current edition of the Forward Plan referred to in the report be noted.”

- 6B(i) 6.2 S B A F H Giles-Medhurst** raised a point of order under Standing Order 10(1) regarding the amendment at 6.6. The Chairman ruled that the amendment was in order.

- 6.3 S B A F H Giles-Medhurst** disputed the Chairman’s ruling. He requested that the Liberal Democrat Group’s dissatisfaction with the Chairman’s ruling be recorded.

- 6.4** The following motion was proposed by **S B A F H Giles-Medhurst**:-

“That the Chief Executive and Director of Environment be requested to amend the Winter Service Operational Plan so as to allow any school to be able to apply for salt under the Winter Self Help scheme.”

**CHAIRMAN’S
INITIALS**

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6.5 S B A F H Giles-Medhurst withdrew the motion at 6.4.

6B(ii) 6.6 The following motion was proposed by **A King** and duly seconded:-

“In view of the fact that the service is going to be put under greater pressure in coming years with an increasingly aged population and that it is facing a shortfall in funding nationally of between £2.8bn and £3.5bn by 2020, Council requires that the Executive Member look into alternative ways of delivering our domiciliary home care service in Hertfordshire and report back on her progress to the Cabinet Panel. These alternatives might include bringing the service back ‘in house’ and the setting up of a social care co-operative as currently operating in councils like Suffolk.”

6.7 The following amendment was proposed by **C B Wyatt-Lowe** and duly seconded:-

*“After “Council” delete “requires that”;
insert “asks” after “Executive Member”;
delete “look into” insert “to continue to review”
after “Hertfordshire” insert “to maintain an appropriate balance between quality and cost”;
delete “progress” insert “recommendations”;
and after “Cabinet Panel” insert “in due course”*

The amended motion to read:-

“In view of the fact that the service is going to be put under greater pressure in coming years with an increasingly aged population and that it is facing a shortfall in funding nationally of between £2.8bn and £3.5bn by 2020, Council asks the Executive Member to continue to review alternative ways of delivering our domiciliary home care service in Hertfordshire to maintain an appropriate balance between quality and cost and report back on her recommendations to the Cabinet Panel in due course. These alternatives might include bringing the service back ‘in house’ and the setting up of a social care co-operative as currently operating in councils like Suffolk.”

6.8 The amendment at 6.7 was then voted on and CARRIED.

6.9 The substantive motion as set out at 6.7 was then voted on and CARRIED as follows:-

**CHAIRMAN'S
INITIALS**

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“In view of the fact that the service is going to be put under greater pressure in coming years with an increasingly aged population and that it is facing a shortfall in funding nationally of between £2.8bn and £3.5bn by 2020, Council asks the Executive Member to continue to review alternative ways of delivering our domiciliary home care service in Hertfordshire to maintain an appropriate balance between quality and cost and report back on her recommendations to the Cabinet Panel in due course. These alternatives might include bringing the service back ‘in house’ and the setting up of a social care co-operative as currently operating in councils like Suffolk.”

6B(iii) 6.10 The following motion proposed by **D A Ashley** and duly seconded was CARRIED UNANIMOUSLY:-

“At a time of significant planned growth, which can only be delivered sustainably by continuing investment in public transport, the prospect of the rail link between Hertford and Stevenage being severed for up to six years is totally unacceptable. Not only will this inconvenience thousands of passengers but will encourage more traffic onto already congested roads.”

6B(iv) 6.11 The following motion was proposed by **N A Hollinghurst** and duly seconded:-

“That Council believes that no further reductions should be made to the supported (contracted) bus network.”

6.12 The following amendment was proposed by **D A Ashley** and duly seconded:-

“Before “supported” insert “budget for the” and after “network” insert “except where suitable services can be maintained at a lower subsidy”

The amended motion to read:-

“That Council believes that no further reductions should be made to the budget for the supported (contracted) bus network except where suitable services can be maintained at a lower subsidy.” ”

6.13 The amendment at 6.12 was then voted on and CARRIED.

- 6.14** The substantive motion as set out at 6.12 was then voted on and CARRIED as follows:-

“That Council believes that no further reductions should be made to the budget for the supported (contracted) bus network except where suitable services can be maintained at a lower subsidy.”

