

## **CUSTOMER, COMMUNITY & PARTNERSHIP SCRUTINY COMMITTEE**

### **Minutes of a meeting of the Customer, Community & Partnership Scrutiny Committee held on Tuesday, 30 June 2015 at 6.00pm in Meeting Room 7, Darby House, Lawn Central, Telford, TF3 4JA**

**PRESENT:** Councillors N England, J Ashford, G Cook, S J Reynolds, P Scott, J Seymour, B Tillotson.

**ALSO PRESENT:** Cllr. A McClements, Cabinet Member Communities, Regeneration & Transport; Cllr. R Overton, Deputy Leader and Cabinet Member for Housing, Public Health & Protection; A Astley, Assistant Director Neighbourhood & Customer Services; D Proud, Group Manager, Transport, Strategy & Road Safety; M Barker, Assistant Director Planning Specialist; M Vout, Team Leader, Environment & Planning Policy; S Jones, Scrutiny Officer.

#### **CCP-01      ELECTION OF A VICE-CHAIR**

The Chair welcomed everyone to the meeting and invited those present to introduce themselves. He invited nominations from members of the Committee for a Vice-Chair but there were none and it was agreed that it was not necessary to appoint a Vice-Chair.

**RESOLVED** – that a Vice-Chair would not be appointed.

#### **CCP-02      MINUTES**

The Chair referred members to the minutes of previous meetings of the Housing Economy & Infrastructure and Co-operative & Communities Scrutiny Committees which could not be formally agreed and signed as the Committees had merged to form the Customer, Community & Partnership Scrutiny Committee and no longer existed.

**RESOLVED** – that the minutes of the meeting of the Housing Economy & Infrastructure Scrutiny Committee held on 9 March 2015 and of the Co-operative & Communities Scrutiny Committee meeting held on 24 March 2015 be noted.

#### **CCP-03      APOLOGIES FOR ABSENCE**

Councillors K Guy and S A W Reynolds (Finance & Enterprise Scrutiny Committee).

#### **CCP-03      DECLARATIONS OF INTEREST**

None.

## **CCP-04      SCRUTINY REVIEW OF TRANSPORT**

The Chair outlined the scope of this item which was to receive an update on the outcome of Arriva's Independent Network Review and to consider the draft of the Council's new Bus Subsidy Policy. He reminded Members that Arriva is a privately owned company and there are no powers of scrutiny but that Members could comment on the route proposals directly to Arriva. He invited the Cabinet Member for Communities, Regeneration and Transport, and officers present, to talk through the outcome of the Council's discussions with Arriva and the proposed changes to the Bus Subsidy Policy.

Cllr. McClements explained that she was new to the Cabinet role, which included responsibility for Transport, and was working hard to get up to speed.

Bus services had been de-regulated in 1985 making operators free to operate any route that was commercially viable from fares and recharges for concessionary fares. The idea was to create competition in the market although this had not worked out in practice and 98% of the network in Telford and Wrekin was operated commercially by Arriva. There was no obligation on the local authority to provide subsidies for services but the Council wanted to ensure that residents have access to amenities and the Council subsidised some routes to fill gaps in the commercial service. As a private operator, Arriva was not obliged to consult on the network review but they had held information sessions about the changes, and they were not obliged to carry out impact assessments of the changes. This was a concern to Cllr. McClements and she had contacted the Bus Users Group, Town & Parish Councils and the Town Centre management company to get their feedback on the review. Arriva had provided a map showing the proposed changes which they had found difficult to understand so she had asked officers to prepare a summary of the changes by ward to help inform ward members, local residents and Town & Parish Councils about what is happening and the local implications of the changes.

The Bus Subsidy Policy had been reviewed to enable robust evaluation of routes for subsidy against set criteria such as levels of deprivation, access to health employment and health services etc. From her previous role in scrutiny she valued the role of scrutiny in policy development and was pleased to bring the draft policy to the Committee for input before being taken to Cabinet for agreement. She invited the Group Manager, Transport, Strategy & Road Safety (Group Manager) to present the draft policy to the Committee.

The Group Manager gave a presentation making the following points:

- 98% of the bus network in Telford and Wrekin is operated by Arriva who can decide which routes to operate on the basis of commercial viability. Efforts had been made to encourage other providers into the market locally but the level of investment that would be needed to set up operations in the borough made it financially unattractive.
- The Council does not have a mandatory duty to provide subsidies but was filling gaps in network coverage so there was a service for those most in need.

