



Notice of meeting of

Scrutiny Management Committee

To: Councillors Kirk (Chair), Merrett (Vice-Chair), Blanchard, Cuthbertson, Hill, Hyman and Livesley

Date: Monday, 26 March 2007

Time: 5.00 pm

Venue: Guildhall

AGENDA

1. **Declarations of Interest**

At this point in the meeting, Members will be invited to declare any personal or prejudicial interests they may have in the business on the agenda.

2. **Minutes** (Pages 1 - 2)

To approve and sign the Minutes of the meeting held on 26 February 2007

3. **Public Participation**

At this point in the meeting members of the public who have registered their wish to speak regarding an item on the agenda or an issue within the Committee's remit can do so. Anyone who wishes to register or requires further information is requested to contact the Democracy Officer on the contact details listed at the foot of this agenda. The deadline for registering is Friday 23 March 2007 at 5 pm.

4. Highways Maintenance Procurement Ad Hoc Scrutiny Sub-Committee (Pages 3 - 28) [5.00pm-5.40pm]

(A) Final Report of Sub-Committee on Part A of Remit:

To consider and comment upon the final report (Part A) of the Highways Maintenance Ad-hoc Scrutiny Sub-Committee, set up to look at procurement arrangements for highways maintenance;

(B) Part B of Remit:

To consider and approve the remit to Part B of the agreed review looking at the financial impact of a PFI (Private Finance Initiative) procurement process.

5. Final Report of Education Scrutiny Committee - Home to School Transport Services (Pages 29 - 66) [5.40pm-6.00pm]

To consider and endorse the final report of Education Scrutiny Committee, looking at home to school transport services, to enable it to go to the Executive on 24 April 2007, as planned.

6. Tang Hall Area Asset Management Plan Ad-hoc Scrutiny Sub-Committee - Interim Report (Pages 67 - 82) [6.00pm-6.20pm]

To consider and comment upon the interim report of the Tang Hall Area Asset Management Plan Sub-Committee, looking at consultation processes and feedback to assist the development of the first Tang Hall Area Asset Management Plan.

7. Update on Improving Electronic Management Processes for Scrutiny (Pages 83 - 86) [6.20pm-6.30pm]

To receive a brief report updating Members on progress with establishing a scrutiny forward plan and developing existing facilities available through the on-line Committee Management System to assist with the tracking of progress with registered scrutiny topics.

8. Any other business which the Chair decides is urgent under the Local Government Act 1972

Democratic Services Manager

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For more information about any of the following please contact the Democracy Officer responsible for servicing this meeting:

- Registering to speak
- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details are set out above.

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City of York Council

Committee Minutes

| | |
|-----------|--|
| MEETING | SCRUTINY MANAGEMENT COMMITTEE |
| DATE | 26 FEBRUARY 2007 |
| PRESENT | COUNCILLORS MERRETT (VICE-CHAIR), CUTHBERTSON, HYMAN AND LIVESLEY |
| APOLOGIES | COUNCILLORS BLANCHARD AND HILL |

56. DECLARATIONS OF INTEREST

The Chair invited Members to declare any personal or prejudicial interests which they might have in the business on the agenda.

Cllr Merrett declared a personal non-prejudicial interest in item 4 on the agenda 'Update on Implementation of Recommendations from Previous Scrutiny Reviews' as one of the reviews related to cycling policy and provision of facilities and Cllr Merrett is a member of 'Cycling England'.

57. MINUTES

The minutes of the meetings of the Committee held on 22 & 29 January 2007 were approved as a correct record and signed by the Chair.

58. PUBLIC PARTICIPATION

The Chair reported that there had been no registrations to speak at the meeting.

59. UPDATE ON IMPLEMENTATION OF RECOMMENDATIONS FROM PREVIOUS SCRUTINY REVIEWS

Members considered a report that detailed the progress made to date in implementing the recommendations made as a result of the reviews completed since 2004.

Members agreed to write off the following reviews as the recommendations had been fully implemented:

Access to Services to the Homeless in York
 Environmental Management Systems
 The Future of York City Archives
 Housing Repairs Contracts
 Resources To Deal With Crime Levels in York
 Services For Care Leavers in York
 Young People in York
 Regional Government; Raising Awareness of..
 Floods (Future updates will be presented to Executive Member for Neighbourhoods)
 'Post-16 Inclusion in Education (Future updates will be presented to the

Executive Member for Children's Services)

In relation to the other completed reviews, Members noted the work completed to date in implementing the recommendations but were not satisfied that these could be signed off as fully completed.

Members requested that the remaining reviews be split into groups based on the Directorates responsible for implementing the recommendations, and that those be looked at in detail at future meetings of SMC with the relevant officers in attendance.

RESOLVED: That the contents of the report be noted, and that those reviews where implementation was outstanding be considered in detail at future meetings of SMC.

REASON: To raise awareness of those recommendations which have still to be implemented in full.

60. GUIDANCE ON SUSTAINABLE DEVELOPMENT - COMMENTS FROM DIRECTOR OF CITY STRATEGY ON FINAL SCRUTINY REPORT

Members considered a report containing advice from Finance and City Strategy officers on the recommendations that were made in relation to the review on Guidance for Sustainable Development.

Members accepted the comments made by Finance but did not agree with all of them. For each recommendation where that was the case, Members requested that their comments be included in the table of implications so that they could be taken into consideration when the final report was presented to the Executive.

Members also requested that the style and formatting of the final report be brought in line with the report writing protocol.

RESOLVED That :

- the advice given in Annex B be adopted
- the comments made by SMC in relation to some of the financial advice be added to the table of implications
- the report be brought in line with the report writing protocol

REASON: To provide an appropriate response to the outcome of the review for consideration by the Executive

Cllr Kirk, Chair

[The meeting started at 5.00 pm and finished at 6.30 pm].



Scrutiny Management Committee

26 March 2007

Highways Maintenance Procurement Process & PFI– Final Draft Report

Background

1. In September 2006, Scrutiny Management Committee (SMC) agreed to proceed with a review of topic No.135, into Highways Maintenance Procurement and the Private Finance Initiative (PFI)¹ bid. SMC were informed that the Expression of Interest (EoI) associated with the PFI bid had already been submitted to the Department of Transport (DfT). They therefore requested that the original topic registration registered in April 2006 by Cllr Tracey Simpson-Laing, be revised to take this development into account.
2. In November 2006 SMC considered the revised registration together with a draft remit which proposed the issues raised be dealt with in two parts. SMC agreed that part A of the review should centre entirely on how scrutiny could help prepare for the procurement of highways maintenance when the outcome of the PFI is known and consequently, how it could contribute to maximizing the Council's efficiencies and improving its procedures. It was felt that this would contribute proactively to the ongoing development work in anticipation of the outcome of the PFI bid in January 2007.

Corporate Priorities

3. It was recognised that this review could contribute to improving 'the actual and perceived condition and appearance of the city's streets and open spaces' by helping to improve the Council's procurement arrangements for highways maintenance. In rationalising our procurement arrangements, it could also help to improve our organisational effectiveness.

Options

4. Scrutiny Management Committee can support all, some or none of the recommendations proposed as a result of this review, for submission to the Executive.

Remit

5. In coming to a decision to review this topic, the Scrutiny Management Team recognised certain key objectives and the following remit was agreed:

¹ A PFI is a scheme where the Government contracts a private company to carry out an agreed programme of works involving a public service over a fixed term.

Aims

To contribute to the development and establishment of a strategic and effective highways maintenance procurement strategy in York

To understand the cost implications associated with the PFI bid and its outcome if successful.

Objectives

- examining the potential efficiencies from a PFI arrangement;
- making recommendations with regard to available alternative options in the event that a PFI outcome is unsuccessful;
- looking at the cost effectiveness of those options, including improved ways of working;
- profiling expenditure over the lifespan of the PFI and any associated secondary costs.
- To understand the cost implications associated with the PFI bid and its outcome.

Examining the potential efficiencies from a PFI arrangement

Consultation

6. Prior to the commencement of this scrutiny review, the Council had already submitted an Expression of Interest in relation to the Highways PFI. As part of that process officers had fully examined the potential efficiencies which could be gained from a PFI arrangement.

Information Gathered

7. The identified efficiencies and other potential benefits to be gained from a PFI arrangement include:
 - Clearing the backlog of repairs
 - Improving maintenance services to allow the right maintenance at the right time
 - Lower future maintenance requirements
 - Effective and efficient network management resulting in improved traffic flows, accessibility and reliability
 - Improvements in congestion, air quality and ecological footprint²
 - A safer and secure environment
 - The provision of sufficient investment to contribute to the development of broader Council objectives

Issues

8. Members of the Committee studied the EoI previously submitted. This highlighted the problem facing City of York Council as it identified a substantial

² York is the only city in the country with an Eco Footprint model and a target of 70% reduction on carbon emissions over the next 50 years.

backlog of maintenance works on the highway network valued at an estimated £127.5m. It recognised the council's inability to fund whole life cycle asset management principles through intervention maintenance, resulting in an accelerated decline in asset value and network conditions. To be able to rehabilitate the asset and meet the central Government target of eliminating highways backlog by 2014/15, it is estimated that an additional £155m of capital life cycle replacement would be required to maintain the rehabilitated asset over the next 20 year period.

9. Members considered the options available to the Council listed in the EoI and were confident that consideration had been given to the possible efficiencies to be gained from a PFI arrangement, and that no further work was necessary in relation to this objective.
10. It was recognised that in order to decide whether to proceed to the next stage of the PFI process, the Council would need to weigh up the recognised efficiencies against the annual commitment in terms of budget which would be required over the 25-year term of the PFI³.
11. Members acknowledged that PFI has the greatest potential to deliver an holistic approach across the entire unitary authority area, compared to other schemes, because of the generous PFI credit arrangement.

Recommendation

12. That the efficiencies and other benefits gained through the PFI approach, as highlighted within the EoI be weighed against any budgetary inflexibility in future years, when deciding whether or not to proceed with the PFI process.

Reason: To ensure the most effective and financially viable outcome for highway repairs and maintenance, within the overall City of York Council budget is achieved.

Implications

13. There are no quantified Financial, HR, Equalities, Legal or other implications associated with the above recommendation.

Available alternative options in the event that a PFI outcome is unsuccessful

Consultation

14. The Assistant Director of City Development & Transport provided the Committee with information on two simplistic alternative options to PFI – see Annex A.

Information Gathered

15. In considering these two alternatives, it was recognised that:

³ The Council would be committed to the PFI irrespective of any future budget constraints

- a. both had merits and drawbacks
- b. between these two different approaches there were potentially many possibilities for combining elements of each.
- c. many Local Authorities have been operating a hybrid approach which incorporates aspects of each of the two alternatives outline in Annex A.
- d. careful consideration would need to be given to achieve the optimum solution for each particular aspect of work to be undertaken

Issues

16. The Committee were drawn towards the partnership approach but recognised the complexity of calculating the optimum solution for procuring service delivery. The Committee agreed that, given the timescale, it would be better to look at the key principles which should be taken into account at the time of selecting an alternative approach, rather than attempting to determine which approach should be used. It also recognised that the work undertaken to produce the EoI would assist any other work required if the PFI outcome was unsuccessful. Members identified the following key principles which they felt would need to be considered when deciding how to proceed:

- (a) Affordability

The level of funding available will influence which work method is adopted. Any work programme should be accurately costed as far as possible at the outset to avoid any overspends.

- (b) Value for Money

Historically, some local authorities engaged in partnerships for efficiency savings which did not ultimately materialise. Some in-house arrangements in the past were not always efficient which led to ? and current evolution. Any contract should ensure that perceived efficiencies are realistic and are delivered.

- (c) Sustainability

The Transport Asset Management Plan (TAMP) should be reviewed on a regular basis to ensure that the most sustainable working practices and materials are used.

- (d) Risk Management

Members were particularly concerned regarding this issue. It was acknowledged that the balance and transfer of risk is central to any procurement consideration. If a partnership route is adopted, it should be ensured that the appropriate level of risk is borne by each party.

- (e) Degree of Control

Regardless of the approach undertaken, the Council should ensure that control of any project is suitable to the selected approach. Where work is held in house, it was acknowledged that there were might be less flexibility in how work was carried out. It was also noted that Members control would have to be exercised differently and probably at a more strategic level. These would not be applicable in a partnership approach.

(f) Innovation

Any contractor should embrace new innovative approaches in working practices, machinery and materials to ensure that any construction is undertaken to the optimum benefit of the Council, contractor and residents and this needs to be contractually encouraged.

(g) Residents Priorities

Priorities of residents should be considered in any undertaking and in the planning and construction of any development. Issues raised should be catered for as much as possible bearing in the mind contractual restraints and provided neither the quality nor the efficiency of work are detrimentally affected.

(h) Long Term Consequences

Members recognised these would exist in any partnership approach and would not necessarily be apparent at the outset of any contractual arrangement. They appreciated, however, that selecting the 'right' partner in any contractual arrangement could help minimise adverse consequences.

Recommendation

17. That in the event that the PFI outcome is unsuccessful, the key issues identified should be taken into consideration when deciding upon an alternative approach.

Reason: To ensure the best alternative option for procuring service delivery.

Implications

18. There are no quantified Financial, HR, Equalities, Legal or other implications associated with the above recommendation.

