

ECONOMY, TRANSPORT AND ENVIRONMENT SCRUTINY COMMITTEE

MINUTES of a meeting of the Economy, Transport and Environment Scrutiny Committee held at Committee Room, County Hall, Lewes on 18 March 2015.

PRESENT Councillors Richard Stogdon (Chair), Mike Pursglove (Vice Chair), Michael Ensor (substituting for Claire Dowling), John Hodges, Pat Rodohan, Rosalyn St. Pierre and Barry Taylor

LEAD MEMBER Councillor Carl Maynard (Lead Member for Transport and Environment)

ALSO PRESENT Rupert Clubb, Director of Communities, Economy and Transport; James Harris, Assistant Director, Economy; Karl Taylor, Assistant Director Operations; Tony Cook, Head of Planning and Environment; Andy Arnold, Environment Team Manager; Alice Henderson, Project Manager, Strategic Commissioning.

Councillor David Elkin.

Democratic Services Officer: Simon Bailey
Senior Democratic Services Advisor: Martin Jenks

37 MINUTES OF THE MEETINGS HELD ON 19 NOVEMBER 2014 AND 12 DECEMBER 2014

37.1 The minutes of the meetings held on Wednesday 19 November 2014 and Friday 12 December 2014 were agreed.

37.2 RESOLVED – to approve as a correct record the minutes of the meetings held on 19 November 2014 and 12 December 2014.

38 APOLOGIES FOR ABSENCE

38.1 Apologies for absence were received from Councillor Claire Dowling.

39 DISCLOSURES OF INTERESTS

39.1 None.

40 URGENT ITEMS

40.1 None notified.

41 REVIEW OF EAST SUSSEX COUNTY COUNCIL'S DUTCH ELM DISEASE STRATEGY - REPORT BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

41.1 The Environment Team Manager introduced the report. This is an update of the report brought to the Committee in March 2013, when the Committee endorsed the prioritised approach to managing Dutch Elm Disease (DED). The original scientific model, upon which the prioritised approach is based, is included in appendix 1 of the report.

41.2 The analysis of the scientific model looked at 3 options to manage Dutch Elm Disease:

- Stopping felling of dead or diseased trees.
- Continuing with the established (historic) felling programme.
- Taking a prioritised approach to sanitation felling of dead or diseased trees.

The recommendation was that East Sussex adopts the prioritised approach to managing Dutch Elm Disease.

41.3 The Dutch Elm Disease strategy has been updated in the light of experience over the last two years (appendix 2 of the report). The prioritised approach appears to be working. The data from the last two years confirms that the assumptions used in the model are broadly correct. The cost of felling dead and diseased trees to date has been higher than forecast, but costs are expected to fall in future years. There are some uncertainties in the future such as the impact of climate change on the way the disease spreads.

41.4 The Committee discussed a number of aspects of the report, which are summarised below.

Scope of the Dutch Elm Disease Management Scheme

41.5 The Dutch Elm Disease strategy covers the whole Elm population within the designated DED sanitation zone of East Sussex and not just those trees growing on East Sussex County Council (ESCC) owned land or on land that is part of the highway. An analysis of activity over the last two years shows that most trees felled are on private land.

41.6 Regionally ESCC is not the only organisation that has a programme for dealing with Dutch Elm Disease.

- Brighton and Hove City Council has a control programme;
- Adur District Council has a small control programme; and
- Eastbourne Borough Council has a control programme for street trees, which it manages on behalf of ESCC.

41.7 The Dutch Elm Disease Officer inspects all Elm trees within the control zone twice a year. One of the priorities in the next two years is to re-survey the Elm tree population. The resources for the survey work will come from existing officer time.

Size of Elm Tree Population

41.8 The size of the Elm tree population is estimated to be 18,500. The department considers this to be a reasonably accurate estimate. The majority of trees are on private land and ESCC is responsible for Highway trees growing in verges, pavements and alongside roads. The Dutch Elm Disease Officer is getting access to private land through good working relationships with landowners, and also works closely with tree contractors.

Cost of Dutch Elm Disease (DED) Strategy

41.9 Dealing with Dutch Elm Disease is an open ended programme, and the report provides cost estimates of the various options. The cost of felling trees varies depending on where the tree is located. The £460 cost for felling a highway tree includes the cost of removal and disposal, but is higher than the £60 - £80 average due to the cost of the highway traffic control measures that are required. The costs do include stump removal, which may be carried out at a later date from felling due to the need to use specialist contractors.

41.10 It is important that the prioritised approach is financially sustainable in the longer term. The report recommends an increase in the charge to private land owners for removing a diseased tree to 75% of the cost (an increase from 50% currently). The report estimates that the cost of adopting the prioritised approach will remain lower than the “do nothing” option in the medium term.

41.11 Diseased trees can be chemically treated, but this is a very expensive option. Forestry Commission advice confirms that the selective sanitation felling used in the prioritised approach is likely to be more effective than chemical treatment.