- In 2009 around £700k was spent on bus subsidies. There has been a 30-40% budget reduction but no services have been withdrawn. Savings have been made from contracts or frequency changes or alternative funding (e.g. £80k saved on a cross-border route which is now funded by Shropshire and Section 106 money used to fund the 77 service). However it will be difficult to make further savings without having an impact on the network and there may be further budget cuts following the Chancellor's announcement in July.
- Two key changes were happening:-

a) Arriva's Independent Network Review

The current review would bring about the biggest changes to the network for 10 years including the withdrawal of some services, route changes and changes to service numbers. Arriva did not have a legal duty to consult on the changes or carry out impact assessments and the Council's view was that existing legislation did not allow for an effective service in Telford and Wrekin. Cllr. Scott asked why there was no requirement to consult and the Group Manager explained that de-regulation legislation had been introduced with the intention of creating competition in the market but it had not happened. Operators are able to change routes by registering the route with the Traffic Commissioner for 56 days but they are not legally required to consult on changes or carry out impact assessments, unlike the Council which would be required to carry out consultation. Cllr. McClements said that the Council had contacted local MPs to lobby Government to review the legislation to allow for better regulation of operators. Cllr. Scott said it was important that the public and bus user groups realised that Arriva is telling people what will happen and not engaging in consultation. The Assistant Director had met Arriva's Regional Director to discuss the review and Arriva was holding other information sessions to present the changes to the public.

b) The retender of contracts to operate subsidised routes

The Council had injected short term funding to fill gaps in the network. Contracts would be retendered later this year and the Bus Subsidy Policy needed to be reviewed and updated ahead of the tender. Renewal was happening at a time of change and it was important to have robust criteria in place to decide which routes should be prioritised for subsidy within the available budget. The 2010 Policy was no longer fit for purpose because when the criteria (accessibility, subsidy per passenger, sustainability) were tested against existing contracts they all achieved high scores and could not be ranked in order of priority. The inclusion of the 'subsidy per passenger' criteria also meant requests for new routes could not be assessed using the same framework.

New multi-assessment criteria aligned to Council priorities had been developed to enable qualitative evaluation of routes and new requests for subsidies. The revised criteria were:

- Catchment - population within a 400m buffer zone of the service
- Deprivation - population in the bottom 20% of deprivation and bottom 20% of car ownership in the buffer zone

- Access to key services - number of educational establishments (secondary and FE/HE), health establishments (GPs, hospitals, pharmacies etc), borough centres and key employment areas, railway stations served within the buffer zone
- Future development – number of committed housing and employment developments committed within the buffer zone
- Frequency – number of buses per hour

Each criterion had a weighting for the scoring process. Routes would be fed into the GIS system to score against the criteria and weightings applied to rank routes in terms of priority. Costs were factored in against the score e.g. existing takings and any other relevant elements. An example of how the buffer zone would be used to assess against the criteria was provided.

At the end of the presentation scrutiny members were invited to put forward their views. There was a discussion covering a number of points:

- Cllr. Scott asked when the Policy had last been revised and the Group Manager said the previous Policy had been agreed by Cabinet in 2010. There was no way of prioritising routes using the old Policy and it could not be used to evaluate new routes. The new framework was more robust in comparison with other authorities – some of which only used a subsidy per passenger benchmark – and would provide a strong platform to assess routes going forward.
- Cllr. Seymour said she felt Arriva's attitude was arrogant and although she understood that they were a private company she did not see why they should not be asked to put their case to the Committee. She also said she would like to see other operators drawn into the borough and although she was aware that the Council had tried, she wanted to know what could be done to encourage other bidders even if they only took over one route as a start. The Chair asked officers how the Council works with Arriva and how they found Arriva's attitude. The Group Manager said that they work as closely as possible but Arriva had not been flexible to concerns about the impact of the changes and that although 56 days may be adequate notice to review one route, it was not long enough for a whole scale review of the service. The Council had lobbied Arriva and the Traffic Commissioner to extend the 'consultation' period beyond 19 July and had lobbied local MPs and government ministers to ask for a review of legislation. There were also day-to-day working relationships with Arriva on highway changes, S106 agreements etc. which helped to develop the partnership. The Assistant Director added that there were different relationships at different levels – the regional Commercial Director makes commercial decisions and it is not necessarily local representatives who are responsible for decisions. Cllr. Scott said that this was how Arriva had come across at information sessions and he suggested that the Committee should feedback to Arriva that changes should not be imposed with no regard for people's concerns. The Chair asked whether Arriva was part of the Co-operative Council and the Group Manager said Arriva had made a £3.5m investment in stock which was a commercial decision based on return on investment from increased patronage. Cllr. Seymour said Arriva should come to a meeting to explain this to the Committee and the Assistant Director said they might attend a meeting but she felt that she had represented

the views of the whole Council to the Director and although he had taken the feedback on board the changes would still happen on 19 July.