- 6B(v) 6.15** The following motion was proposed by **R J Henry** and duly seconded:-

“This Council notes with concern the upsurge in fly tipping in Hertfordshire which has increased since the policy was introduced in 2015/16 by a huge 17.9%. This coincides with the partial closure programme of Hertfordshire’s waste and recycling centres. The Executive Member in this Administration has consistently told us that this is a coincidence. The regular increase in reports and newspaper articles about fly tipping would suggest that this is not the case. The supposed cost saving is really a transfer of costs to the 10 borough & district councils who have to pick up fly tipped rubbish. The Council calls on the Executive Member to return the waste & recycling centres to 7 days a week and actively target fly tipping hotspots as a matter of urgency.”

- 6.16** The following amendment was proposed by **R A C Thake** and duly seconded:-

*“First sentence: Delete “the policy was introduced in”;
second sentence: Delete “This” and insert “While this”, delete “partial closure programme”, insert “reduction in opening hours”, after “centres” insert “, Council accepts that a substantial part of the material fly-tipped is commercial waste that would not have been accepted at the centres”;
Delete the third, fourth and fifth sentences;
final sentence: Delete “return the waste & recycling centres to 7 days a week and” and insert “work jointly with the 10 Borough & District Councils”, and after “actively”, insert “to”.*

The amended motion to read:-

“This Council notes with concern the upsurge in fly tipping in Hertfordshire which has increased since 2015/16 by a huge 17.9%. While this coincides with the reduction in opening hours of Hertfordshire’s waste and recycling centres, Council accepts that a substantial part of the material fly-tipped is commercial waste that would not have been accepted at the centres. The Council calls on the Executive Member to work jointly with the 10 Borough & District

Councils actively to target fly tipping hotspots as a matter of urgency.” ”

6.17 The amendment at 6.16 was then voted on and CARRIED.

6.18 The substantive motion as set out at 6.16 was then voted on and CARRIED as follows:-

“This Council notes with concern the upsurge in fly tipping in Hertfordshire which has increased since 2015/16 by a huge 17.9%. While this coincides with the reduction in opening hours of Hertfordshire’s waste and recycling centres, Council accepts that a substantial part of the material fly-tipped is commercial waste that would not have been accepted at the centres. The Council calls on the Executive Member to work jointly with the 10 Borough & District Councils actively to target fly tipping hotspots as a matter of urgency.”

6B(vi) 6.19 In accordance with Standing Order 14(11)(d) and (e) the Chairman advised Council that the motion and amendment set out at 6.21 and 6.22 below) would be formally moved and seconded without further discussion and then voted upon.

6.20 **C M Hayward** raised a point of order under Standing Order 7(5) regarding the motion at 6.21. The Chairman ruled that the motion was in order and, thus, the amendment at 6.22 was also in order.

6.21 The following motion was proposed by **S J Taylor** and duly seconded:-

“The Council calls upon the Government to reconsider transitional arrangements for the state pension for women born on or after 6th April 1951, so that women do not live in hardship due to pension changes they were not told about it until it was too late.”

6.22 The following amendment was proposed by **C M Hayward** and duly seconded:-

“After Council delete “calls upon the Government to reconsider”, insert “notes the concerns of some regarding”; and after “1951” delete “so that women do not live in hardship due to pension changes they were not told about until it was too late” and insert “but does not have sufficient information about the issues to take any specific action or policy position on the matter which is for central government to

**CHAIRMAN'S
INITIALS**

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determine”

The amended motion to read:-

“The Council notes the concerns by some regarding transitional arrangements for the state pension for women born on or after 6th April 1951, but does not have a sufficient information about the issues to take any specific action or policy position on the matter which is for central government to determine.” ”

6.23 The amendment at 6.22 was then voted upon and CARRIED.

6.24 The substantive motion as set out at 6.22 was then voted upon and CARRIED as follows:-

The Council notes the concerns by some regarding transitional arrangements for the state pension for women born on or after 6th April 1951, but does not have a sufficient information about the issues to take any specific action or policy position on the matter which is for central government to determine.”