The cost effectiveness of alternative options to PFI, including improved ways of working

Consultation

19. Officers from the Council's Resources Directorate provided information on various sources of alternative funding. It was recognised that some of the different sources would only be applicable to certain approaches. Some were unlikely to fund maintenance works and others would not provide funding on the large scale required.

Information Gathered

20. The alternative sources of funding identified were:

- (a) Venture Capital⁴
This would only be available for partnership working if a case could be made for this.
- (b) Venture Fund
It was understood that funds could be drawn down from the Fund (part of the Council's Reserves) with the Fund expecting return of profit. However, it was acknowledged that the Venture Fund was inadequate for the programme under scrutiny.
- (c) Prudential Borrowing⁵
This would provide funds with which to undertake a works programme, but this would not have the advantage of PFI credits and it would be necessary to identify where savings could be made in future years to repay the loan.
- (d) Yorkshire Forward⁶
It was considered that there would need to be an identifiable improvement to the economic wellbeing of the city over and above the Council's normal maintenance programme, in order to access funding from this source. It was also considered that there would probably have to be a benefit to the region.
- (e) National Lottery
It was considered that the amounts of funding would be relatively small and that it would be a support but not a major source. Funding from the Lottery would be for very specific purposes, e.g. heritage, arts, sports, Conservation Areas etc, and would not be available for maintenance programmes.
- (e) European funding sources
It was considered that any EU funding would need to be linked with partnership working between countries. Access to funding from this source was likely to be tied to specific projects, separate from normal maintenance and would not necessarily depend solely upon the scheme but also how it would be implemented and what new innovation was involved.

Issues

21. The Committee acknowledged that on the basis of the information received, the Council could not expect to receive sufficient alternative funding on the scale of PFI to finance all of the identified remedial works required to the highways infrastructure. This in turn would result in it's further decline.

⁴ Venture capital (VC) is funding invested, or available for investment, in an enterprise that offers the probability of profit along with the possibility of loss.

⁵ Prudential Borrowing allows local authorities to raise finance for capital expenditure – without Government support - where they can service the debt without extra Government support.

⁶ Yorkshire Forward is the Regional Development Agency charged with improving the Yorkshire and Humber economy

22. In order to complete all of the remedial works required and sustain a full maintenance programme, the Council would have to make a much larger annual commitment in terms of budget than that which would be required over the 25-year term of the PFI. This again would have far reaching financial implications.

Recommendation

23. That in the event that the Council's EoI is successful, the decision to proceed to the next stage of the PFI process, i.e. submitting an Outline Business Case⁷ (OBC), be weighed against the resulting greater annual budget commitment required from the Council if the highways repair and maintenance works are to be carried out.

Reason: To ensure the most cost effective method for funding the required works.

Implications

24. There are no quantified Financial, HR, Equalities, Legal or other implications associated with the above recommendation.

Profile of expenditure over the lifespan of the PFI and any associated secondary costs

Consultation

25. The Assistant Director (City Development & Transport) provided information on some of the factors which will affect the overall cost of a PFI arrangement to the Council. One of the main factors would be managing the risks involved. As part of the process of drawing up a PFI contract between a potential partner and the Council, an appropriate level of risk should be considered and agreed by each party.
26. Contract costs would be influenced by the level and amount of risk accepted by the partner. Therefore, the Council will need to take account of this within the negotiations.

Information Gathered

27. Two main risks were identified as follows :

(a) Project Risk

i) Not achieving a signed contract at the end of the PFI bidding process. This is a pathfinder project i.e. the Department of Transport (DfT) want to identify a best practice approach for future use. As a result, it is recognised that the whole process could take longer to complete which would result in higher costs than the £2.5m previously identified. It is

⁷ The term "outline" refers to the fact that in the initial stages of a project, a business case can only be drawn up in outline form. The intention is, that as the project progresses it will become a "living document" and be subject to further iterations and refining of the content.

expected that the DfT will provide advice, resources and possibly financial support to assist the process.

The investigative works are likely to have significant cost which would be beneficial for a PFI contract though, if unsuccessful, the benefits from the information gained would not necessarily outweigh the costs incurred. The survey may also highlight unforeseen problems generating additional work and costs.

(b) Contract Risk

There are several areas within the contract where the amount of risk to be transferred would need to be carefully considered:

i) Latent Defects⁸

The cost of latent defect risk will be priced by the Service Provider (SP) dependant on the level of transfer the Council attempt to pass down in the PFI contract. In general the market is willing to accept uncapped liability for Carriageways and Footways on the basis that the highway network is mature and works associated with their rehabilitation and on-going maintenance will not involve major excavation below the existing construction layers. There are two areas which cause concern to the market:

- Drainage - Structural failure on the Council network e.g. collapsed gully connections in the carriageway which did not occur through improper maintenance by the SP. The position the SP adopts in respect to the Council drainage is largely dependant on the availability and size of asset data, existing maintenance regime, and records of past works undertaken resulting from latent defect failure. Should the negotiation of the contract result in risk being taken by the Council, the assessment of the engineering scenarios and relative costs suggest this exposure will be low risk low cost.
- Structures - an inherent fault resulting in major structural failure of a bridge which did not occur as a result of inadequate maintenance by the SP. The contract will contain a liability cap on the SP to cover latent defects in structures which can be limited to the Council's key structures, i.e. those structures of high capital replacement value in light of major catastrophic failure. The caps are operated on an individual and aggregate basis. The adequacy of the cap and exposure to risk will be informed by the technical review of the data room information and priced accordingly. Ultimately, the value of caps will be set to represent a commercially affordable solution and demonstrate sufficient risk transfer to offer value for money.

ii) Legislation

No contractor would accept risk related to changes in legislation. This is a non-transferable risk and the effects are unforeseeable.

⁸ A latent defect is a hidden or dormant fault/defect that could not be discovered by observation or by a reasonable thorough inspection.

iii) Inflation

Any contract will allow for a certain level of inflation but over such a long term project it is impossible to completely cater for extreme variances. Any contract will be vulnerable to higher inflation in the early years.

iv) Vandalism

It is impossible to foresee what effect this may have on any contract and any partner would be reluctant to accept this risk without some form of indemnity from Council.

v) Breach of Contract

A breach could stem from a deterioration of service over a period of time. This could have a significant impact on the level of management and maintenance. Although there is recourse through contractual and financial arrangements, there would be a level of disruption while a satisfactory solution was achieved.

In the unlikely circumstances of a company liquidation the Council will have the additional protection of the bank's involvement, including early warning, which is more secure than the current private arrangements.

vi) Affordability

The long term nature of this type of contract raises questions regarding the level of funding which the Council could and would commit with the internal and external funding pressures and legal constraints it faces.

vii) Insurance

The risk would be where the contractor would accept the risk, to a certain limit, after which point the Council would be expected to bear the balance, though there could be a cost-sharing basis to a certain level.

viii) Climate Change

Over such a long-term project the impact of climate change cannot be quantified. The potential for global political, financial and environmental changes may have far-reaching and unforeseen consequence which may impact on the contract. This would not be a risk that the partner would accept.

Issues

28. It is clear that it is impossible to identify all possible risks involved with such a long term contract but failure to maintain and repair the highways infrastructure carries its own risks. For example, the Council presently self insures against claims, and has an extremely successful repudiation rate, but it is considered that the number of claims would be likely to increase as the infrastructure continued to deteriorate. Also, as central Government has set a target of eliminating highways backlog by 2014/15, the Council may incur costs if this work is not completed on time.

Recommendation

29. That it be noted that the total expenditure over the lifespan of the PFI cannot be properly identified.

Reason: There are too many unknown quantities at this stage in the process.

Implications

30. There are no quantified Financial, HR, Equalities, Legal or other implications associated with the above recommendation.

The cost implications associated with the PFI bid and its outcome

Consultation

31. The Assistant Director (City Development & Transport) presented information on the timetable for the remaining stages of the PFI process – see Annex B. This included information on each stage and the points at which a decision would need to be taken on whether or not to proceed.
32. Information was also presented on a number of procurement risks which could impact on the PFI scheme:
- Time – the longer the negotiations are, the more expensive the cost.
 - Cost
 - Change of Rules
 - Attractiveness of Contract –the contract must be attractive to bidders otherwise the scheme will be a waste
 - Challenge and Withdrawal – a bidder could challenge the procurement process and withdraw from the negotiations

Information Gathered

33. The Director of Resources presented a summary of the budget for 2007/08 which highlighted expected pressures. It was recognised that a decision to proceed with the next stage of the PFI bid, i.e. submitting an OBC would have an effect on the 2007/08 budget. The summary also recognised that the largest proportion of cost would be likely to be incurred in 2010/11, as the majority of cost occurs in the last few months.

Issues

34. Although there are recognised cost implications associated with a PFI bid, costs would be reimbursed when the PFI scheme commenced. It is clear that the overall cost to the Council of the PFI approach would be less than completing the same amount of work of the same quality and standard via alternative methods. The Council could only finance the same amount of remedial and maintenance works as done through a successful PFI, by putting severe constraints on other budget commitments over the 25-year period.

35. The drawback of the PFI route would be that the Council cannot predict what else may occur during the next 25 years that may result in further budget pressures and once a PFI contract is signed, the Council could not reduce its financial commitment to the repairs and maintenance works to allow the budget to be reassigned. The Council would have little room to manoeuvre with regard to its financial commitments.
36. The current variance is £0.5m - £1.0m, though until detailed calculations have been undertaken, to assess the affordability of the scheme, the actual variance will not be known. It was also acknowledged that the difference between the current allocated budget and the notional budget assumed in the EoI was in the region of £1.25m, and members were concerned that the OBC should identify a means of addressing the shortfall.
37. Members also acknowledged that other unquantified known short to medium term budget pressures (e.g. Waste PFI) exist, and recommended that an holistic view of the financial constraints of the Council will have to be taken.

Recommendation

38. That in the event that the EoI is successful, careful consideration should be given when deciding whether to proceed to each of the following stages of the process.

Reason: To ensure a full understanding of the cost implications.

Implications

39. There are no quantified Financial, HR, Equalities, Legal or other implications associated with the above recommendation.

Acknowledgements

The Committee would like to record its thanks to the various officers who have supported its work. The assistance and advice received has been appreciated, and without this support it is unlikely that the scrutiny could have been completed in the timescale. In particular thanks go to:

Damon Copperthwaite, Assistant Director (City Development & Transport)

Paul Thackray, Head of Highway Infrastructure, City Strategy

Simon Wiles, Director of Resources

Patrick Looker, Resource & Business Manager, City Strategy

Simon Town, Grants & Partnership Accountant

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Final Report Approved



Date 22 February 2007

Councillor Richard Moore
Chair

Highways Maintenance Scrutiny Ad-Hoc Sub-Committee

Wards Affected:

All

For further information please contact the author of the report

Background Papers:

Local Government Private Finance Initiative (PFI): CYC Expression of Interest

Annexes

Annex A – Alternative Procurement Options for 2010

Annex B - Timetable of remaining stages of PFI process

Basic Service Delivery & Procurement Options for 2010

| Approach | Traditional | Partnership |
|----------|--|--------------------------------|
| Scope | Broken into components i.e. Surfaces Street Lighting Routine / Reactive Technical i.e. traffic signals, CCTV | All inclusive with one partner |
| Client | Large | Small |

Contract Arrangements

| | | |
|-----------------|--|--|
| Specification | Input - where an exact job specification is agreed with the contractor prior to work commencing. | Output - Having agreed the outcome, the partner decides how to achieve this and then carries out the work. For this to be successful the partnership would need to be based on trust, openness and honesty. To achieve this level of compatibility, the two partners have to be confident that they both have the same work ethos and standards, therefore much time will be spent at the contract stage to ensure both parties fully understand the requirements of the other. They are equal partners and must both deliver on their side of the bargain |
| Risk to Council | Retained - risk remains with CYC | Transferred - a majority of the risk is transferred to the partner. The partner will not accept unknown risk i.e. inflation, insurance, changes to legislation. |
| Cost | Medium, there could be some increase due to variations | High - Initial high cost because partner takes on majority of risk including the biggest risk of all - construction risk. Partner has limited ability to come back for extra money |
| Term | Medium (5-7 yrs) | Long (7-10yrs) - Partner covers his costs over a longer term. |
| Incentive | No - The contractor has agreed a price before the work commences therefore they is no incentive to be more efficient | Yes -With a longer term there is more incentive/benefits to be more efficient |

Procurement Arrangements

| | | |
|------------|---|--|
| Evaluation | 80% price / 20% "quality" - Tenders received are considered mainly on the cost as the specification set by CYC would have been written in terms of the required levels of quality | 40% price / 60% "quality" - As the partner will be wholly responsible for the standard of work carried out it is important to consider the "quality" of the partner (e.g. whether the work ethos is compatible) when agreeing a contract. This becomes a much more important factor and outweighs the issue of cost. |
| Method | EU restricted standard tender | EU restricted or competitive dialogue (if the rules for competitive dialogue are met) |

| | | |
|------|--|--|
| Cost | Medium - specifications are drawn up for each aspect of work | High - More time and resources are spent at the procurement stage to ensure the partnership is solid and will achieve the required outcomes. |
|------|--|--|

City of York CouncilPrivate Finance Initiative : Highway Maintenance Pathfinder ProjectDraft Timetable and Decision Making Points