- Cllr. S J Reynolds said some of the routes changes seemed to cut out services to establishments where elderly people go and he was concerned that Arriva had not asked local people which services were important to them. The Assistant Director commented that this was the difference between the Council and a commercial operator. Cllr. Reynolds said he had attended a meeting about the Ketley Bank service and he felt the local Arriva staff at Stafford Park had been responsive. The Assistant Director commented that it was the people above who were the decision makers who had not been responsive and they had seemed surprised by the backlash and had said if they had got things wrong they would be happy to review things. Cllr. Scott said the Council should be encouraging people to attend Arriva's road-shows so they could put their concerns directly to Arriva and the Assistant Director agreed that this would be a route to try to sway Arriva. Cllr. Reynolds gave an example of a route change which cut out a section of road servicing a school and leisure centre and this did not seem to have been taken into account. The Group Manager also explained that operators can also make change at short notice under an emergency notice although major changes need to be registered for 56 days with the Traffic Commissioner. The Council would carry out risk assessments on any proposed changes to one of its contracted routes.
- Cllr. Scott asked what the expectations were of the next round of local authority budget cuts. The Assistant Director said there were already savings targets that had to be met and it was probable that further savings would be needed after the Chancellor's announcement and priorities would need to be debated. The Council had already saved £50m and needed to save another £30m over three years and there would be some difficult decisions to debate – for example, how funding bus subsidies would weigh against funding adult care, and if bus subsidies are cut would be better to save money earlier or reduce the pain more slowly by working with Arriva to promote and build up subsidised routes to become commercially viable to reduce the level of subsidy? Cllr. McClements said she had asked officers to look at the Council's transport fleet (community buses, shopper services etc.) to look at how they could be maximised to provide services. She said there was a need to look at how services could be delivered differently and better. The Assistant Director said that it would help to have more competition for the subsidised routes but they would need to make some assumptions about the budget and see what bids come in.
- The Chair asked how the Council was helping to publicise the network review and Cllr. McClements said that information had been publicised prominently on the Council's website and emails had been sent to all elected members and Town & Parish Councils.
- Cllr. McClements invited feedback from Members on the criteria score weightings for the new Policy which she would welcome either at the meeting or by email afterwards. Cllr. Scott said members needed a few days to absorb the information and the Group Manager said feedback emailed would be fed into the process.

- Cllr. Reynolds suggested that members of the Committee should explore ways of working with Arriva for example travelling with them on the buses to observe the way they operate.
- Cllr. Tillotson asked how changes to bus stops were dealt with. The Group Manager explained that the Council was responsible for the infrastructure and operators do not install or dismantle bus stops. The Council would review any changes over a couple of months to assess the need to remove or build new stops which were managed as a Council asset. Cllr. Reynolds also pointed out that some bus stops are owned by Town or Parish Councils. The Group Manager said the Council would not refuse to provide the infrastructure because Arriva would continue with the route changes in any case but major infrastructure changes such as those planned for the Redhill Way service would be expensive.

When there were no further comments or questions the Chair asked members to email comments on the new Policy to the Scrutiny Officer by lunchtime on Friday 3 July for submission to the Cabinet member and officers.

## **CCP-05      LOCAL PLAN**

The Chair opened by reminding the Committee that this item was to consider the consultation process for the Local Plan and not the Plan itself which Members could comment on separately. He invited the Deputy Leader and officers present to talk through the key points in the briefing note provided as Appendix C.

Cllr. Overton acknowledged scrutiny's previous involvement in looking at the consultation process for developing the Local Plan and the concerns about the engagement of Town & Parish Councils and young people. The Consultation Version would be presented to Cabinet in July to agree for consultation. There would be a two months consultation period in August and September which was an extension on the statutory requirements so that Town & Parish Councils would have time to meet during the consultation period. A range of engagement sessions would be provided depending on what each council wanted. It was important to engage as early as possible as there would be a lot of interest around site-specific plans. A range of consultation activity would be carried out including consulting people on the database, the Young People's Forum and schools, a video and social media to reach as many people as possible.

The Assistant Director Planning Specialist said there had been a helpful meeting with scrutiny during the last phase of the consultation and as a result of scrutiny's suggestions they had improved engagement with Town and Parish Councils and aimed to do the same this time. They shared scrutiny's view that the Council should do as much as possible to engage Town and Parish Councils and they would be contacted as soon as possible so that they could arrange early meetings. A challenging area was engaging young people and they would use the Youth Forum to involve younger people. The report at Appendix C set out the various stages of consultation on the Local Plan including activity for 2015. They would offer presentations or individual meetings to Town and Parish Councils and would contact everyone registered on the database which had been extended by over 1,000 people

and they would make use of this again. They would welcome any comments and ideas from the Committee.