7. QUESTIONS TO EXECUTIVE MEMBERS

7.1 During the period for questions to Executive Members under Standing Order (8)(7)(c) the following Members asked questions (and, where indicated, supplementary questions) of the Executive Member or their Deputy as stated [the audio recording of this item of business can be found here [Audio file - Questions to Executive Members](#) [Questions are listed by portfolio].

Executive Member	Questioner	Subject
Leader of the Council	C J White	Local government reorganisation (creation of a unitary county council for Hertfordshire)
	J Billing	Shortfall in adult social care funding
	J Billing	Changes to pension arrangements for women born after 6 April 1951 ¹
Highways	S B A F H Giles-Medhurst	Arrangements for and information provided to members of the public regarding temporary traffic

**CHAIRMAN'S
INITIALS**

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		regulation orders ¹
	J G L King	Completion of drain and gully cleaning in her division
	J West	Positive role of the Council's driver awareness scheme in improving road safety
	C J White	Instructions provided to highways officers and Ringway for communicating with members/public regarding gully cleaning undertaken as part of the restoration project ^{1 2}
	S J Taylor	Lighting of cycleways in Stevenage ¹
	D A Ashley	Introduction of the road safety fund and application process
Public Health, Localism & Libraries	S Bedford	Communication with the Local Member regarding the re-opening of Abbots Langley library ^{1 2}
	R Mills	Drug and alcohol treatment services commissioned by public health
	C M Hayward	First year anniversary of Chorleywood Library volunteers ¹
Resources & Performance	M Cowan	Report on impact of Brexit on the County Council and residents of Hertfordshire ¹
	S J Taylor	Changes to pension arrangements for women born after 6 April 1951 ¹
	R A C Thake	Standing Orders concerning the Executive Report to Council and motions on the Executive Report
Adult Care & Health	R G Tindall	NHS funding and use of monies allocated for mental health services ²
Children's Services	M A Watkin	Ofsted and CQC inspection of SEND (areas identified for improvement, particularly communication with young people and their families) ¹
	N Bell	Ofsted and CQC inspection of SEND (particularly in respect of 'Voice of the Child' and the action plan to address areas identified for improvement) ¹

**CHAIRMAN'S
INITIALS**

.....

Community Safety & Waste Management	M J Cook	Timeframe for submission of Veolia's planning application for a recycling and energy recovery facility in Hoddesdon (including that for public engagement and consultation) ¹
Enterprise, Education & Skills	M A Watkin	Role of and support provided by the new Regional Schools' Commissioner in continuing the high standard of schools in the County ¹
	A Joynes	Nursery School provision and funding (with respect to the increase in the number of hours of free nursery provision introduced in September)
Environment, Planning & Transport	C J White	Disruption to Govia and Network Rail services in St Albans in the previous week.
	D Andrews	Role of local planning authorities (district and borough councils) in the planning and provision of more sustainable local bus services

* Questions answered by the Deputy Executive Member

Notes: 1 - denotes that a supplementary question was also asked
2 – denotes that a written reply will be given

7.2 Written questions to Executive Members – Standing Order 8(9)

The written questions and replies are set out in the Annex to these minutes.

8. REPORT FROM THE OVERVIEW AND SCRUTINY COMMITTEE

8.1 The following motion proposed by **M Cowan** and duly seconded, was CARRIED:-

“That the report from the Overview and Scrutiny Committee be received.”