Expression of Interest : Annex 10

| <u>Activity</u> | <u>Timescales</u> | <u>Decision</u> | <u>Time</u> |
|--------------------------------------|--------------------|---|-------------|
| <u>Preliminary Phase</u> | | | |
| Development of Eol | June 06 – Sept 06 | | |
| | | Urgency Committee: To approve submission of Eol | 5 Sept 06 |
| Submission of Eol to DfT | 10 Sept 06 | | |
| | | Approval of Eol by DfT Project Review Group | April 07 |
| | | Executive Report: Implications of the project including risk, submission of OBC, funding of the project | July 07 |
| Appointment of a project team | June 07 | | |
| Preparation of Outline Business Case | June 07 – April 08 | | |
| | | Executive Report: To approve submission of OBC and agreement to procurement process | April 08 |
| Submission of OBC to DfT | April 08 | | |

Approval of OBC
by DfT Project
Review Group Aug
08

Procurement

Advisors Develop advisor contracts April 08

Issue OJEU Notice May 08

Issue PQQ June 08

Appoint short list,
seek proposals July 08

Advisor interviews Aug 08

Executive Report: Aug 08
To approve
appointment of
advisors

Appointment of
advisors Sept 08

Service
Providers Development of
Contract Details June 07 – May 09

Issue OJEU Notice Oct 08

Issue PQQ and
seek Expressions
of Interest Nov 08

PQQ Evaluation
and Short Listing Dec 08

Executive Report: Jan 09
To approve stage
1 short list of
service providers

Invite Submission
of Outline Solutions Jan 09

Submission of
Outline Solutions Mar 09

Evaluation and April 09

dialogue of Outline
Solutions

Executive Report: May 09
To approve Stage
2 short list of
service providers

Invite Submission of Detailed Solutions May 09

Submission of Detailed Solutions June 09

Evaluation and dialogue of Detailed Solutions June 09 – Jan 10

Close dialogue Feb 10

Invite Final Tenders Feb 10

Evaluation of Final Tenders May 10

Clarification of Final Tenders May 10 – Aug 10

Executive Report: Sept 10
To approve
selection of
preferred Service
Provider

Final clarification, due diligence. Sept 10 – Nov 10

Preparation of Final Business case to DfT Sept 10 – Nov 10

Executive Report: Dec 10
To approve the
Final Business
Case for
submission to DfT

Submit FBC to DfT PRG Dec 10

Approval of FBC
by DfT Project
Review Group Feb 11

Financial Close and Award of contract Feb 11

Mobilisation and start of Contract Feb 11 – July 11

Damon Copperthwaite
19 February 2007



Scrutiny Management Committee

26 March 2007

Report of the Head of Civic, Democratic and Legal Services

Draft Remit for Part B of the Highways Maintenance Procurement Review

Summary

1. At its meeting in September 2006, Scrutiny Management Committee agreed to proceed with a review of topic no. 135 into Highways Maintenance Procurement and the PFI bid. Part A of the review has been completed and in accordance with the new scrutiny procedures for managing reviews, a draft remit for Part B is now attached for Members' consideration at Annex A.

Background

2. In September 2006 and in light of developments with the Council's Highways PFI bid, Councillor Simpson-Laing was consulted on her original topic registration and asked to update it to include reference to the PFI bid. A revised registration form was submitted – see Annex B.

Consultation

3. The remit arising from that registration was discussed with the Head of Highway Infrastructure and the Chair/Vice Chair of SMC and as a result it was agreed that the issues raised in the amended topic registration be dealt with in 2 parts. Part A of the review has been recently completed and SMC are to consider the draft final report at this meeting.

Options

4. Members can approve or amend the proposed remit. A remit must, however, be agreed and in place before the first meeting of the Ad-hoc Sub-Committee.

Analysis

5. The remit for Part B of the review deals with the outstanding issues in the revised topic registration which relate to gaining an understanding of the alleged financial loss to the Council caused by delays in the procurement process since 2003.

6. it is anticipated that the same membership of the Ad-Hoc Sub-Committee will consider Part B having now completed its review of Part A.

Corporate Priorities

7. Parts A & B of this review will contribute to improving 'the actual and perceived condition and appearance of the city's streets and open spaces' through contributing to improving the Council's procurement arrangements for highways maintenance. In rationalising our procurement arrangements, it may help to improve our organisational effectiveness.

Implications

8. There are no known financial, HR, equalities, legal, crime and disorder, IT or other implications at this stage of the process.

Risk Management

9. In compliance with the Councils risk management strategy, there are no known risks associated with undertaking this review, other than the potential of not maximizing efficiencies in the Council's procurement arrangements for highways maintenance.

Recommendations

10. Members are asked to consider the draft remit (Part B) attached in connection with a two stage approach for dealing with the review of highways maintenance procurement arrangement.

Reason: In order to progress existing agreed scrutiny reviews within procedural and constitutional requirements.

Contact details:

Author:
Melanie Carr
Scrutiny Officer
Scrutiny Services
Tel: 01904 552063

Chief Officer Responsible for the report:
Suzan Hemingway
Head of Civic, Democratic and Legal Services

Report Approved **Date** 19.03.2007

Wards Affected:

All

For further information please contact the author of the report

Annexes

Annex A – Part B Draft Remit – Highways Maintenance Procurement

Annex B - Topic Registration Form No. 135

Background Papers

None

Remit (Part B) for Scrutiny topic no 135 – Highways Maintenance Procurement

Aims

To examine how the Council can fund the PFI and gain an understanding of the alleged financial loss to the council caused by delays in the procurement process since 2003.

Objectives

The above aims to be achieved through the following objectives:

- To examine the financial information that was provided to Urgency Committee in September 2006 including the key financial risks highlighted within the report
- To investigate the figures included in the report which advised Members to go ahead with the PFI approach to Highways Maintenance Procurement
- To compare the actual cost to the Council since 2003 in respect of Highways procurement to the costs originally included in the Best Value Review of 2001

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SCRUTINY TOPIC REGISTRATION FORM

| | |
|---|--|
| <p>SUGGESTED TITLE OF TOPIC</p> <p>Highways Maintenance Procurement Process & PFI</p> | |
| <p>ABOUT YOU Please fill in as many of the details as you are able to.</p> | |
| <p>Title (delete as applicable): Mr Mrs Miss Ms</p> <p>Other please state: Councillor</p> | |
| <p>First Name: Tracey</p> | <p>Surname: Simpson-Laing</p> |
| <p>Address: 21 Salisbury Road Leeman Road York YO26 4YN</p> | <p>Daytime Phone: (01904) 640947</p> <p>Evening Phone: (01904) 640947</p> <p>Email: cllr.tsimpson-laing@york.gov.uk</p> |

| | |
|---|---|
| <p>Are You (delete as applicable)</p> <ul style="list-style-type: none"> • A Resident of York • A Visitor • A City of York Councillor • A City of York Council Employee • A Representative of a Voluntary Organisation or Charitable Trust (if YES please tell us the organisations title and your relationship to the organisation below) • Other (please comment) | <p>YES / / NO YES / / NO / NO</p> |
|---|---|

ABOUT YOUR PROPOSED TOPIC

Please write your responses to as many of the questions below as you are able to.

WHY DO YOU THINK THIS TOPIC IS IMPORTANT?

-Represents major potential savings to the Council which were identified in the original proposals in 2003.

-There have been major delays to this process which have not been properly accounted for and which the Labour Group estimates could amount to around £670'000 in lost savings.

- Need to understand how proposed PFI project will potentially give York a better deal compared with the above 'scheme'.

- Look at consequences of PFI – long term financial consequences, value, management, staffing.

- Review Officers latest work on Procurement to so that it can ascertained if it is robust to immediately implement if the PFI either fails or is deemed not viable by CYC

DO YOU KNOW IF THIS TOPIC IS IMPORTANT TO OTHER PEOPLE? IF SO, WHO AND WHY?

-The issue is in the interest of the Council tax payer in terms of lost savings and higher than necessary Council Tax rises due to the effect on the budget situation.

- Potential of 25 year effect on Council budgets and how other services may be effected if the PFI process goes ahead

WHAT DO YOU THINK SCRUTINY OF THIS TOPIC MIGHT CHANGE, DO OR ACHIEVE?

-Hold officers to account for the delays in the procurement process and resultant lost savings.

-Address the District Auditor's concerns that the Authority still needs to establish a strategic procurement policy.

-Establish an effective procurement strategy to ensure future procurement exercises are more effective.

-Ensure a robust contingency plan is in place if PFI bid fails or is not deemed viable.

- Understand financial implications for the Council of a PFI bid for £305m.

DO YOU HAVE IDEAS ABOUT THE APPROACH SCRUTINY MEMBERS MIGHT TAKE TO YOUR SUGGESTED TOPIC?

-There is a need to understand the managerial decisions involved in the process, so a full review of the history of the process is required

-Speak to officers about the decisions made and delays in the process

-Examine best practice evidence from other local authorities who have established a more effective procurement practice.

- See where the Council currently is in the process of procurement

- Look at how PFI is being progressed in Portsmouth and Birmingham

- Compare long term financial outcomes of a Procurement vs PFI project for the city

WOULD YOU BE HAPPY TO TALK TO SCRUTINY MEMBERS ABOUT YOUR PROPOSED TOPIC AT FORMAL MEETINGS?

YES

PLEASE ENCLOSE ANY SUPPORTING DOCUMENTS OR OTHER INFORMATION YOU FEEL MIGHT BE USEFUL BACKGROUND TO THE SUBMISSION OF THIS TOPIC FOR CONSIDERATION.

OUR COMMITMENT TO YOU

Thank you for proposing a new scrutiny topic. As Members of the Scrutiny Management Committee and Scrutiny Boards we promise the following things;

- To advise you of any meetings where a decision will be taken as to whether to progress your topic and invite you to attend
- If Members would like you to speak in support of your topic at such meetings you will be notified and supported through the process by a Scrutiny Officer
- If you do not wish to speak you do not have to; your choice will not influence fair consideration of your topic.

Please return this form to the address below or send it by email. If you want any more information about Scrutiny or submitting a new topic for consideration then please contact the Scrutiny Team.

By Writing to:

The Scrutiny Services Team
C/o The Guildhall
York
YO1 9QN

Or Email: Scrutiny.services@york.gov.uk

Or Phone: 01904 552038

For Scrutiny Administration Only

Topic Identity Number 135

Date Received

SC1- date sent



Scrutiny Management Committee
Education Scrutiny Committee

26 March 2007

28 March 2007

Home to School Transport Services – Final Report

Background

1. In August 2006 Cllr Charles Hall registered a Scrutiny Topic which asked members to investigate the contracts for home to school transport and to consider if it would be possible to introduce higher quality buses and also to improve safety. The Topic Registration Form can be seen at Annex A.
2. Local authorities are required by the government to provide transport to enable children to attend school. This transport will be free of charge if the child attends the nearest suitable school which is within two miles walking distance of home for those up to eight years of age and three miles for pupils between the ages of eight and 16. At present City of York also provides transport if a child attends a school for religious reasons provided that the school is the closest school of the preferred denomination and is beyond the appropriate walking distance for the pupil's age.
3. Pupils with special educational needs or disabilities who could not be expected to walk to school may also be provided with free transport, however they are not the subject of this review.
4. The Education and Inspection Bill which is currently before Parliament will require local authorities to provide free transport for pupils from low income families to three suitable secondary schools between two and six miles away from home and to the nearest primary school over two miles from home.
5. Important issues are: a) pupil behaviour whilst on buses, operators have reported increased incidents of vandalism and unruly behaviour and b) on buses where seatbelts are provided it can be a problem ensuring that pupils wear them.
6. The recommendations in this report were approved at the meeting of this Committee of 27 February 2007. On 1 March 2007 Cllr David Scott submitted some amendments to the report (see annex H). Members considered these suggestions informally and the consensus of opinion was that Cllr Scott's amendments should not be used to alter the recommendations.
7. Members were of the opinion that Cllr Scott made good points but that they did not add anything new to the recommendations except for the inclusion of

secondary school transport. As the remit for this scrutiny topic specifically refers to primary schools members did not consider it appropriate to make comments about secondary schools when no evidence gathering has been undertaken. It would not be advisable for the Scrutiny committee to make recommendations to the Executive for which they have sought no evidence nor investigated the implications. However if the Executive decides to approve the recommendations and then apply them to secondary schools as well then that will be a beneficial outcome from this report.

8. It is expected that this report will have been considered by Scrutiny Management Committee on 26 March 2007. SMC may have added some comments, if so these will be tabled at the meeting.

Corporate Priorities

9. In keeping with Corporate Priority 2 – Increase the use of public and other environmentally friendly modes of transport.

Options

10. Members can support all, some or none of the recommendations proposed as a result of this review, taking into account Cllr Scott's suggestions, bearing in mind that they approved the recommendations at the meeting on 27 February. Members are also asked to note the amended financial implications to the recommendations.

Remit

11. Members of the Education Scrutiny committee met informally on 12 September 2006 to consider their programme of work, and on 31 October 2006 it was formally agreed that members would undertake this topic with the following remit:

- To investigate if improvements can be made to the safety of buses transporting school pupils to primary schools.
- To consider the contract that is negotiated by the council for the provision of school transport services.
- To make enquiries as to the school transport that is provided in other local authorities including the use of dedicated "yellow buses".
- To investigate the implications of installing seat belts in all buses contracted to carry primary school pupils.

