

Environment, Communities and Fire Select Committee

14 November 2018 – At a meeting of the Environment, Communities and Fire Select Committee held at 10.30 am at County Hall, Chichester.

Present: Mr Barrett-Miles (Chairman)

Mr Baldwin	Mr Jones, arrived at	Mr Purchase
Lt Col Barton, left at	10.45am	
12.15pm	Mr McDonald	
Mrs Bridges	Mr Patel	

Apologies were received from Mr S J Oakley, Mrs Brunsdon, Mr Oppler and Mrs Purnell

Part I

32. Declarations of Interest

32.1 No interests were declared.

33. Part 1 Minutes of 21 September Meeting

33.1 Resolved – that the Part I minutes of the Environment, Communities and Fire Select Committee held on 21 September 2018 be approved as a correct record, and that they be signed by the Chairman.

34. Part II Minutes of 21 September Meeting

34.1 Resolved – that the Part II minutes of the Environment, Communities and Fire Select Committee held on 21 September 2018 be approved as a correct record, and that they be signed by the Chairman.

35. Responses to Recommendations

a) Fire Authority's Integrated Risk Management Action Plan 2018-22

35.1 The Committee noted the Cabinet Member's Response to the Committee's Recommendations on the Fire Authority's Integrated Risk Management Action Plan 2018-22.

b) Strategic Planning

35.2 The Committee noted the Cabinet Member's Response to the Committee's Recommendations on Strategic Planning.

35.3 Members made the following comments:

- Requested a more robust protocol as the Community Infrastructure Levy (CIL) process was potentially vulnerable for the County Council

to attain funds for infrastructure.

c) Highways Maintenance Contract Update

35.4 The Committee noted the Cabinet Member's Response to the Committee's Recommendations on the Highways Maintenance Contract Update

35.5 The Committee received a tabled letter from the Chairman of the Performance & Finance Committee (copy appended to signed minutes).

36. Littlehampton to Bognor Regis Cycle Path (NCN2) - Lessons Learnt

36.1 The Committee considered a report by Director of Highways and Transport and Head of Highways Engineering (copy appended to signed minutes).

36.2 Alex Sharkey, Manager Highways Projects, Guy Bell, Head of Highway Engineering and Hiong Ching Hii, Project Manager introduced the report which outlined the lessons learnt from the implementation and delivery of the NCN2 scheme. Key points were:

- Greater emphasis on early involvement with the County Council's Strategic Planning team when preparing future funding bids, in order to help challenge the timescale and cost of proposed delivery and to ensure that realistic targets were set.
- Ensuring adequate resourcing during the construction phase for future major projects, to include a dedicated County Council site supervisor to be on site throughout the duration of the construction period.
- The implementation of an appropriate governance structure in place to ensure a successful delivery of highways schemes from concept to completion.
- The importance of keeping the public informed by providing timely information using pro-active press releases, social media and variable messaging signs.

36.3 Mrs Pendleton, Local Member for Middleton was invited to address the Committee, giving her views on the scheme.

36.4 She welcomed the new cycle path, giving cyclists a safe route, but believed that managing the public's perception had been compromised. In her view there had been operational issues with ensuring safe delivery on the ground. These included:

- A lack of co-ordination of traffic flow through the temporary traffic lights which caused traffic disruption, with no notification of potential disruption further afield on the route to allow drivers to seek alternative routes.

- A lack of communication and unity between contractors, with the public perception being that there were multiple contractors on site working on three different sections of the road, with regular users observing long periods of inactivity.
- Poor communication to the public over the works and the dramatic increase in length of the programme of works.
- Works not being carried out during the quieter night time period. She understood the increased costs and safety issues associated with this, but believed that it should have been allowed for in the original budget.

36.5 She respectfully requested that these observations were taken onto account for future works.

36.6 Mr Sharkey advised that the A259 was a demanding and challenging route in dealing with the dynamics of this scheme. Although the County Council didn't account for all the challenges that arose, it was agreed that the public should have been better informed. In respect to night works, there were often difficulties over costs, safety and noise which could be intrusive to residents and road users.

36.7 Mr Ching Hii advised that one contractor was working on the three sections of the road at the same time due to the busy nature of the road. Appropriate concerns over the co-ordination of the works were justified, but the sheer volume of traffic on the A259 didn't help the build-up of congestion during the works.

36.8 The Committee made comments including those that follow. It:

- Welcomed the cycle path and the encouragement of cycling, but queried the spiralling costs which rose from the original estimate of the project and questioned why these weren't more carefully considered at the early stages. Also highlighted that the original Business Case didn't adequately capture the benefits of the scheme and queried which consultant was used, what due diligence was undertaken, and what the costs were to the County Council. Mr Sharkey advised that the Business Case was provided by consultants 'CH2MHill' but that the estimate itself was produced in-house. The Business Case was fully populated, but estimates of the costs at that time gave no detailed explanation. All other procedures were robust and checks and balances now installed should prevent any future issues.
- Highlighted the governance of the project and the process of selection for Local Enterprise Partnership (LEP) funding. Mr Davey advised that there had been a short window to come up with a list of schemes for the LEP and Local Government funding (LGF) to be eligible for funds. The funding requirement was that it needed to be spent within 12 months to be eligible. The Business case was submitted, allocated and then scored. It was now understood that a lack of appropriate investigation and prep work wasn't carried out sufficiently and that some things hadn't been taken into account,

such as moving of utility equipment which could be expensive. Additionally, if costs from night work had been considered then the scheme wouldn't have been deliverable. The County Council would now ensure that the right level of investigation be carried out before any future works and that relevant business cases were put in place. In addition, the County Council was considering using stakeholder panels working alongside the project team throughout the process for better communication and engagement.