**CHAIRMAN'S
INITIALS**

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9. REPORT FROM THE HEALTH SCRUTINY COMMITTEE

9.1 The following motion proposed by **S Quilty** and duly seconded was CARRIED:-

“That the report from the Health Scrutiny Committee be received.”

10. PROPOSED CHANGES TO THE CONSTITUTION OF THE HERTFORDSHIRE HEALTH AND WELLBEING BOARD

10.1 The following motion proposed by **C B Wyatt-Lowe** and duly seconded, was CARRIED:-

“That County Council:-

- (i) agrees the amendments to the Constitution of the Health and Wellbeing Board as set out in the report; and*
- (ii) authorises the Chief Legal Officer to make the amendments to the Constitution of the Health and Wellbeing Board as approved in (i) above.”*

11. APPOINTMENTS TO THE INDEPENDENT PANEL ON MEMBERS’ ALLOWANCES

11.1 The following motion proposed by **R I N Gordon** and duly seconded, was CARRIED:-

“That Council endorses the actions of the Chief Legal Officer and appoints Nicholas Eldred and Christopher Clark to the Hertfordshire Independent Panel on Members’ Allowances.”

12. NOTICES OF MOTION – STANDING ORDER 9(6)

12A 12.1 The following motion was proposed by **M A Watkin** and duly seconded:-

“Council resolves that the Executive Member for Enterprise, Education & Skills write to the Prime Minister and Secretary of State for Education:-

expressing our opposition to any change to free schools to enable them to select on the basis of academic ability;

**CHAIRMAN’S
INITIALS**

.....

calling on the Government to respect the spirit of existing legislation on Grammar Schools and not seek to use loopholes within it to create effectively new grammar schools under the pre-text of expansion; and

calling on the Government to respect localism and promise that if they do proceed with their plans, Councils will not have the system imposed on them and will be free to opt out."

12.2 In accordance with Standing Order 9(8), the Chairman advised Council that the motion stood referred to the Enterprise, Education and Skills Cabinet Panel for consideration.

12B 12.3 The following motion was proposed by **C J White** and duly seconded:-

"Hertfordshire County Council believes that the Government's plans in relation to the funding of local pharmacies:-

- (a) threaten patient access to pharmacies and pharmacy services throughout the County, especially in rural areas;*
- (b) risk reducing services such as free delivery of prescription drugs, family planning advice and advice on medicines and other remedies; and*
- (c) will thereby put more pressure on GPs, hospitals and social care, at odds with the strategies currently pursued by the NHS in Hertfordshire. We therefore*
 - (i) call on the Government to abandon these cuts and maintain a fully-funded community pharmacy service; and*

request the Leader of the Council to write to the Secretary of State for Health accordingly."

12.4 In accordance with Standing Order 9(8) the Chairman advised Council that the motion stood referred to the Adult Care and Health Cabinet Panel for consideration.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN _____

14

**CHAIRMAN'S
INITIALS**

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WRITTEN QUESTIONS TO EXECUTIVE MEMBERS – STANDING ORDER 8

1. Written question from A S B Walkington to T L F Douris, Executive Member for Highways

“After another season of woefully erratic verge maintenance in St Albans, an almost complete lack of weed control, and the astonishing revelation that no record is kept either by our officers or by Ringway of which roads if any have been treated for weeds, will the contract now be transferred to a contractor who will deliver the service that residents deserve and for which the Council has paid and what penalties will then be imposed on Ringway for non-performance?”

T L F Douris has replied:

“In general grass cutting performance has been to standard and cutting has conformed to programme. There were some audit failures (identified by HCC audit inspectors as part of the regular quality control checks) in the early part of the season but these were rectified and performance improved. However, the wet warm spring promoted vigorous growth which attracted enquiries generally in the St Albans area. Ringway have so far completed 10 cuts of urban grass this season and further cuts can be expected before winter. This can be compared to the normal 6 to 8 cuts per year.