Consultation

12. The following people contributed to this review as a participant or witness:

Members of the Board

Cllr Charles Hall (Chairman)
Cllr Martin Bartlett
Cllr Glen Bradley
Cllr Andy D'Agorne
Cllr Alan Jones
Cllr Viv Kind
Cllr David Livesley

Co-opted Members

John Bailey
Andy Lawton
Dr David Sellick

City of York Council Officers

Barbara Boyce – Scrutiny Services
Mark Ellis – Education Access Team
Terry Walker – Transport Planning

Representatives of Other Organisations and Members of the Public

James Crook-Williamson, Alpha Bus and Coach, Hull
Peter Dew – Top Line Travel, York
Colm Flanagan, Head of St Wildrid's Primary School
Mark Hallett – Cheshire County Council
Cllr Janet Hopton, Rt Hon Lord Mayor of York
Tom James - K and J Travel, York
John Norton – Kendric Ash, Public Sector "corporate transformation partner"
George Peach – Regional Manager of the Confederation of Passenger Transport, Yorkshire Region
Nigel Rowe – East Riding of Yorkshire Council
Tim Wilkinson, Head Teacher of Poppleton Ousebank Primary School
Parents and Governors from St Mary's, St Wilfrid's, Poppleton Ousebank and Archbishops of York's schools.

Information Gathered

10 Members undertook the following activities in order to inform their deliberations:

31 October 2006

Members held discussions about the current service provision with officers from the Education Access Team and Transport Planning Services.

27 November 2006

Members visited Top Line Travel of York and held discussions with the Managing Director regarding their views as a provider of home to school transport.

6 December 2006

Members met representatives of other transport providers and heard their views about issues to do with home to school transport contracts.

15 January 2007

Members visited Cheshire County Council who provide a dedicated school bus service with vehicles belonging to the local authority.

23 January 2007

Members met with staff, governors and parents from all the primary schools who use the home to school transport service and heard their concerns about the safety and reliability of the vehicles used for home to school transport.

9 February 2007

Members had further discussions with colleagues from the Education Access Team and Transport Planning Services as well as representative from Kendric Ash. Kendric Ash are a firm of consultants who have undertaken an initial review of passenger transport services across the City of York and East Riding in terms of working in a more collaborative way. They are now working directly for York until the end of March providing a more in-depth analysis and offering potential improvements in procuring external transport and greater utilisation of the internal fleet. The Council are also considering tendering for a longer term Performance Partner to fully realise cost effective improvements to passenger transport.

Issues

11 Parents, teachers and governors from primary schools using contractors' vehicles

In March 2006 certain parents of pupils at St Mary's Primary School wrote to the CYC's Transport Planning service expressing their concerns that the school bus from Askham Bryan to St Mary's is not equipped with seat belts (see annex B). They claimed that some parents will not allow their children to use the bus because it has no seatbelts and prefer to take the children to school in their cars, thus adding to the congestion and pollution in Askham Richard. Cllr Janet Hopton has been in contact with parents from this school and informed the Committee of her support for their views. Cllr Glen Bradley has also been in contact with parents from St Mary's and spoke in support of their concerns at the Council meeting of 25 January 2007

where he presented a petition requesting the provision of seatbelts on the school bus which had been signed by 19 parents from the school.

These views were reiterated at the consultation meeting with the primary schools held on 23 January 2007.

Poppleton Ousebank school's main concern was about the regularity of the service rather than the condition of the buses, which they felt had improved. It was perceived that pupils were often late for school due to the late arrival of the buses. This issue is not pertinent to the remit of this review, but has instead been referred to the Education Access Team to deal with.

The head teacher of St Wilfrid's school informed members that their children travel to school on a service bus which is shared by fare-paying passengers. Some of their parents do not want their children to have to travel on the same bus as members of the public. After investigation members were informed that the pupils from St Wilfrid's were not generally entitled to free transport, but that a free pass for a parent to accompany them had been issued as a goodwill gesture.

Archbishop of York's school are very happy with the bus service to their school. In December 2006 they carried out a review of the service and the parents of all users responded that they were pleased with the service that is given (see annex C).

Members recognised that these views were somewhat conflicting, although they realised that the schools will have different experiences of school transport as different contractors will operate their services. Also the type of vehicle supplied by the contractor will vary, and may be different from day to day. For example, at Archbishop of York's school there are less than 16 pupils requiring the bus service, so a mini-bus (which has seatbelts) is provided.

12 City of York Council services

There have been significant year on year increases in home to school transport costs above inflation, which have been a cause for concern to members and officers. There are presently 10 contractors supplying this service, the contracts are usually let for three years. Contracts to secondary school are normally re-let one per year as they come to an end. There are four contracts serving primary schools, these are:

Archbishop of York's C of E Primary, Bishopthorpe
Poppleton Ousebank Primary, Upper Poppleton
St Mary's C of E Primary, Askham Richard
St Wilfrid's RC Primary, Monkgate

The contracts for Poppleton Ousebank, St Wilfrid's and Archbishop of York's are due to end in 2008, and the one for St Mary's ends in 2011.

At present seatbelts are not a requirement of contracts. If a bus with seatbelts is provided on any occasion it will be as a result of the contractor's vehicle availability on that day. CYC officers are aware that operators would be unable to invest in

more modern vehicles unless they had the security of a longer contract. It is recognised that newer vehicles are likely to have more and better safety features built into their design.

Contracts can be terminated before their end date if the provider is given six months notice of this. As contracts end they will be re-let under European Union procurement processes, which require a mix of price and quality to be taken into account when offering contracts. In these circumstances the provision of seatbelts on buses could be stipulated under the contract terms or could be a criteria given preference when assessing quality of the service offered.

At present the contracts do not insist that drivers of buses have a Criminal Records Bureau (CRB) check. The drivers are not the employees of City of York Council and officers have expressed doubts over their authority to check the credentials of the employees of other companies (i.e. the contractors). However, officers of East Riding of Yorkshire Council informed members that they had been assured by the CRB that it was reasonable to require contractors' drivers to sign data protection consent to allow information on them to be shared with the Council. They apply guidelines for deciding on eligibility for employment of drivers if the CRB check reveals details of any offence (see Annex D). It is known that four operators running school contracts in York do CRB checks on all their drivers.

Advice from the Department for Education and Skills (DfES) is that drivers' CRBs should be checked periodically. This could be specified as a minimum standard when re-letting contracts.

Kendric Ash are a firm of Public Sector Consultants who are currently examining all transport used by City of York Council as well as aspects of transport that could be collaborative with other organisations. Kendric Ash reported to the Executive Member for Corporate Services Advisory Panel on 12 December 2006 regarding the first phase of their work (a summary of this report can be found at Annex E). This had researched existing transport operations within CYC and made recommendations as to how the quality of services could be made better quality and more efficient as well as reducing costs. The areas covered were Social Services, special educational needs, fleet management and pool cars as well as home to school transport. In total the council spends over £3m per year on these services.

On some home to school routes pupils who are not entitled to free transport are allowed to use the bus if they pay a fare. DfES advice states that if there are any paying passengers then the vehicle is classed as a service bus, and contracts for these cannot be let for any longer than five years. This could create a problem if higher quality vehicles depend on longer contracts being offered to operators.

13 Home to school transport contractors

Members of the Committee met with representatives of bus and coach companies who are contractors to CYC on 6 December 2006. The Managing Director of the Confederation of Passenger Transport, Yorkshire Region also attended to make representations. Representatives of the Committee visited another operator on 27 November 2006, who provided some written answers to members' questions (see annex F)

Contractors agreed that they tend to use older vehicles on school runs because the competition for contracts keeps prices down to a level where the cost of newer vehicles cannot be justified. If contracts were extended to 5 – 7 years then they felt they would be able to invest in newer vehicles as they would then be more likely to receive a return on their investment.

Newer vehicles would be more likely to be equipped with seat belts. The cost of equipping seatbelts to a single decker bus that does not already have them can be in the region of £5000, which is not economically viable for older vehicles. Speakers were all of the opinion that one of the main problems with seatbelts on buses was ensuring that the passengers wear them. Although this is not normally a problem with primary school pupils, those from secondary schools often have a great reluctance to put them on – the wearing of seatbelts being seen as distinctly “uncool”. Although buses used for school trips are required to be fitted with seatbelts, there are always teachers accompanying pupils to ensure the belts are worn.

One of the big issues for all operators was the behaviour of children on the buses. This is a particular problem on double decker buses where the driver has less visibility. It was generally felt that there had been a deterioration in behaviour, which had previously involved verbal abuse but this had increased to physical abuse in a minority of cases. Vandalism is also a problem, both the expense of repairs, and the temporary loss of a vehicle, which has to be taken off the road, if, for example, a seatbelt is damaged.

Contractors were of the opinion that the fitting of CCTV to school buses greatly improves pupil behaviour as evidence of the perpetrators of vandalism or unruly behaviour can be given to the schools. The bus operators generally have good relationships with the schools they serve, which have varying methods of trying to ensure responsible behaviour. This might mean employing a school transport manager, using sixth-formers as bus-monitors or removing the right to travel on the bus after being warned about behaviour.

CRB checks were generally supported, although it was recognised that different local authorities required different information, so a check might not be acceptable to all clients. It would be useful if there was some standardisation across authorities.

14 Dedicated school buses

Members were interested in the idea of dedicated school buses being introduced (as in the yellow buses used in the USA). They recognised that where these have been introduced it is often as a result of government funding for a particular project and over several local authorities, for example the £18.7m obtained by West Yorkshire Passenger Transport Executive to supply bus services to 300 schools in West Yorkshire.

On 15 January 2007 representatives of this Committee visited Cheshire County Council, a local authority which has invested in dedicated school buses for their own use.

Cheshire have purchased eight dedicated School buses. Three have 68 seats and five have 60 seats, all with seatbelts and CCTV. Seven operate at one time, one is a spare in case any are off the road for any reason.

These buses cost approx £115k each. A secure parking area is needed at night. It is expected that each will have a ten-year lifespan, but will require refurbishment to keep in good condition – this discourages bad behaviour by pupils. Seatbelts are specified that require minimum maintenance as this can be costly if they are damaged. Obtaining vehicle parts can also be difficult be an issue with some models.

The buses serve three secondary schools. They can be hired out to schools for events between home-to-school runs, it is this that makes the service financially viable.

The buses belong to Council, they were purchased as a result of spiralling contract prices. They are part of the Council's fleet of vehicles for Social Services and other purposes. The drivers are employed by council and they also work as Social Services driver/attendants if necessary. All drivers are CRB checked by council and the vehicles have to operate tachographs in order to comply with EU regulations.

One contractor has dedicated school bus in the Council's livery, they have a contract for five years. Contractors have stated that they would prefer an eight to ten year contract. Many other contractors are hired and they often use older double-decker buses. The Council considered that the contract offering the new bus with seatbelts, CCTV, 68 seats and wheelchair access offered the best value.

Pupils travelling on the school buses and their parents are required to agree a good behaviour contract before being offered a place. In this they have to agree to wear their seatbelts at all times and to refrain from eating and drinking on the bus. Each has an allocated seat, the driver marks them on a register when they get on the bus, and this is checked by a representative of the school on arrival.

Recommendation 1

Council officers will attempt to negotiate with the transport provider for St Mary's School, Askham Richard in order for seat belts to be provided on all vehicles. If this is not possible at a reasonable cost then they will re-let the contract from September 2007.

Implications of Recommendation 1

- **Financial** *The current contractor is willing to install lap seatbelts on his vehicle. This would involve a cost of £9742 + VAT - the breakdown of costs are parts (including new seats) £5867 and labour £3875. The contractor would be seeking a negotiable one off contribution from the Council as a contribution towards these costs.*
- **Human Resources** *none*
- **Equalities** *none*

- **Legal** *none*
- **Other**

Recommendation 2

The Council will ensure that minimum standards for all future home to school transport buses include:

- a) Lap seatbelts to be fitted to all vehicles, with the long term aim of these being 3 point seatbelts.
- b) CCTV to be installed in all vehicles and functioning at all times
- c) Contractors to ensure that all drivers have had a CRB check no later than 3 years before commencing this work and thereafter at 5 year intervals
- d) EU2 emission standards or greater to be required on all contract vehicles

Implications of Recommendation 2

- **Financial** *Preliminary investigations indicate that the requirement to fit seatbelts and CCTV immediately could increase the price of transport contracts by 25%, at an estimated total cost of around £250k p.a. The requirement that all contract vehicles meet EU2 emission standards may further increase costs as a number of the vehicles currently used are EU1 vehicles. The Home to School Transport Service cannot fund this increased cost from within existing resources and substantial growth will be required.
Phasing in the requirements of this recommendation over a number of years to allow contractors time to convert existing vehicles and invest in newer vehicles should reduce the cost incurred. Further work is needed to provide a realistic estimate of total costs in this case..*
- **Human Resources (HR)** *None*
- **Equalities** *Need to ensure that seatbelts or equivalent are also available for any accessible seating or wheelchair spaces on the bus.*
- **Legal** *None*
- **Other**

Recommendation 3

The council will ensure that where possible contracts are to be let for more than 5 years, ideally 8 - 10 years in order to allow contractors to invest in higher quality vehicles

Implications of Recommendation 3

- **Financial** *There is the potential for savings if longer contracts can be offered to operators, or if a smaller number of individual contracts are let. The Education and Inspection Bill may allow for some extension to contracts which also carry some fare-paying passengers.*
- **Human Resources** *None*
- **Equalities** *None*
- **Legal** *None*

- **Other**

Recommendation 4

The council will recognise good practice in other local authorities and encourage schools and contractors to use measures such as good behaviour contracts (see para 14), designated seats and the use of bus prefects to discourage unruly behaviour by pupils.