Contaminated Timber Disposal and Monitoring

41.12 The Committee questioned the arrangements for disposing of diseased timber and asked what monitoring arrangements were in place to ensure the correct treatment of diseased wood.

41.13 There is a risk of disease transmission from infected timber and bio hazard control measures need to be put in place to reduce this risk. The department makes sure that it appoints the right contractors to undertake Dutch Elm Disease work. There is probably more risk from the tree contractors ESCC does not work with and private land owners who undertake their own tree felling work.

41.14 ESCC recommends that all diseased timber is burnt, and usually requires private land owners and contractors to do so. The department takes care when selecting contractors, so that they understand the control measures they need to put in place to prevent the spread of the disease. It also requires them to have access to burn sites that they can use when it is not possible to burn felled trees on site.

41.15 There is no licencing scheme for the disposal of diseased timber and ESCC has no powers to enforce the correct disposal of diseased material. The department does have a programme that aims to inform contractors and land owners of how to dispose of diseased material properly. When working with private landowners, the department always tries to get the contractor to dispose of the felled timber and not to allow the landowner to retain the wood.

Tree Planting and Tree Wardens

41.16 The Council provides advice on re-planting lost Elm trees with disease resistant varieties. However, there is no clear evidence that there is a completely disease resistant strain of Elm. Young trees have to mature before they become prone to the disease. So there is a risk that replacement trees may need felling. ESCC cannot compel landowners and others to replant trees and does not offer to replace lost trees. However, ESCC has taken part in some community tree planting with disease resistant trees.

41.17 Parish Councils can appoint Tree Wardens and there are seventeen of them around the County. The majority of Tree Wardens are volunteers who are supported by the Dutch Elm Disease Officer.

Issues to take forward

41.18 The Committee expressed concerns about the monitoring of the disposal arrangements for diseased timber. Officers were asked to take this issue away to investigate what further measures could be undertaken. The Environment Team Manager said he would instigate checks of contractor yards and burn sites with immediate effect.

41.19 The Committee questioned whether the removal of diseased trees and their stumps was happening in a timely way within the Borough of Eastbourne. The Assistant Director, Operations agreed to investigate and confirm what arrangements are in place.

41.20 RESOLVED: It was resolved to agree the recommendations of the report to:

- (1) Continue to support the prioritised approach to sanitation felling;
- (2) Note that the County Council will increase the contribution requested from private landowners to 75%; and
- (3) Request another progress report in March 2017 to further consider whether the sanitation programme is continuing to deliver the outcomes as currently predicted

42 PROGRESSING AS A STRATEGIC COMMISSIONING AUTHORITY: RIGHTS OF WAY AND COUNTRYSIDE SITE MANAGEMENT FUNCTIONS - REPORT BY DIRECTOR OF COMMUNITIES, ECONOMY AND TRANSPORT

42.1 The Assistant Director, Operations introduced the report on the strategic commissioning project for the rights of way and countryside site management functions. In March 2014 the Committee received a report from Rights of Way and Countryside Maintenance (RoW/CM) Manager, Simon Fathers, outlining the service and the associated costs. As part of the recommendations of the March 2014 report, the Committee endorsed the development of a commissioning strategy for rights of way and countryside site management.

42.2 Alice Henderson, who is the Project Manager of the commissioning strategy project, outlined the work that has been undertaken to date and the various key stages in the project timetable (paragraph 2.3 of the report). Usage and stakeholder surveys have been undertaken to understand peoples' views on the services and sites that the service manages. The surveys have also sought to gather data on the use of sites, services and rights of way. This has been an important preliminary stage in the project as there is limited existing data to inform our understanding of need.

42.3 The report seeks the Scrutiny Committee's view on the way in which the Committee would like to be involved with the commissioning strategy project.

Cost of Existing Services

42.4 The revenue budget for the RoW/CM team is £570,000 per year. This divided into two parts:

- Maintenance of the 200 mile rights of way network £440,000 per year.
- Maintenance of the ten countryside sites £130,000 per year.

42.5 The revenue budget for this service has been reduced by £384,000 in the last three years. In 2014/15 there was also a £330,000 capital budget which was used for resurfacing larger rights of way routes and the bridge replacement programme.

42.6 The Committee asked if the department had a view on how much of this budget would be needed as savings in future financial years from 2016/17 onwards. The Director of Communities, Economy and Transport stated that the level of corporate savings in future years was yet to be determined. In addition, the department does not want to prejudice the outcome of the strategic commissioning process, but it was incumbent on all Departments to look at different ways of delivering services.

42.7 The department has undertaken preliminary work to understand how the public regard the service and to understand the need for the rights of way and countryside site service. Once this work is advanced or completed, the department can then look at ways of meeting those needs, within the resources available. The information data gathered as part of the strategic commissioning process will be analysed together with the existing asset management plan.