Weed spraying, which requires dry conditions, started in May within the City and District of St. Albans, but progress was hampered by the damp weather, so only just over half of the network had been completed by July when weeds were growing vigorously, particularly due to that damp and warm weather. There was a regrettable oversight, which missed out Redbourn, but it has been included within the second wave, which is due to be completed by mid-November. Ringway has been keeping track of progress of weed treatment within St Albans and, from next season, will be able to track exactly where weed treatment has been undertaken and when, using the new technology available.”

2. Written question from S B A F H Giles-Medhurst to D A Ashley, Executive Member for Environment, Planning and Transport

“What remedial works on flood defences in light of recent flash flooding in the County that has caused misery for many residents has been carried out by the County Council either with or without concert with other bodies such as the Environment Agency?”

**CHAIRMAN'S
INITIALS**

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D A Ashley has replied:

“The County Council as Lead Local Flood Authority does not have any responsibility to maintain flood risk assets or budget to implement works or actions that may arise following flood investigation work. The 30th June 2016 Panel report, Review of Hertfordshire’s Local Flood Risk Management Strategy – Issues and Options Consultation, set out the detail of bids and funding received so far for investigatory activity. Further bids are being worked up. The recent flooding Member Topic Group looked at range of issues and how we can better help residents and others at risk of flooding and I will carefully consider any recommendations arising from that scrutiny.

I have met with the Chair of the Thames Regional Flood & Coastal Committee to discuss resources and raised the issue with the relevant Minister highlighting the fact that the current regional and national bidding processes favours flooding incidents where large numbers of properties are affected. In Hertfordshire where surface water flooding can be localised the number of properties impacted by any single event means it is very unlikely the cost benefit triggers to even allow bids to be considered will be met.

However, following this lobbying we have recently received confirmation of funding of £250,000 over 3 years to undertake “slow the flow” initiatives with receptive landowners at appropriate locations that will hopefully help in mitigating flood risk.”

3. Written question from S B A F H Giles-Medhurst to D A Ashley, Executive Member for Environment, Planning and Transport

“In light of the motion passed at the July meeting that called upon the Executive Member for Environment, Planning & Transport to make representations to the Government for County Council to have the power to franchise without having to have a directly elected mayor and without first seeking the Secretary of State's approval on a scheme by scheme basis, can he now detail what representations he has made and what meetings he has attended to raise this subject?”

D A Ashley has replied:

“The update report presented to the Environment, Planning and Transport Panel on the 14 September provided information and detail on the draft Bus Bill. This report included a copy of the letter I sent to the Minister on 28 July regarding my concerns about the lack of freedom and flexibility offered by the draft bill. The reply from the DfT was received on 24th August and also included as an appendix to the Panel report. The Panel requested I send a further letter was sent to the Minister expressing continuing concern. This was sent on 17th October and we are awaiting a response which will be

**CHAIRMAN'S
INITIALS**

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reported to Panel. We continue to monitor the progress of the Bus Bill and the next reading is in the House of Lords on 23 November. Depending on the outcome of that debate I will be writing to Hertfordshire MPs to seek their support for maximum flexibility and freedoms in the Bill to ensure local solutions can be tailored to suit local circumstances."

4. Written question from S B A F H Giles-Medhurst to C M Hayward, Executive Member for Resources and Performance

"What is the total amount spent on external consultants in each of the last four years on specific professional skills e.g. tax consultants, engineering and IT?"

C M Hayward has replied:

"The table below provides the total amounts spent on consultants providing professional skills over the last 4 financial years. Consultancy is defined as providing specialist advice on specific processes or projects and therefore excludes day-to-day services provided by our main contractors for Property and Highways services."

2015/16	£	2014/15	£	2013/14	£	2012/13	£
2,260,011		1,903,096		2,428,405		1,267,840	

5. Written question from S B A F H Giles-Medhurst to C M Hayward, Executive Member for Resources and Performance

"Given there has been no Corporate Peer Review, is one not overdue?"