Implications of Recommendation 4

- **Financial** *There are no immediate financial implications associated with this recommendation*
- **Human Resources** *None*
- **Equalities** *None*
- **Legal** *None*
- **Other**

Recommendation 5

The Council will endeavour to ensure that the same high standards are in place for bus contracts covering all educational establishments wherever possible

Implications of Recommendation 5

- **Financial** *There are no immediate financial implications associated with this recommendation*
- **Human Resources (HR)** *None*
- **Equalities** *None*
- **Legal** *None*
- **Other**

Contact Details

Author:
Author's name
Title
Dept Name
Tel No.

Chief Officer Responsible for the report:
Barbara Boyce
Scrutiny Officer

Final Draft Report *tick*
Approved

Date *Insert Date*

Wards Affected: *List wards or tick box to indicate all*

All *tick*

For further information please contact the author of the report

Background Papers:

None

Annexes

Annex A – Scrutiny Topic Registration form

Annex B – Letter from Edna Hughes dated 25 March 2006

Annex C – Survey of users of school transport service at Archbishops of York's Primary School dated December 2006

Annex D – East Riding of Yorkshire Council's guidelines for employment of drivers after CRB check

Annex E – Report of Kendric Ash to Executive Member for Corporate Services Advisory Panel on 12 December 2006

Annex F – Comments on safety issues form Top Line Travel of York dated 27 November 2006

Annex G – Chairman's foreword

Annex H – Suggested amendments from Cllr David Scott

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Annex A



SCRUTINY TOPIC REGISTRATION FORM

Dear Reader

Scrutiny Members examine the decisions, policies and performance of the Council and make recommendations where they feel things could be improved for the citizens of York.

This non-Executive Member cross-party role was created by the Local Government Act 2000 which is all about modernising local government and creating better ways for citizens to be more involved in local decision making.

The scrutiny boards will consider possible suggestions about issues to look at from anyone, so long as these are not specific issues of an individual nature which should be taken up with a local Councillor or addressed through the Corporate Complaints system.

Scrutiny at York has already investigated things as diverse as the response to the 2000 floods, affordable housing, provision for young people in York, rail-side safety and street cleaning.

If you have a suggestion for something the scrutiny boards might consider, then please fill in this registration form and return it to us, either by post or by e-mail.

Madeleine Kirk

Cllr Madeleine Kirk
Chair, Scrutiny Management Committee



SCRUTINY TOPIC REGISTRATION FORM

| | |
|--|--|
| SUGGESTED TITLE OF TOPIC Contract School Bus Service | |
| ABOUT YOU Please fill in as many of the details as you are able to. | |
| Title (delete as applicable): Mr Mrs Miss Ms Other please state Cllr | |
| First Name: Charles | Surname: Hall |
| Address: 104 Oaken Grove Haxby YO32 3QZ | Daytime Phone: 01904 760618 Evening Phone: Email: cllr.chall@york.gov.uk |
| Are You (delete as applicable) <ul style="list-style-type: none"> • A Resident of York • A Visitor • A City of York Councillor • A City of York Council Employee • A Representative of a Voluntary Organisation or Charitable Trust (if YES please tell us the organisations title and your relationship to the organisation below) • Other (please comment) | YES NO YES NO NO |

ABOUT YOUR PROPOSED TOPIC

Please write your responses to as many of the questions below as you are able to.

WHY DO YOU THINK THIS TOPIC IS IMPORTANT?

I understand that some pupils are transported to and from schools on contract buses that do not have seat belts.

In some local authority areas dedicated school buses are used for pupil school transport i.e. "yellow buses".

It should be a priority for this authority to ensure the safest possible transport for all pupils.

DO YOU KNOW IF THIS TOPIC IS IMPORTANT TO OTHER PEOPLE? IF SO, WHO AND WHY?

To pupils and parents.

WHAT DO YOU THINK SCRUTINY OF THIS TOPIC MIGHT CHANGE, DO OR ACHIEVE?

Provide safer transport to and from schools for pupils.

Improve the quality of school buses.

It could possibly change the form of contract currently negotiated by the council for the provision of bus services.

DO YOU HAVE IDEAS ABOUT THE APPROACH SCRUTINY MEMBERS MIGHT TAKE TO YOUR SUGGESTED TOPIC?

Approach other similar local authorities that have introduced dedicated "yellow buses" to obtain information regarding costs, safety features, staffing and pupil/parent response.

WOULD YOU BE HAPPY TO TALK TO SCRUTINY MEMBERS ABOUT YOUR PROPOSED TOPIC AT FORMAL MEETINGS?

Yes

PLEASE ENCLOSE ANY SUPPORTING DOCUMENTS OR OTHER INFORMATION YOU FEEL MIGHT BE USEFUL BACKGROUND TO THE SUBMISSION OF THIS TOPIC FOR CONSIDERATION.

OUR COMMITMENT TO YOU

Thank you for proposing a new scrutiny topic. As Members of the Scrutiny Management Committee and Scrutiny Boards we promise the following things;

- To advise you of any meetings where a decision will be taken as to whether to progress your topic and invite you to attend
- If Members would like you to speak in support of your topic at such meetings you will be notified and supported through the process by a Scrutiny Officer
- If you do not wish to speak you do not have to; your choice will not influence fair consideration of your topic.

Please return this form to the address below or send it by email. If you want any more information about Scrutiny or submitting a new topic for consideration then please contact the Scrutiny Team.

By Writing to:

The Scrutiny Services Team
C/o The Guildhall
York
YO1 9QN

Or Email: Scrutiny.services@york.gov.uk

Or Phone: 01904 552038

For Scrutiny Administration Only

Topic Identity Number

141

Date Received

30 August 2006

SC1- date sent

Town Farm
116 Main Street
Askham Bryan
York
YO23 3QS

Mr Terry Walker
Public Transport Planning
9 St Leonard's Place
York
YO1 7ET

COPY

25th March 2006

Dear Mr Walker

Askham Bryan school bus to St Mary's CE Primary School, Askham Richard, which does not have Seat-belts.

We are writing to you to express our concerns regarding the Askham Bryan School bus which currently does not have seat-belts.

There are more than 19 pupils using the school bus regularly with an age range of between 4 and 11 years old.

Our main concern is the safety issue due to not having seat-belts. Because the children are of such a young age, they do not always remain seated through out the journey. A huge concern, due to the safety implications, is if the bus was required to stop suddenly. Only the other day, 10th March 2006, there was an accident involving a car and the milk man just minutes before the bus, what would have happened if the car had collided with the bus?

This would not be an issue if the children were restrained by a seat-belt.

In a letter, copy enclosed, from York City Council in July 2005 you state "The underlying principles are to ensure child safety and to minimise car journeys and congestion in the villages." This was with regard to a dedicated school bus. Surely you are not ensuring child safety if the bus does not have seat-belts fitted.

Parents of a further 9 pupils said that they would use the Askham Bryan school bus if it had seat-belts on. This would considerably ease the continued congestion and complaints by the residents of Askham Richard, and would also have a beneficial impact on the environment.

The majority of Askham Bryan Parents currently using the school bus are very concerned that during the journey to and from school their children are at risk because they are not wearing seat-belts. **We would never make even a short car journey without wearing a seat-belt why should a bus be any different?**

The other school bus provided by Selby Council to transport St Mary's children to Bilbrough and surrounding villages always has seat-belts, as do all the buses used on school trips. It is Law that school trips cannot go ahead unless the coaches have seat-belts. We feel that the same laws should apply to school transport.

Please find attached the names and addresses of the 19 parents with 28 children who would continue to use, and potentially use the Askham Bryan School Bus if it were to have seat-belts.

For the safety of our children we are requesting that you provide a school bus with seat-belts immediately.

We look forward to hearing the action you are going to take on this matter.

Yours sincerely



Mrs E Hughes
On behalf of Askham Bryan Parents

Cc

- **John Grogan, Labour MP for Selby Constituency**, Tadcaster Business Centre, 4-6 Bridge Street, Tadcaster, LS24 9AL
- **Anne McIntosh, Conservative MP for the vale of York & Shadow Minister for Family welfare**, House of Commons, London, Sw1A 0AA.
- **Janet Hopton, York Rural West Ward Councillor**, The old Vicarage, 11 Church Lane, Nether Poppleton, York, YO26 6LB
- **Mark Ellis, Head of Access**, Mill House, North Street, York ,YO1 6JD
- **Mrs Rawling, Acting Headteacher**, St Mary's Church of England Primary School, Askham Richard, York, YO23 3PD.



Education and Leisure

Mill House
North Street
York YO1 6JD

Tel: 01904 613161

To: All Residents of Askham Bryan

July 2005

Dear Resident

Askham Bryan school bus to St Mary's CE Primary School

I am writing to all residents in response to parental concern about the designated morning school bus that was changed to a public service route last September to offer residents a public transport link to York College and York.

Since that change, more parents are using their cars to take their children to school which is causing congestion in Askham Richard outside the school. One possible solution would be to establish the route as a school special only, and not allow the public to travel on it, in the hope that it will encourage parents to send their children to school by public transport. We do appreciate the potential inconvenience that this could cause to the community although use by the public is currently low.

Therefore the City of York Council is seeking the views of the community before taking a decision. If there were to be a change in access to the bus service it would come into effect from September. Any change would be on a trial basis; if children continued not to use the service but the public wanted to, then clearly it would be the right move to restore public access to the route at that time. If far more children used it and there was support for a dedicated school special, the Council would probably think it appropriate to continue the dedicated service. The underlying principles of the proposal are to ensure child safety and to minimise car journeys and congestion in the villages.

If you have any views on this please contact Mark Ellis, Head of Access, Education and Leisure, Mill House, North Street, York YO1 6ZG or email: mark.ellis@york.gov.uk

We would appreciate any comments or views by Friday 5 August.

Yours sincerely

Mark Ellis
Head of Access

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Home to School Transport Review

A questionnaire was sent in early/mid December to all parents who use the service. An excellent response was achieved with 8 replies from 9 families.

1 Are you happy with the current service provided?

All 8 replies were either happy or very happy.

Comments included:

The current driver is very pleasant and punctual

The bus driver is very friendly and punctual

The bus collects the children close to home, takes them safely to school and is very effective

The bus is reliable, the vehicle is in good condition and the drivers are friendly

2 If you are not satisfied then what would you like to see changed?

No comments written

3 What could be improved?

Contact between provider and parents to inform of any issue i.e. no collection during bad weather etc.

4 Any other comments?

The service for Bishopthorpe children is excellent

Please do not change the current arrangement. We have used the bus for 7 years without any problems. It is safe, efficient and environmentally friendly way of transporting children to school.

On the whole this is an excellent service

A reliable and friendly service

Julian Davies
19 January 2007

Chair of Governors
Archbishop of York's Junior School
Bishopthorpe

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East Riding Of Yorkshire Council

Criminal Records Bureau Clearance of Bus Drivers and Escorts

A Criminal Records Bureau Disclosure is required for all persons who have substantial access to children and vulnerable adults. These guidelines apply to staff employed by contractors to the Council and staff employed directly by the council.

If the Disclosure received from the Criminal Records Bureau contains details of any offence; the following guidelines should be observed:

| Offence | Guidelines |
|---|---|
| Any offence of a sexual nature. | The person is not acceptable to the Council under any circumstances. |
| Any offence of violence | If the offence occurred within the preceding 10 years, the person is not acceptable to the Council. If the offences occurred more than 10 years before the date of the Disclosure, a senior officer, following an interview, will consider the person. The length of time since when the offence took place and the number and severity of offences will be taken into account. |
| Any offence involving the improper use of drugs. | If the offence occurred within the preceding 10 years, the person is not acceptable to the Council. If the offences occurred more than 10 years before the date of the Disclosure, a senior officer, following an interview, will consider the person. The length of time since when the offence took place and the number and severity of offences will be taken into account. |
| Any offence of driving whilst under the influence of alcohol. | If the offence occurred within the preceding 5 years, the person is not acceptable to the Council. |
| Any offence involving theft or deception | If the offence occurred within the preceding 5 years, the person is not acceptable to the Council. If the offences occurred more than 5 years before the date of the Disclosure, a senior officer following an interview will consider the person. The length of time since when the offence took place and the number and severity of offences will be taken into account. |
| Any serious motor vehicle or serious driving offence. | If the offence occurred within the preceding 5 years, the person is not acceptable to the Council. If the offences occurred more than 5 years before the date of the Disclosure, a senior officer following an interview will consider the person. The length of time since when the offence took place and the number and severity of offences will be taken into account. |

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City of York Council Transport Review Kendric Ash

Main Themes

- **Strategy** – Where does Transport sit in terms of priorities and does it have the focus it should. Is it linked to the corporate objectives of the Authority.
- **Eligibility** – What is the criteria, how is it applied, is it consistent and what can we learn from others
- **Current Operations** – An examination of procurement, systems & processes, culture and customer focus
- **Finance** – What is the real cost to the Council, where do the budgets sit and what efficiencies can be made whilst improving service
- **Collaboration** – Where are there areas of collaboration and what opportunities exist for sharing of best practice and working together

General Findings

- No recognition of future needs for transport, focus tends to be today's problems – e.g. Introduction of Individual Budgets in Social Care and the growing pressures in relation to the "Green Agenda"
- Eligibility needs clarification, corporate agreement, Council wide communication and consistent application – e.g. No documented eligibility criteria in ASC
- Transport teams operating completely independently of one another – no operational links or best practice approach between Adult Social Care, Special Educational Needs and Dial 'a' Ride
- There is no focus on 'demand' for transport services – "We have a fleet how can we use it"– but it should be "we have a transport need how can we best fill it"
- Procurement is disjointed losing ability to minimise cost and improve supplier performance – taxi firms playing one department off against the other often dictating cost and provision, potential cartels + sellers market

General Findings (continued)

- Internal fleet within ASC is not fully utilised and considerable amounts of spare capacity currently exist with other providers - e.g. Dial and Ride (3 buses) and Special Schools (7 buses)
- The cost of Special Educational Needs transport is high in comparison with other local authorities in terms of average cost per child – e.g. In year cost of £28.84 per child per day vs benchmark £18 to £20
- Financial management arrangements are fragmented and confusing with a lack of ownership - Several budgets are based on historical cost
- Linkages with other transport providers is weak, not fully understood and there is substantial opportunity for collaborative working both within the boundaries of CYC and beyond

The Way Forward / Key Challenges

- Agree, assemble and widely communicate a corporate policy which clearly states the strategic intent for passenger transport – city wide
- Build an infrastructure which is demand based and shares best value procurement with best practice methodology.