- Queried the length of time the project ran over and questioned whether a lack of communication at strategic and operational level had led to the project taking several years to complete after originally being scheduled for a year. Also raised concerns that coping with more complex and multiple projects strategically would be a challenge for future projects. Mr Davey advised that the County Council understood the frustrations and concerns raised by these works and that mistakes were made over costings and timescales, but were confident with the delivery of future major schemes. Lessons learnt would be applied to future projects.
- Highlighted the high level of traffic congestion caused by multiple temporary traffic lights during the works and the inadequate signage causing the public to be misinformed. More emphasis was needed on 'engagement' messaging rather than just 'broadcast' messaging. Mr Sharkey advised that the temporary traffic lights were monitored on a daily basis by the site team and the contractor, but the nature of the works made disruption unavoidable. Although the messaging was kept simple, this could be improved upon for future works. Mr Bell advised that there were some challenges around costs linked to perception and timescale and how the information was shared to the public.
- Questioned the Cabinet Member for Highways and Infrastructure over whether he thought what had now been put in place was adequate for future major projects and whether it was robust enough to stop it happening again. *The Cabinet Member thanked officers for providing the background information in the report and advised he would give it due consideration and had been assured that plans were now in place to ensure better delivery of projects and significant schemes in the future.*

36.9 Resolved – That the Committee:

- 1) Supports findings of the review and their implementation for future highways schemes.
- 2) Requests that more examination be done on future communications in respect of such projects with the emphasis on 'engagement' messaging rather than 'broadcast' messaging.
- 3) Requests a letter of assurance from the Cabinet Member for Highways and Infrastructure ensuring that the implementation of this project had been investigated and that the necessary

organisational changes have been put in place so that the same issues do not arise again.

37. Procurement of a New Highways Maintenance Contract

37.1 Matt Davy, Director of Highways and Transport gave a verbal update outlining the Cabinet Member's proposed way forward on a procurement process for the new Highways Maintenance Contract. Key points were:

- The previous procurement process had been halted by an ongoing legal challenge, but in the interim, a new contract had been created with current provider Balfour Beatty whose original contract term ended in June 2018. This new contract started in July 2018 with an initial term due to expire in March 2019. There was an option to extend this to June 2019, although a further extension of this until March 2020 was also under consideration.
- There had been slight proposed changes to the governance surrounding the new procurement process which included a dedicated 'non highways' Project Manager and Subject Matter Experts (SMEs) working groups. The project board consisting of senior officers, the Director of Highways and Transport and the Cabinet Member for Highways and Infrastructure would also continue.
- An options appraisal, which included the work of an independent consultant, had been commissioned in August 2018 to look at how best to deliver the service going forward. The draft report received in October 2018 was currently under consideration and would be key in the model used going forward.
- The next steps involved two key decisions by the Cabinet Member for Highways and Infrastructure by December, followed by market/bidder engagement in March/June, tender submissions in June /July and tender evaluations in August to October. The Committee would be given further opportunity for scrutiny as things were progressed and major milestones reached.

37.2 The Committee made comments including those that follow. It:

- Supported the improved governance but queried whether it was adequate enough and whether lessons had been learnt from the first procurement. *The Cabinet Member for Highways and Infrastructure advised there was now a more robust way forward and the outcome of the legal challenge was not yet known to determine the full lessons.* Mr Davy added that the new governance structure showed a scrutiny role for the Committee and agreed the work programme should include a regular update. The Chairman agreed that at the next meeting of the Business Planning Group (BPG) on 20th December the process could be looked at.
- Raised concerns that as the County Council was making further financial cuts, the costs of the procurement continued to spiral and questioned who was ultimately responsible and what the costs

were, requesting that when information on the previous procurement was ready that it be made publically available.

- Queried whether an in-house option for service provision had now been dismissed. Mr Davey advised that all options were being considered, including in-house and would be shared once the options appraisal had been completed. *The Cabinet Member for Highways and Infrastructure advised that this could be December or January.*

37.3 Resolved – That the Committee:

- 1) Requests that when information becomes available on the previous procurement it be made publically available.
- 2) Requests scrutiny of the options appraisal report
- 3) Agreed to work with Highways senior officers to develop a scrutiny programme for the new procurement.

38. Business Planning Group

a) Membership

38.1 The Committee agreed the appointment of Mr Oppler to the Business Planning Group membership.

b) BPG Report

38.2 The Committee considered a report by the Chairman of the Business Planning Group (copy appended to the signed minutes).

38.3 Resolved – That the Committee endorses the contents of the report and particularly the Committee's Work Programme for 2018/19, revised to reflect the Business Planning Group's (BPG's) discussions.

38.4 Members requested that other areas as well as prevention such as the resilience and emergencies teams be looked at in the Fire & Rescue Service report

39. Forward Plan of Key Decisions

39.1 The Committee considered the Forward Plan dated 1 November (copy appended to signed minutes).

39.2 Resolved – That the Forward Plan be noted.

40. Possible Items for Future Scrutiny

40.1 Members requested that the BPG consider the current system of calling a moderation panel of officers in relation to Community Highways Schemes.

41. Date of Next Meeting

The Committee noted that its next scheduled meeting will take place on 6 December 2018 at 10.30am at County Hall, Chichester.

The meeting ended at 12.57 pm

Chairman