C M Hayward has replied:

"The Council takes reviews of its services seriously and has adopted a strategy of a wide ranging programme of peer reviews that focus on service delivery areas rather than a single corporate peer review. This delivers significant value to the services and organisation providing a level of scrutiny which would not be possible in a single corporate review. Examples of this can be found across many service areas in recent years, including a highways review in 2014, Stop smoking service review by Action on Smoking and Health (ASH) in 2014, and Health and Community Services commissioning review in 2015. This year (autumn 2016) we have planned a review in Fire and Rescue, a peer review of Youth Justice and a sector lead improvement peer review of domestic abuse process in Children's services. Further to this the Authority is reviewed as part of OFSTED and CQC

CHAIRMAN'S INITIALS

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inspections in Children's Services as well as benchmarking activity which is set out in the annual Integrated Plan papers."

6. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways:

"Given that in less than four years (October 2012 until April 2016) over £1 million in penalties have been imposed on Ringway for failures under its terms of its contract, does the Executive Member think this is acceptable?"

T L F Douris has replied:"

"The Ringway contract includes two incentive elements, an Annual Performance Deduction and monthly Failure to Deliver Events (FDEs). These were developed as part of the contract back in 2010 and are aimed at encouraging a high and consistent level of performance.

The FDEs cover a range of areas including: working in breach of a permit condition or not responding to an emergency repair within the target timeframe.

The Annual Performance Deduction is based on a range of service Performance Indicators.

Although just over £1 million of deductions have been made in total between October 2012 and the end of March 2016, the amount deducted each year is reducing as a result of the ongoing improvements being made across the service, giving rise to more consistent levels of higher performance across the range of contract measures.

In 2013/14 the Annual Performance Deduction was £141,321.00, last financial year (2015/16) it had significantly reduced to £36,321.18.

The value of FDEs is also reducing. Between 1st October 2012 and end of March 2016, the average monthly FDE deduction was £19,668.45. For the first 5 months of this financial year, this figure has significantly reduced to £8,568.00. There will always be FDEs but it is in Ringway's interest to reduce these to the lowest possible level.

Whilst recognising that improvements have been made, the highways teams are not complacent and continue to deliver a high level of service within the resources available."

7. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways

"What action would the Executive Member expect to be taken when it's been established that road markings in breach of page 168 of the new Traffic

**CHAIRMAN'S
INITIALS**

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Signs Regulations and General Directions shows they should not be there i.e. on the road and how long would he expect the County Council to take to remove them?"

T L F Douris has replied:

"I understand that, of the two markings, partially covered on page 168 of the Traffic Signs Regulations and General Directions 2016, your question relates to road markings for 'Box Junctions'. As you haven't given specific details, I can only reply with a general response. Each location where there is evidence of a road marking or sign on the public highway that shouldn't be there, because it doesn't meet the appropriate standards, would need to be considered on a case by case basis depending on the level of risk it posed by leaving it in place. By way of example a yellow box junction incorrectly placed across the entrance to a garage forecourt is unlikely to pose a significant risk to motorists as it would merely serve to discourage a driver from stopping in the hatched area."

8. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways

"Does the Executive Member consider it reasonable that a statutory road sign on an 'A' road reported as badly damaged/leaning and potentially a safety issue, on the Fault Reporting system firstly on the 13th July and subsequently direct to officers with photographs, to still be classed as "under review" as at the 4th November, some 114 days later?"

T L F Douris has replied:

"All reported defects are considered in line with our published Defect Management Approach with our on line system providing an initial assessment based on the response to the questions asked. For example, a leaning sign would be considered as needing urgent attention if it was obstructing the road or footway. However, if it was only leaning slightly and not obstructing the road or causing a hazard, it wouldn't require immediate action but would be considered for planned works."

9. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways

"Since the current on-line fault reporting system was introduced how many service changes (i.e. changes to questions that are required to be answered on reporting a fault) and at what cost"

T L F Douris has replied:

“The new highways fault reporting system was launched in January 2013. Since then there have been a number of enhancements and alterations made, based on user feedback and to take account of service changes. These have cost £91,000 over this 3 year and 9 month period.

Changes to the system have included technical bug fixes, which come at no cost to the Council, improvements to support the customer journey, such as updated wording and changes to the feedback responses, together with new questions to take account of improvements to the highway service, such as the introduction of the Council’s defect management approach in December 2013. There have also been changes to the system to reflect the new defect responses times and intervention levels which were discussed at Panel.

This is a sophisticated system, serving Hertfordshire’s 1.1 million residents. Expenditure of under £30,000 a year to maintain and improve its performance is a reasonable level of investment.

The main change to the fault reporting questions was carried out under the introduction of the Defect Management Approach in December 2013. The total cost of introducing the DMA including new questions, system configuration and testing was £52,000.”

10. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways

“How many and how much has been paid out in insurance claims in respect of the road/footway highways claims in each of the last four full financial years and this year to the latest available data”

T L F Douris has replied:

“The following table represents the claims for compensation received by the Council for property damage or personal injury caused by/on the highway (this includes subsidence damage caused by trees located on the highway).

The period covers the past four complete financial years and up to 31 October 2016. The figures represent the date of injury/damage rather than the amount paid out in each financial year.

Complex property damage (for example subsidence related) and personal injury claims can take several years to resolve so the current estimated amount for the final claims payment has been included.”

Year	No. of claims	Outstanding estimate £	Amount paid £	Total £
2012/13	1,969	562,151	1,188,387	1,750,538
2013/14	2,030	865,623	757,535	1,623,158
2014/15	1,494	1,037,247	397,059	1,434,306
2015/16	1,755	1,730,636	211,846	1,942,482
2016 to 31/10/16	694	712,668	17,616	730,284
Total	7,492	4,908,325	2,572,443	7,480,768

11. Written question from S B A F H Giles-Medhurst to T L F Douris, Executive Member for Highways

“Would the Executive Member agree with me that the published Traffic Regulation Orders are often full of complex details and stating as in just one example that a section of a main ‘A’ road into the largest town of the County would be closed at any time in an 18 month window without informing the public how long such a closure is likely to be and at what times, or what for during that period is unhelpful? And thus would he agree that if at all possible the information to better inform the public and allay fears about such closures should be contained in such notices and obtained from other bodies if the closure is not due to County Council works”

T L F Douris has replied:

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“The maximum time that a Temporary Traffic Regulation Order (TTRO) can be in force for is 18 months. We use this maximum as it allows us to go back and close the road again for other works without having to create a whole new order. This keeps our costs down and allows us to focus budgets on repairing/improving roads rather than re-advertising traffic orders. It also provides the opportunity for us to re-programme works if they get delayed for example by bad weather. Before a road is closed through a TTRO, we put up advance warning boards giving dates and times of the planned closure, to let those using the highway know.

The details set out in the advert are needed to ensure we comply with the relevant legislation and do not leave ourselves open to challenge. We have previously looked at simplifying the wording but must ensure that they comply with the legal requirements.”

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INITIALS**

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12. Written question from S B A F H Giles-Medhurst to R A C Thake, Executive Member for Community Safety and Waste Management

“Will the Executive Member engage with the Police and Crime Commissioner to see what additional resources can be deployed or made available, perhaps by using the Commissioner’s Road Safety Fund to enable better enforcement of both the Highways Code and statutory regulations as well as education on general road safety to those that park or dangerously drop off children at or near school entrances?”

R A C Thake has replied:

“I will do all I can to support any sensible initiative that tries to address the problem of inconsiderate or dangerous parking near school entrances. However, this particular area of road safety activity falls within the remit of the Executive Member for Highways.”