- Create permanent customer linkages utilising Service Level Agreements, Key Performance Indicators and regular review processes.
- Deliver financial transparency and generate appropriate budgets with full accountability from within the transport teams
- Get all transport providers to the table and drive local and regional passenger transport initiatives; Yorkshire Hospital Trust, PCT and Community Transport

Quick Wins

- The Demand Responsive Transport Management System (DRTMS) being implemented by Children's Services needs to be extended and existing SEN routes should be reviewed using the DRTMS functionality
- Undertake a full review of all passenger transport vehicles, determine availability, consult timetables and routes to maximise utilisation and reduce cost
- Address the shortfalls in the eligibility criteria, decision making process and operational linkages for Home to School / Adult Services and Community Transport (Dial & Ride and York Wheels)
- Review current SEN transport sub-contracts and look to move a percentage of children to internal fleet provision
- ASC taxi contract renewal is due - agree short term arrangement and commence procurement of new contracts with high focus on moving towards partnering arrangements

Sustainability - short / medium term

- Establish a Transport Review Steering Group for York City to own the Transformation project and help shape the future
- Create a detailed Service Improvement Plan with clear quality & finance driven targets and actions
- Communicate intent to Directorates for appropriate cascade to include fully clarified transport policy
- Baseline true levels of transport expenditure and introduce delegated accountability to transport teams
- Clearly communicate aims and objectives to transport teams and introduce a Performance Management culture

Sustainability - short / medium term (cont'd)

- Complete review of procurement process to move towards partnership working – consult with suppliers
- Sit down with all customer representatives and agree a move toward demand driven transport, agree stages for change and regular reporting process
- Commence reengineering of all operational systems and processes and document
- Meet with Community Transport providers to agree allocation of customer base, areas of potential duplication for resolution and opportunities for growth
- Fully review contract with ABRO to maximise vehicle availability and realisation of proposed overall cost savings

Longer Term

- Create local Steering Group with York Hospital Trust, Yorkshire Ambulance, PCT and Community Transport providers to develop and implement initiatives for creating a fully integrated, 'Green' Transport Management solution for York, delivering:
 - Fewer vehicles on the road
 - Less journeys
 - Reduced impact to the environment
 - Citizen confidence in the transport infrastructure and greater use of existing public transport
- Develop collaborative working environment with bordering authorities to:
 - Enhanced procurement efficiencies
 - Share best practice
 - Further improve buying power
 - Maximise fleet utilisation

Outline Efficiency Gains

| • City of York | Forecast (06-07)(£K) | Saving (annual) (£K) |
|---------------------------|-------------------------|-------------------------|
| Transport Management | 190 | 20 |
| Direct Employees | 475 | 40 |
| Internal Fleet | 360 | 35 |
| Sub-contract transport | 2,530 | 390 |
| Subsidised Transport | 95 | 15 |
| Totals | 3,650 | 500 |
| • Trafford MBC | | |
| Budget | 7,200 | |
| Savings delivered to-date | 2,500 | |

Key Deliverables

- Established vision and long term strategy for the future
 - reductions in vehicle numbers & journeys, more passengers per vehicle, CO₂ emission reductions
- Positive PR - generating much needed interest amongst the citizens of York and other transport providers
- Better coordinated with tracked improvements to service delivery
- Optimised cost with adaptable provision - correct balance between internal and external provision
- Robust collaborative relationship with other providers
- Enhanced staff morale and customer confidence

Questions?

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Top Line Travel of York Limited

Home to School bus services: safety issues

1. Seat belts on home to school contracts.

Seat belts are a legal requirement on coaches but not on buses. Therefore, some home to school contracts already use seatbelt-equipped vehicles and some do not.

There are several issues to take into account where seatbelts are concerned.

I fully accept the advantages, and support the use, of seat belts in cars and coaches, and am by no means anti-seat belt. However, my main concern is that a ruling to require seat belt equipped vehicles on all home to school contracts would be a misguided attempt to be seen to be doing something about safety without achieving much or, indeed, anything.

The first issue to address is to ensure that, if fitted, seat belts are worn. My experience, in using seatbelt equipped coaches on the F3 and other contracts in the past, is that this will not happen. Unless and until a way is found to ensure that seatbelts are used properly, such a ruling would involve a great deal of expense for no benefit.

The claim "seatbelts save lives" is too simplistic in this context. Seat belts would not have saved the lives of the bus driver and the schoolgirl who were killed when an out-of-control lorry collided with their bus at Wilberfoss in 1992. The construction of buses, and indeed the construction of their seats, affords much more protection without a seatbelt than is available in a car.

Buses on home to school contracts tend to be used in areas where overall speeds are low; the risks associated with high speed motorway driving are vastly different from those involved in urban areas.

2. Many school contract operators tend to use end-of-life vehicles because the competition for contracts keeps prices down to a level where the cost of new buses or coaches cannot be justified. On the occasions when newer buses or coaches are used, it is usually because they are also used on other work, which spreads the cost.

The implication for this company, were there to be a requirement for seat belts on home to school transport, is that we could no longer participate in this work because we have no seatbelt equipped vehicles and could not justify the cost of replacing them unless contract prices are increased to reflect the extra cost.

The loss of school contracts would make it harder to recruit drivers, because we need some work on schooldays to balance the heavy commitment to weekends and school holidays when our tour buses are at their busiest.

Our existing buses were not designed to be fitted with seatbelts, and we believe that any attempt to fit them would be unsafe and unacceptable.

Top Line Travel of York Limited .

Home to School bus services: safety issues

2. *continued*

The option of buying seatbelt equipped buses, or buying some which could be fitted with seatbelts, is not practical because the Council's policy of accepting the lowest tender means that we could not compete with other operators who would offer to do this work with elderly (but seatbelt equipped) coaches.

While seatbelt equipped double deck buses are available, many of these (for example, the Scania's used by Harrogate Coach Travel) are high floor buses of pre-euro emissions standard and we now wish to buy only low floor vehicles of euro 2 standard or better. Contract prices are not sufficient to allow this additional investment.

3. We do not have any buses equipped with seat belts. However, as explained above, I do have experience of using seatbelt-equipped coaches at York Pullman Limited during the period 1997-2000.

My experience was that very few children used them and we did have the occasional instance of damage which could not be repaired immediately; if a seat belt is damaged, the seat cannot be used. The refusal to use belts is particularly noticeable among secondary school pupils - peer pressure among teenagers to be "cool" is not an easy attitude to reform.

- 3a. There are probably two options - technology involving seat detectors (as on some cars when a "fasten seat belt" light is triggered by a person sitting in the seat without the belt being fastened), which is expensive both to fit and maintain; or the use of an escort specifically for this purpose. It would be impractical to expect the driver, whose attention should be directed entirely to driving, to supervise the use of seat belts as well.

In either case, there will be a greatly increased cost and this will ultimately be passed on to the local authority. While some operators may be tempted to ignore the additional cost of providing, maintaining and repairing seatbelts, they will eventually find that they cannot do so and there will be a price to pay.

This could be additional contract costs, the cost of re-tendering if a contractor surrenders a contract or goes out of business, or the potential cost of a less scrupulous operator economising on other maintenance.

Top Line Travel of York Limited

Home to School bus services: safety issues

4. My main concerns regarding safety on school transport are about the behaviour of those being carried. To this end, my company has invested in closed circuit television on several buses, and this has successfully been used on several occasions to allow the school to deal with problems such as rowdy behaviour, damage and bullying. On at least two occasions, parents who did not believe that their children had been involved in rowdy behaviour were convinced when shown the CCTV recordings.

However, no account is taken of this when tenders are considered: I believe that CCTV is invaluable and should be specified. Those of us who provide it already are at a disadvantage when tendering because of the extra cost.

Specific areas for attention are: an inability to queue; rushing towards the bus when it arrives at a stop (with a risk of somebody falling or being pushed under the front wheel); standing up or walking around the bus (with a risk of falling if the driver has to stop suddenly); fighting; throwing items around the bus or from the bus; stamping of feet and other behaviour which distracts the driver; crowding the platform as the bus arrives at the stop; leaving food and other rubbish on the bus; or causing damage. We take a strong line on all of these, and on the use of foul language, and will not allow children to travel on the platform of the bus (which, although illegal, does happen elsewhere).

We wish to acknowledge the invaluable help given by Fulford, Canon Lee and St Wilfrid's Schools, in particular, and the staff of the CoYC Education Transport section, whenever problems have arisen.

Safety can be improved, and problems such as these minimised, by the insistence on scholars (and their parents) signing a code of conduct, and rigorous enforcement by the Council and the schools.

We make it clear that any complaints about our staff will be treated seriously, investigated and action taken if necessary. This emphasises that a code of conduct is fair.

5. We do make CRB checks but believe that this should be done by the local authority or the Traffic Commissioner. It would be much simpler if this were to be undertaken by the City Council, or by a partnership of local authorities to avoid the need for separate checks to be carried out for different authorities. It would be even more acceptable if this information becomes the province of the Traffic Commissioner, who has the power to remove a PCV licence from anyone who is not suited to hold one.

Top Line Travel of York Limited

Home to School bus services: safety issues

6. Compulsory CRB checking would be welcome on condition that bureaucratic delays do not make it impossible to staff such contracts. Also, in view of the number of drivers from Eastern Europe currently employed in this industry, a secure method of checks for non-UK nationals is needed.

It would be unjust if a situation were to arise where one driver could not be used on a school service because CRIB checks had not been completed, but another driver from another country could be used because such checks could not properly be carried out at all.

7. If the contractors had to carry out the checks, there would be a great deal of inconsistency, delays and a need for more administrative time. It would be preferable for the local authorities to do this, as NYCC do already.
8. Five year contracts would encourage operators to invest in newer buses, which will improve quality. However, depreciation on a new bus used only on school services can be around £60 per day. Contract prices do not reflect this.
9. There has been some deterioration of behaviour with some scholars, but this is relatively minor and is by no means universal. York has, to the best of my knowledge, never suffered the appalling behaviour experienced on school buses in some areas, although there have been some notable exceptions.

On the whole, behaviour is good so long as the school and the local authority are prepared to take action to deal with any trouble immediately - and this includes having staff available to assist or give advice on a Friday afternoon.

Peter Dew
Managing Director
Top Line Travel of York Limited
23 Hospital Fields Road
Fulford Industrial Estate, YORK Y010 4EW

27.11.06

Chair's Foreword

Local Education Authorities must provide free transport for children of primary school age who live more than two miles from their nearest suitable school. Travelling by bus to school has a higher safety record than car journeys. It is better for the environment, reduces congestion and develops confidence in children but some parents are reluctant to allow their children to use this form of transport because they regard the vehicles as being unsafe, outdated and the behaviour on the buses to be of a low standard.

This report has attempted to make recommendations that will in the long-term improve the quality of the buses used, improve safety, improve behaviour, reduce traffic congestion and encourage the uptake of places on school buses.

I would like to thank all those who contributed to the production of this report including Members, Officers, proprietors and managers of transport companies, parents, governors and headteachers of the schools involved. The frankness and openness of their contributions enabled the board to identify clear targets that can be achieved.

There has been a marked variation in the type and quality of vehicle used for transporting primary school children to and from school in the past and this report if implemented would ensure that all pupils receive the same provision.

Cllr Charles Hall
Chair of Education Scrutiny Board
February 2007

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Submissions to the Education Scrutiny Committee

I'm sure that all members of this Scrutiny Committee will agree that York's children are its most valuable resource.

I was at the Executive Member for Education Advisory Panel in April 2006 when Cllr Janet Hopton first raised the concerns of pupils travelling on buses taking them from their home to St Mary's Primary School. At that time the Executive Member for Education promised action. I am therefore disappointed that almost a year later nothing has actually been done to address these concerns.

Having said that I commend the hard work of this Scrutiny Committee. I would however like to raise some concerns with the draft report before you today. T

he Scrutiny Committee have properly identified a number of important issues.