A number of points were discussed:

- Cllr. Seymour said that her main concern was that the consultation period fell over August when most Town and Parish Councils did not hold meetings. If they were not contacted now, they may not hold another meeting until September which was late in the consultation period. She asked if Clerks could be contacted to alert them to the fact that the consultation would be happening so that they could plan in advance. The Assistant Director said they had been advised to wait until the Consultation Version had been agreed by Cabinet and Cllr. Seymour urged the officers to go back and ask for this to be reconsidered. Cllr. Overton agreed that Clerks would need to prepare and that they should be contacted as early as possible so that they could prepare meeting agendas or arrange any special meetings. Cllr. Scott agreed because Town and Parish Councils may want to arrange additional meetings during August or September.
- Cllr. Scott said he had not noticed much about public meetings in the report and suggested consideration should be given to more open sessions because so many residents did not attend Council meetings. He said it was important for people to be given every opportunity to get involved so that afterwards they could not say that they had not had a chance. Cllr. Overton said there would be a number of public sessions in September and the Assistant Director said they wanted to reach as many people as possible and last time they had done this through Town and Parish Councils and were intending to do the same this time so Town and Parish Councils could help publicise the consultation and arrange meetings.
- Cllr. Scott emphasised the importance of the documents being very simple and clear to use and read. The Assistant Director agreed but said it was difficult because by its nature the Local Plan was a long document and it must comply with planning requirements. Cllr. Scott said he thought that a lot of people had given up on the last document because it was not user friendly and this needed to be considered. Cllr. Overton said a key point would be when the site-specific details are published as this is when people are most likely to get involved. Cllr. Scott said people need to see the plans for themselves and that the Council needs to make it easy for them to do so.
- The Chair said that resources need to be considered so they are used to maximum effect and Cllr. Seymour suggested there should be an easy way to cross-reference between wards so that people could be referred to activity in a neighbouring ward which may be of interest. The Team Leader agreed with Cllr. Scott and said they were using a number of devices and easy to understand maps so that people could easily see the relevant affected areas. There would be a simple leaflet which would guide people through the main document. The document would be as colourful and easy to read as possible and they would use social media platforms e.g. Twitter / Facebook etc. to reach different audiences.

- Cllr. Scott asked about the involvement of the press and the Assistant Director explained that the media would be involved and used to promote what was happening. There had been a preliminary meeting with the Shropshire Star and Telford Journal and the Managing Director would be doing radio interviews and issuing press releases to encourage people to get involved. Cllr. Scott said that 'encourage' was a key word.
- Cllr. Tillotson said he had heard feedback that the previous communication had been good and the last consultation had gone very well. The Assistant Director said this was good to hear and that they had received some good feedback. They had been out every night and there had been some lively sessions. The Team Leader said last time they had also held public meetings at The Place to reach out to people but they had been lightly attended – 24 people one evening – so there was a need for better publicity. Cllr. Scott said 24 people was significant and Cllr. Overton agreed that it was 24 people interested in planning matters who might spread work to other people. Again, Cllr. Scott emphasised that it was important that people should not have the opportunity afterwards to say that they had not had a chance to take part. The Assistant Director said he would welcome any ideas from the Committee.
- The Chair asked for assurance that the consultation process met with statutory requirements and the Assistant Director assured members that it did and they had to demonstrate that they had met the minimum requirements. The Team Leader said they had exceeded the minimum requirements in the past.
- The Chair asked how they would ensure that groups protected by equalities legislation would have adequate opportunity to participate in the consultation and the Assistant Director said they would make sure that no one was excluded because of a disability.
- The Chair asked if the impact assessments would be available and the Assistant Director said they would be published on the website.
- The Chair asked whether Arriva had been involved as a stakeholder and the Assistant Director said they had just as they would consult all concerned with the provision of public transport. Cllr. Overton said this would include taxi drivers although Cllr. Seymour pointed out that the Taxi Forum no longer existed. The Assistant Director said they had involved a whole range of stakeholders including health services, Natural England and the Home & Communities Agency.

When there were no further comments or questions the Chair asked Members to email any further feedback to the Scrutiny Officer by lunchtime on Friday 3 July for submission to the Cabinet Member and officers.

## **CCP-06      WORK PROGRAMME AND CHAIR'S UPDATE**

The Chair informed Members that the Scrutiny Management Board would meet on 10 July to consider the scrutiny work programme and make recommendations about

the issues each Committee should look at and the allocation of resources to each Committee, bearing in mind the review of CSE would take a significant amount of resource. The Board would consider issues which had already been identified and the Chair asked members if they had any new suggestions to put forward.

The Chair suggested looking at Veolia's performance on the waste contract and the handover of remaining services from TWS.

Cllr. Seymour said the Committee's title was too long and not meaningful and suggested 'Housing and Community Scrutiny Committee' which was simpler and encompassed the key elements of the Committee's work.

Cllr. Seymour suggested two key issues for the work programme – the Housing Allocations Policy and the Tenancy Strategy including working with local RSLs.

The Chair invited Members to email any other suggestions to him and closed the meeting.

The meeting ended at 7.30pm

**Chairman:** .....

**Date:** .....