T L F Douris has replied:

“Officers, through the Road Safety in Schools team work with a wide range of partners, including the Police and Crime Commissioner and the constabulary together with the Fire and Rescue Service to reduce parking and traffic concerns outside schools. For example, since April 2015, approximately 30 schools have delivered the ‘Road Monster’ initiative which includes a parent parking promise. A further 32 have achieved accreditation for their travel plans which seek to encourage sustainable (non-car) travel. Currently we are working with Cresswick School in Welwyn Garden City and Mossbury School in Stevenage where ‘park and stride’ initiatives are being set up that utilises a nearby pub carpark and public parking area respectively. Enforcement is the domain of either the relevant district / borough council or the Police and, where possible and resources allow, all agencies will work together to address parking issues.

The PCC’s fund that is administered within the Environment Department will open for a further round of bidding in early December and will accept bids for consideration from a wide variety of constituted community groups with the support of the local HCC Member. There have been no bids to date that explicitly deal with anti-social or dangerous parking. However a number have sought to address speeding concerns outside schools to which a number of grants were made to fund either speed indication devices, signage or feasibility studies into longer term solutions. These activities, all of which are focused on influencing driver behaviour to improve safety, are aimed at addressing the highest risk areas or drivers.

The December Highways Panel will receive a report on the PCC fund and sets out how ‘Community Concerns’ can be a trigger for road safety or speed management works as part of a coordinated, proactive and

prevention focused approach to action, particularly when supported by the local HCC Member and other stakeholders. The report recognises the PCC's fund as a suitable vehicle through which to address Community Concerns and will detail a process which will not conflict with the Highways & Transport Speed Management Strategy."

13. Written question from S B A F H Giles-Medhurst to R A C Thake, Executive Member for Community Safety and Waste Management

"Since the current contractor took over the management and running of the Household Waste Sites, how many hours out of the published opening hours, for each of the sites, not been available to the public to use?"

R A C Thake has replied:

"The collection of waste containers from the network of household waste recycling centres is tracked and arranged on a daily basis. This is because demand for use by residents and the waste types being deposited, can fluctuate throughout the year. The new contractor, Amey, undertook management of the network in October 2014 but did not assume responsibility for the haulage of containers until June 2016 due to the phasing out of previous arrangements.

"Whilst the contractor does all they can to efficiently and effectively transport the waste and avoid disruption for residents visiting the centres, it is necessary to continue servicing across the network during the advertised opening hours as a result of capacity issues for some, or all, materials to meet demand during peak times, to comply with planning restrictions at some centres, or because some of the disposal facilities are only available during normal working hours to accept material."

The Community, Safety and Waste Management Panel received a report on 1st July 2016 that detailed, over a four week period, the numbers of occasions that the centres had received a collection within, or outside of, the operational hours. This was shown for the period August 2015 and was compared with the data for the identical time span in the previous year. This reveals a significant improvement across the entire network in terms of servicing outside of published opening times, from 22% in 2014, to 68% in 2015. The report details that during the study time, there were 490 short term temporary closures as containers were serviced across 15 sites (Waterdale and St Albans are split level so nearly all servicing can take place without closing the site). Closures can vary from between 10 minutes and 40 minutes depending on what containers are being serviced. Taking an average of 25 minutes this broadly equates to 204 hours closed out of a total of approximately 2,660 opening hours. It should also be noted that

August is one of the busiest times of year at the HWRCs with more container movements, so this figure will be lower during quieter times.

Currently, although we record how often and when interchange of containers occurs, information on actual time spent servicing the centres cannot be provided with absolute certainty as both sites, ease of servicing and the quantity of material deposited do vary considerably. However, as part of planned improvements to the network, a roll out of CCTV and Automatic Number Plate Recognition is underway and on programme for delivery before Christmas. Amongst other uses, these systems will be able to provide the information requested going forward and will be a useful contract management tool.

It should be noted that the service and contractor are performing well.”

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