- The Education and Inspection Bill will increase the provision of home to school transport that will be provided by this Council.
- There are environmental issues associated with the provision of School transport
 - Parents that boycott a service that is perceived to be unsafe will add to the carbon footprint of the home to school transport arrangements by using their own cars
 - Older buses used by some contractors will cause more environmental damage than newer vehicles
- Different Schools have different experiences with home to school transport arrangements and have different concerns
- The contracts for this service do not currently guarantee minimum specifications for bus safety, seatbelts and vehicle emissions. It is possible for a contractor to switch an acceptable vehicle to an unacceptable vehicle without notice or penalty.
- Only 4 out of the 10 contractors carry out CRB checks
- Contractors have concerns about pupils behaviour at times, but that there are options for contractors, schools and this Council to address this.
- Current contracts for some primary schools run up to 2011, but have a 6 months notice provision to bring them to an end sooner.
- Some vehicles used for home to school transport would not be allowed to be used for school trips.

At the last meeting the Bus and Coach Operators made a number of submissions to this committee. I must take issue with some of those.

The Bus and Coach Operators said

“There was little evidence to suggest that fitting seatbelts in buses made journeys safer, rather the lack of seatbelts was a perceived problem.”

And

“BUSK (Belt Up School Kids) a school transport organisation dedicated to helping reduce injuries and fatalities on school buses had found no evidence to suggest that seatbelts on vehicles made them safer. Independent research had shown that transport by bus was one of the safest forms of transport.

The main problem to safety was the behaviour of pupils on transport and this was exacerbated on double decker buses where drivers had less visibility.”

I e-mailed Pat Harris, Director of BUSK and BUSK would give the following submissions to this Committee

“I can confirm that I am the person responsible for making any public statements about any issue surrounding the transportation at children and young people.

I have carried out much research over the last 14 years in all aspects of road safety and worked alongside experts in crash impact research and well as manufacturers of buses, coaches, minibuses and cars. I have also been advised by consultants in accident and emergency medicine about different types of injuries including permanent and fatal injury to passengers travelling in all types of vehicles, wearing different types of safety belts correctly, incorrectly and not wearing any at all and also those passengers who are standees.

I can confirm that as a result of this research and working partnerships that I continue to have with outside agencies, that I never have, or never would make a statement that to say that there was no evidence to suggest that seatbelts on vehicles made them safer. The fact is, that passengers who are protected by a properly engineered safety belt are less likely to sustain serious, permanent or fatal injury unless of course the accident is of a very high speed or the accident for instance is a car passenger whose car impacts with 40 tonne truck or tanker.

I am more than happy to talk to you about these issues if you think this might be helpful. I have a lot of experience in working to make transport safer for everybody, that is, pupils, drivers and all other road users. I led a Task Group within the core team of Monmouthshire County Council's Best Value Review and resulting from this they are currently running a pilot which so far has had great success in improving the behaviour of pupils and saving money as well.

I work for various local authority and the police in projects to help educate pupils how to keep safe on their daily journey to school. BUSK also provides resource materials that are used by schools, RSOs, the police and transport operators.

BUSK would support the use of properly engineered safety belts in any transport used for home to school transport although I have, in the past, voiced concern over buses and even some older coaches, that are fitted with safety belts. The reason for this is that the buses I have seen that have belts installed are the older vehicles that were not built to take belts and where the seats are not of the correct structure to take the stress loads that would be imposed upon them during an impact. In these circumstances I would advise against the use of belts because there is evidence to show that belts fitted into these types of vehicles with inadequate structures etc., could prove to be lethal to the passengers.

I would also point out that the statistics that are often quoted by some in the coach and bus industry are flawed. They talk about passenger miles and compare this with car passenger miles. What they do not say is that the passenger miles they refer to often include trains and air miles. Also car passenger miles very often includes minibuses.

I can also tell you that between 10,000 and 11,000 passengers are injured inside buses each year and around 2500 children are injured inside buses and coaches each year as a direct result of not wearing belts.

Around 20% of the injuries to children are permanent which means they will not be able to live a normal life. Children aged between 10-14 are more likely to be injured.

There is some evidence that if children are wearing belts then they do not cause the same distraction to the driver. Driver distraction is a huge problem.”

I would ask this Committee to consider serious those comments

The issue of older vehicles being used on the contracts has been raised before this Committee. One must ask why our young people are asked to travel in buses that couldn't be used once they were in school. If it isn't economic or safe to fit a bus with £5,000 worth of seat belts then that bus shouldn't be used.

It is strange that the contractors complain that old buses are used because of cost pressures, whilst at the same time the Council sees the home to school transport rising above inflation.

I would also like to comment on some of your draft recommendations.

Recommendation 1

I agree that there is a need to provide seat belts to St Mary's School home to school transport service. However I cannot accept that this requirement should only be done if it is at a "reasonable cost".

What price can you put on a child's life? It needs to be an absolute, not at a reasonable cost.

I would ask for an addition that requirement apply to all current primary school contracts.

There is also a need to ensure that vehicles that are currently used and meet this Council's desired standards are not switched. There is a need for guarantees to be obtained from Contractors to ensure this.

Recommendation 2

I agree with it. But I would like it to make clear that this recommendation applies to all new contracts, including secondary school home to school transport,

There is also a need for newer vehicles to be used. The recent West Coast rail crash show that new vehicle designs are safer for all in the event that the worst happens. I would remind you that BUSK believe that seatbelts can also reduce the possibility of an accident occurring as well as reducing injuries in the event of an accident.

Additional Recommendation

I would ask you to consider an additional recommendation be adopted:-

“That as a matter of urgency current contracts providing home to school transport for secondary schools be examined and reviewed to ensure that vehicles used have seat belts fitted. Where Contractors are unable to do so that those contracts are brought to an end and contracts compliant with Recommendation 2 are entered into.

That where suitable vehicles are currently being used that suitable guarantees are obtained from Contractors that they will continue to be used until such time as the contract is renewed.”

I hope that the Executive and the Council will act quickly upon your report.



Scrutiny Management Committee

26 March 2007

Interim Report on Scrutiny Review of Council owned land at Tang Hall

Background

1. At the Scrutiny Management committee of 25 September 2006 members resolved to form an Ad-Hoc Scrutiny Sub-Committee to examine the topic of Council owned land in the Tang Hall area. The results of the scrutiny review would be used to inform the process of drawing up a programme of work for the Area Asset Management Plan for Tang Hall.
2. On 23 October 2006 members approved the membership of this Sub-Committee as Cllr Janet Looker (Chair) and Cllrs Ian Cuthbertson, Viv Kind, Martin Lancelott and David Livesley.
3. This is an interim report of the Ad-hoc Sub-Committee presented to Scrutiny Management Committee for its information on progress to date. The Sub-Committee anticipates it will require one further formal meeting to agree its final report, having carried out its research and investigative work.

Remit

Scrutiny Management Committee agreed the remit for the Ad-hoc Sub-Committee in October 2006, as follows:

Objectives

- To carry out a local scrutiny review which impacts on the Tang Hall area.
- To work with local residents to find out the urgent issues and real needs in the area.
- To evaluate the options for resolving these issues
- To make recommendations which will inform the process of creating the pilot Area Asset Management Plan which is being prepared for this area.

To achieve these objectives, SMC agreed the Sub-Committee would need to:

- decide the boundary of the area to which this review refers.
- carry out an audit of the property within that boundary which is owned by City of York Council

- carry out local consultation on priority issues.
- identify possible improvements to provision in Tang Hall

Consultation

5. Members held consultations with residents at the Heworth and Hull Road Ward Committees in January and February 2007. This was because the Tang Hall area covers parts of both these Wards (see 8 below). Representatives of this Sub-Committee, together with officers from Scrutiny Services and Property Services attended the meetings with a small display of maps of the Tang Hall area and discussed the possibilities with residents. These consultations were publicised in the preceding Ward Newsletter which informed residents that Scrutiny Sub-Committee members would be available at the Ward Committees to listen to their views.
6. A special meeting was held in Tang Hall Community Centre on 13 February 2007 to which representatives of all community groups operating in the Tang Hall area were invited. Notices had been sent to all community groups who were known about by Sub-Committee and Ward members, posters placed in the local library, community centre etc and articles were published in the local press which informed people that the event was to take place.
7. A summary of comments received at these consultation meetings is attached at Annex A.
8. Cllr Ruth Potter discussed these comments with pupils at Tang Hall Primary School during a Citizenship lesson that she was contributing to. A summary of what the children would like to see in the Tang Hall area is attached at Annex B.

First Key Objective – To carry out a Scrutiny Review which impacts on the Tang Hall area

Information Gathered

9. The scope of the review agreed that the Sub-Committee would agree the boundary of the area to which this review refers and carry out an audit of council owned property within that boundary. It was agreed that the 'Tang Hall' area covered two wards – Heworth and Hull Road. The core area that forms the focus of this review was shown on a map which also highlighted the Council-owned property in the area. This was the same area that was agreed as making up Tang Hall by ward members at a meeting with Property Services officers in June 2006.

Issues Arising

10. Members discussed establishing a model or template for consultation processes in relation to future Area Asset Management Plans which might be produced. However the advice of Property Services was that the circumstances surrounding any future AAMPs would be widely different from that of Tang Hall with less Council owned buildings being affected. It would be advisable for each one to be developed according to the individual circumstances.

Options

11. No relevant options at this stage.

Recommendation

12. Members are asked to note at this stage that an appropriate Scrutiny review has been carried out impacting on the Tang Hall area, but that this does not require a recommendation to the Executive.

Second Key Objective – to work with local residents to find out the urgent issues and real needs in the area.

Information Gathered

13. Members held consultation events with local residents as detailed in Consultation above (also see Annexes A and B).

Issues Arising

14. Members also recognised that further and more extensive consultation could take place. This might include postal surveys of all or selected addresses within the wards, phone surveys, leaflet distribution, on-street or online surveys or focus group discussions.

Members considered whether it would be worth establishing a template or model for consultation in relation to creating future Area Asset Management Plans. Such a model might include a selection of the following:

- Area based consultation at appropriate location(s) within the community, involving residents and key stakeholders
- *Ward Committee consultation
- A questionnaire delivered to every house within the ward (postal survey)
- Questions asked via the Councils citywide consultation tool 'Talkabout' to ensure that local decisions affecting the City as whole are consulted on.

- Phone surveys aimed at contacting 1 in 6 residents to get a representative view from ward based residents.
- On street interviews conducted at geographic sites of possible change.
- Leaflet distribution (see 3 alternative methods set out in Annex A)
- On-Line Survey
- Focus Group discussions

15. However, there could be considerable financial implications if any of these methods were employed – see Annex C – and those would need to be borne in mind.

Options

16. To consider whether to implement further consultation procedures or recommending their use in similar Area Asset Management Plan productions in the future.

Recommendation

17. Members are asked to note the possible research methodologies and costings which can be used for local consultation and as a minimum recommend the involvement of Ward Members at an early consultative stage in the preparation of future AAMPs.

Third Key Objective- to evaluate the options for resolving the issues raised as a result of local consultation (objective 2 above)

18. Information Gathered

Members gathered a range of information about local views (including Ward Members) on the area as a result of the consultative events undertaken. Annex A sets out the information gathered from these consultative processes and Members have considered so far that the consultation has been sufficiently representative of local views as not to warrant any further testing.

19. Issues Arising

Members assessed and summarised the main issues arising as being:

- To improve youth facilities in the area
- To maximise open space provision
- The provision of affordable housing

In relation to the Tang Hall library on 5th Avenue, Members found that no significant comments about the service or location of the library had emerged through their work and therefore have made no comments about it, other than to note the outcome of an existing lottery bid to further develop its facilities would be known by the end of the year.

20..Options

As a result, Members have developed the following options for consideration as part of the development of the first Area Asset Management Plan in Tang Hall, subject to the necessary legal, planning and other consents, together with available funding:

- a. The provision and retention of open space within the area. Members were keen that the **playing fields site** should continue to be predominantly open space, but recognised that part of the site may need to be sold to raise capital which could be used to enhance the remainder. It would be possible for this to be managed by the Community Centre if appropriate financial arrangements were made. Enhanced landscaping in this area could allow it to become part of the “green corridor” and cycle track which would link Heworth Holme and St Nicholas Fields with Osbaldwick.
- b. The provision of **play and leisure facilities for older children and teenagers**. Considerable investment is being made in the integrated children’s centre, however members were of the opinion that there was still a need for leisure opportunities for older young people. It would be important to work with Leisure Services to source suitable facilities, however members suggested the use of a mobile skateboard park which could perhaps be located at Burnholme Community college (as well as the Tang Hall Primary School to serve younger children). Also the possibility of play areas on the former Family Centre site or in the St Nicholas complex were suggested..
- c. The identification of sites which could be used for **affordable housing**. Members discussed the possibility of using part of the allotment site as well as other small sites which may meet housing needs. Broadly, however, they supported those sites already identified for affordable housing in the area.

Recommendation

21. That the priority areas identified above as a result of evaluating the consultative events (including Ward Members) be fed into the process for establishing the first Tang Hall Area Asset Management Plan and evaluated accordingly for feasibility at that stage.

Fourth key objective – to make recommendations that will inform the process of creating the pilot Area Asset Management Plan which is being prepared for this area.

Information gathered

22. Officers from Property Services have found the input of the Scrutiny Sub-Committee to be useful in their production of the suggested structure of the Area Asset Management Plan for Tang Hall. They have also had input from Ward members, the Executive Member and other relevant officers. Officers now feel they have enough information to draw up a draft plan. This should be complete by the end of March and can then be circulated to Ward Committees and community groups in May 2007 for comment, for subsequent approval by the Executive in June or July 2007. The suggested structure for the Area Asset Management Plan is attached at Annex D (to follow).

Issues arising

23. Members were concerned that the draft plan be circulated more widely, for example to allotment holders, Glen Lodge, Alex Lyon House, Tang Hall Library, Friends of Heworth Holme. They were also anxious that Ward members be involved in the planning of consultation procedures for any future Area Asset Management Plans.

Options

24. Members have considered a range of future planning and consultative processes to assist in the formulation of future Area Asset Management Plans.(Annex C refers) but, on balance felt that a 'template' as such could not be established for the future because each area would differ so widely in its make up. Rather, they felt that it was imperative, as a minimum, Ward Members should be initially involved in the consultation at an early stage, in view of their local knowledge, and to help establish what further consultative processes may be required.

Recommendation

25. That, as a minimum, Ward Members be included in the formulation of consultation plans for any future Area Asset Management Plans to be set up.

Contact Details

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Chief Officer Responsible for the report:

Suzan Hemingway
Head of Legal, Civic & Democratic Services

**Interim Report
Approved**

Date 19 March
2007

Wards Affected: *Tang Hall*

All

For further information please contact the author of the report

Background Papers: None

Annexes

- Annex A – Summary of comments from consultation meetings
- Annex B – Comments of pupils from Tang Hall Primary School
- Annex C– Consultation/Research options and costs
- Annex D- Suggested structure of Area Asset Management Plan (to follow)

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Feedback from Consultation Meetings with Tang Hall Residents

The following were issues of concern to residents or changes to provision that they would like to see. They are printed in no particular order.

Improved youth facilities, e.g. a skate park

Improvements to the Library which is part of two communities, Tang Hall and Osbaldwick.

A greater profile for Glen Gardens.

A swimming pool on the family centre site.

There are currently few open spaces in Hull Road Ward.

A sports centre on Melrosegate playing fields with an all-weather football pitch on part of the site.

More plots needed on the allotment site.

Part of the playing fields could be used for houses.

The Heworth family centre site could be used for health or social services.

Improvements and refurbishment of Community Centre and development of field as a games area.

Children's play area on playing field.

Youth workers in the area.

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Tang Hall Primary School Year 5

Things we would like to see in Tang Hall

- More things in the park
- More walks
- More plants more playgroups
- Mini motor raceway
- BMX park
- Play area
- More swings in Glen park
- Make Yearsley swimming pool bigger
- Trampoline area
- Swimming pool in tang hall school
- Trees next to playing field into houses
- Wardens at Alex Lyons house working weekends
- New road down Askwith Ave
- More fun grown up things to play on
- Cut grass more regularly
- More play equipment at school
- Climbing frames for small and bigger children
- Fix more roads
- Improve St Nicks park and Glen gardens
- More sweet and cookie shops
- More swings and slides
- Swimming pool on playing field
- Better meals in school
- No workmen who dig up roads because they have nothing to do

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**Area Asset Management Plan
Research options and costs**

1.0 Introduction

This document outlines the possible research methodologies and costings for a consultation in Hull Road and Heworth ward areas. The research would assess the use of council buildings and land.

There are approximately 9,500 households in these two wards:

| Ward Area | No. of Households |
|-----------|-------------------|
| Heworth | 5,484 |
| Hull Road | 4,017 |

All costs are approximate, a more detailed brief would be required to provide more accurate quotations. All costs are based on the assumption that a 4pg A5 booklet would be sufficient to ask all the questions required.

2.0 Postal survey

2.1 Census

Each household in Heworth and Hull Road would be sent a postal questionnaire and a postage paid return envelope. All those who did not respond would be sent a reminder letter.

| Advantages | Disadvantages |
|---|---|
| <ul style="list-style-type: none"> • Good response rate: <ul style="list-style-type: none"> ○ Can send out reminder letters to those who do not respond ○ Can send out return freepost envelopes ○ Personalised letters • Reaches all households in Hull Rd and Heworth | <ul style="list-style-type: none"> • Expensive • Would need to know specific names addresses [May incur a cost from electoral roll]. • Longer fieldwork period |

The table below illustrates the costs, I have assumed a 20% response rate would be achieved. [Sample size of 1,900]

| Action | Cost (£) |
|--|------------------|
| Envelopes | 600.00 |
| Printing (4pg A5 booklet) | 400.00 |
| Postage - original mail out | 2,185.00 |
| Postage - return | 456.00 |
| Postage - reminder mail out | 1,967.00 |
| Envelope stuffing, printing of personalised letter, address labels, delivery to post office. | 2,166.00 |
| Data analysis & tabular report | 1,045.00 |
| Total cost: [Ex VAT] | £8,819.00 |

2.2 Sample

A random sample of households in Hull Road and Heworth would be selected. They would receive a personalised letter, questionnaire and postage paid return envelope. Those who did not respond would receive a reminder letter.

| Advantages | Disadvantages |
|--|---|
| <ul style="list-style-type: none"> • Good response rate: <ul style="list-style-type: none"> ○ Can send out reminder letters to those who do not respond ○ Can send out return freepost envelopes ○ Personalised letters • Less expensive than census | <ul style="list-style-type: none"> • Does not allow all residents to take part • Would need to know specific names addresses [May incur a cost from electoral roll]. • Longer fieldwork period |

The costs assume that a 20% response rate would be achieved.

| Action | Cost (£) Mail out 5,000 | Cost (£) Mail out 4,000 | Cost (£) Mail out 3,000 |
|---|----------------------------|----------------------------|----------------------------|
| Envelopes | 380.00 | 320.00 | 300.00 |
| Printing (4pg A5 booklet) | 300.00 | 270.00 | 250.00 |
| Postage - original mail out | 1150.00 | 920.00 | 690.00 |
| Postage - return | 240.00 | 192.00 | 144.00 |
| Postage - reminder mail out | 1035.00 | 828.00 | 621.00 |
| Envelope stuffing, printing of personalised letter, address labels. | 1140.00 | 912.00 | 684.00 |
| Data analysis & tabular report | 550.00 | 440.00 | 330.00 |
| Total cost: [Ex VAT] | £4,795.00 | £3,882.00 | £3,019.00 |

3.0 Leaflet distribution

A consultation leaflet would be produced and delivered to all household in the Hull Road and Heworth ward areas. Residents would be asked to complete the questions then send back using their own envelope to a free post address.

| Advantages | Disadvantages |
|---|--|
| <ul style="list-style-type: none"> • Cost • Reaches all households in Hull Road and Heworth wards | <ul style="list-style-type: none"> • Lower response rate than postal survey <ul style="list-style-type: none"> ○ Not personalised ○ No opportunity for a reminder letter ○ No return envelope |

The costs assume that a 15% response rate would be achieved [sample size of 1,425]

| Action | Cost (£) |
|---|------------------|
| Leaflet printing and design [4pg A5 booklet, full colour] | 400.00 |
| Leaflet distribution | 900.00 |
| Return postage | 342.00 |
| Data analysis and tabular report | 785.00 |
| Total cost: [Ex VAT] | £2,427.00 |

4.0 Leaflet as an insert in ward newsletter

A consultation leaflet would be added to the ward newsletters. The respondents would be asked to complete the questions and send back using their own envelope to a free post address.

| Advantages | Disadvantages |
|---|---|
| <ul style="list-style-type: none"> • Cost • Reaches all households in Hull Road and Heworth wards | <ul style="list-style-type: none"> • Lower response rate than postal survey <ul style="list-style-type: none"> ○ Not personalised ○ No opportunity for a reminder letter ○ No return envelope ○ Lower impact as an insert • Next newsletter after the election |

The estimated costs, assuming a 10% response rate are as follows:

| Action | Cost (£) |
|---|------------------|
| Leaflet printing and design [4Pg A5 booklet, full colour] | 400.00 |
| Leaflet distribution with ward news letter | 315.00 |
| Return postage | 342.00 |
| Data analysis and tabular report | 785.00 |
| Total cost: [Ex VAT] | £1,842.00 |

5.0 Questions added to ward newsletter

Subject to member approval, questions could be added to the ward newsletter itself. The residents would be asked to cut out the questions, place in their own envelope and return using a free post address.

| Advantages | Disadvantages |
|---|---|
| <ul style="list-style-type: none"> • Cost • Reaches all households in Hull Road and Heworth wards | <ul style="list-style-type: none"> • Lower response rate than postal survey <ul style="list-style-type: none"> ○ Not personalised ○ No opportunity for a reminder letter ○ No return envelope ○ Lower impact as it is an insert • Next newsletter is after the election • Limited space available |

The costs, assuming a 5% response rate [475 questionnaires] would be as follows:

| Action | Cost (£) |
|----------------------------------|----------------|
| Return postage | 114.00 |
| Data analysis and tabular report | 500.00 |
| Total cost: [EX VAT] | £614.00 |

6.0 Online survey

A questionnaire would be added to the council's Consultation Finder website. A cost would not be incurred. However, if detailed analysis of subgroups is required, a research agency would charge approximately £150.00.

| Advantages | Disadvantages |
|---|--|
| <ul style="list-style-type: none"> • Cost • Speed | <ul style="list-style-type: none"> • Low response rate (estimated sample 100) • Publicity needed • Excludes those without internet access |

7.0 Leaflets in libraries

Consultation leaflets would be made available in libraries for residents to complete and send back to a free post address.

| Advantages | Disadvantages |
|--|--|
| <ul style="list-style-type: none"> • Cost | <ul style="list-style-type: none"> • Low response rate • Publicity needed • Excludes those who do not use libraries |

Printing and return postage costs would be incurred.

8.0 Focus group discussions

Residents in the area would be invited to a focus group discussion lasting approximately 1.5 hours. There would be around ten respondents in each group.

| Advantages | Disadvantages |
|--|---|
| <ul style="list-style-type: none"> • Can discuss issues in more detail with residents and understand the reasons for their views. | <ul style="list-style-type: none"> • Small sample size |

For a research agency to conduct four focus group discussions the cost would be approximately £4600.00. However, if the groups were to be conducted in house by the Market Research Team the cost would be:

| Action | Cost (£) |
|--|------------------|
| Recruitment (postage and telephone) | 200.00 |
| Venue hire and refreshments (Hopefully a community centre could be used at a lower cost.) | 500.00 |
| Incentive and respondent expenses. | 600.00 |
| Total cost: [EX VAT] | £1,300.00 |



Scrutiny Management Committee

26 March 2007

Report of the Head of Civic Democratic and Legal Services**Update on Improving Electronic Management Processes for Scrutiny****Summary**

1. This report provides an update on the IT processes being put in place to manage scrutiny reviews since reporting last to Members in October 2006. This report deals specifically with the developments which have been taking place in relation to establishing an electronic scrutiny forward plan and tracking progress on registered scrutiny topics generally.

Background

2. At the meeting in October 2006 Members agreed the eligibility criteria for topics proposed for review and a process for managing reviews. Since then a number of new templates have been introduced by scrutiny team to standardise the presentation of information in reports to Members and the public.

Consultation

3. Officers have consulted with the providers of the new Committee Management System and work has now been completed to allow Members to register topics electronically via the intranet. Officers are now in the process of creating an electronic scrutiny forward plan which will work in a very different way to that of the Council forward plan.

Options

4. This is an information report at this stage to keep Members up to date with the progress being made in line with previous reports to Members regarding the management of the scrutiny process.

Analysis

5. The intention behind creating a Scrutiny Forward Plan is to provide a single method for accessing up to date information on all scrutiny topics. It will enable Members, officers and the public to access information on registered topics together with ongoing/completed scrutiny reviews. It will provide a

method for producing quarterly reports to this Committee and will allow Members to see:

- The reasons behind a decision not to proceed to review a registered topic.
 - The stage at which any ongoing reviews are at
 - The recommendations made when a review is completed
6. The Scrutiny Forward Plan will show which officer is responsible for each review, and clearly define the work in progress. It will tie into the 'Report Database' facility on the new Committee Management System which prompts officers to write the right type of report at the right time and within the legal deadlines.
7. The final stage for providing a complete picture on any given scrutiny review will be to complete work on the 'Implementation Tracking' facility of the new Committee Management System. This will allow information to feed into the quarterly reports and provide an update on the implementation of approved recommendations.

Corporate Objectives

8. The aim in creating this Scrutiny forward Plan is to ensure that scrutiny working processes are transparent and that information is easily accessible to all. As such, it will contribute to improving our organisational effectiveness.

Implications

9. There are no Financial, HR, Equalities, Legal, Crime and Disorder, IT or other implications. It should be noted that the cost for additional work currently being undertaken by the Committee Management System providers to adapt the system for scrutiny purposes is being absorbed as part of the original contract cost.

Risk Management

10. The risks associated with not establishing a complete framework of working practices for the scrutiny function will be potentially detrimental of the service with regard to the delivery of reviews and the transparency of the service provided.

Recommendations

11. Members are asked to note:
- the introduction of a Scrutiny Forward Plan for scrutiny reviews.
 - Ongoing work to tie in the 'Report Database' and 'Implementation Tracking' facilities, already available as part of the wider Committee Management System

Reason:

To provide a full and complete method of accessing information in relation to the scrutiny function.

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Chief Officer Responsible for the report:

Suzan Hemingway
Head of Civic, Democratic & legal Services

Report Approved

Date 19.03.2007

Wards Affected:

All

For further information please contact the author of the report

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