Parish Councils, Voluntary Groups and Volunteers

42.8 The Committee asked what support there is from the Parish Councils and volunteers in the maintenance of rights of way. The amount of support from Parish Councils varies around the County. Some are very active, but others are less involved in rights of way and countryside site management. Experience suggests that Parish Councils are only usually interested in maintaining those paths closest to their parish and usually only the first few hundred metres. The commissioning strategy will include how to engage Parish Councils and volunteers in the service

42.9 The service already engages with a wide range of user groups, including the Ramblers Association and a number of volunteer groups. It is important that anyone working on a right of way has the necessary training, which can be provided by the team. Volunteers can play an important role in a range of activities, such as staffing the Visitor Centre at Seven Sisters Country Park. All these groups have been invited to comment in the stakeholder consultation.

Stakeholders Views

42.10 A summary of the work to establish stakeholder views is contained in paragraph 2.6 of the report. The Lead Member commented that it is necessary and important to establish an evidence base, so that a holistic and strategic approach can be taken across the County, and to be clear what ESCC can do and what others can do.

42.11 The Committee asked how aware ESCC local Members were of the stakeholder meetings. Only one local Member indicated they would attend one of the five stakeholder workshops that were held. The Committee requested that the views and concerns raised at the workshops be presented at the first review board meeting.

42.12 Approximately 16%-17% of the rights of way network is within the South Downs National Park. There are parts of the National Park where the public has a right to roam as defined by the Countryside and Rights of Way (CROW) Act, but ESCC is not responsible for maintaining the right to roam. The National Park Authority has been included in the consultation and a presentation was made at one on the National Park's Access Forum meetings.

42.13 RESOLVED: It was resolved to:

- 1) Note the progress made on the development of the commissioning strategy for rights of way and countryside management; and
- 2) Approve the creation of a Review Board, which is comprised of all the members of the Scrutiny Committee, to look the development of the commissioning strategy.

43 RECONCILING POLICY, PERFORMANCE AND RESOURCES 2015/16 - REPORT BY CHIEF EXECUTIVE

43.1 The Chair introduced the report and reminded the Committee that this was the Committee's opportunity to comment on the 2015/16 reconciling policy, performance and resources (RPPR) process. The Committee discussed the RPPR process, the outcomes of the RPPR Board meeting and special Scrutiny Committee meeting held to discuss the Reformulated Supported Bus Network (RSBN).

Reformulated Supported Bus Network (RSBN)

43.2 The Committee thanked Officers for their work on the RSBN proposals, which are part of the medium term financial plan for the department. The commercialisation of some routes was welcomed by the Committee, but it was noted that the consultation had caused some public concern and distress about the potential loss of supported bus routes.

43.3 The Director of Communities, Economy and Transport explained that operators can choose to commercialise routes at any time during the year. The department continues to work towards this goal for as many routes as possible. The tendering process had led to a number of operators choosing to take on previously subsidised routes on a commercial basis.

43.4 It was noted that the Council had consulted on all routes in an open and transparent way, right at the start of the process. Although the commissioning process had been painful at times, it had resulted in a sustainable bus network. The Chair added that the commissioning process was a penetrating way of working out the best way of delivering services against a background of diminishing resources.

43.5 The Director of Communities, Economy and Transport thanked the Committee for their comments about the work of the Public Transport team. The commissioning process is iterative and the team will continue to work to commercialise more supported bus routes as opportunities arise.

Reconciling Policy, Performance and Resources (RPPR) process

43.6 The Committee approved the RPPR process and agreed that there is a need to continue reviewing services to secure sustainable, best value services in the future. The Committee will need to examine a number of aspects of the Department's remit in the longer term, as the Council starts to look at the next three year budget setting process.

43.7 The Committee shall need to focus on a number of the Department's activities to understand the cost and values of the various services. This will help the Committee form a picture of what services need to be retained and the projected effects of cuts on residents as they may be applied in the future.

43.8 The Committee considered the merits of reviewing the services provided by the department earlier in the year than has been the case previously. The Director of Communities, Economy and Transport reminded the Committee that the department has a policy framework that determines how the budget is spent and would welcome earlier discussions and input from Scrutiny on the budget.

43.9 It is likely that the Council as a whole will need to find a further £70 million to £90 million pounds in savings over the next three years. The department does not know the percentage of those savings that it will be required to make, nor the projected outcomes. The Committee shall need to provide input into the following issues:

- Should the Council be providing this service and at what level?
- Are there different ways of providing those services?
- Are there services that the Council should stop providing?

43.10 The department has a robust budget setting and monitoring process for both revenue and capital budgets. The revenue budget is made up of a fair proportion of fixed costs (e.g. staff costs) of which the department has very good understanding. The department has a total net revenue budget of approximately £79 million. The difference between the forecast expenditure and actual expenditure is approximately £60,000, which represents a variance of less than 1% of the total annual budget. For capital projects the department examines the risks involved with a project when formulating a budget, and will use external specialist expertise when necessary for advice on budget formulation.

43.11 The Committee agreed that it would like to hold a further "Away Day" to look at the RPPR issues and discuss the Committee's work programme before July 2015. The officers offered to provide input and information as may be required by the Committee at the "Away Day".

43.12 Some dissatisfaction was expressed in regard to the Council's "invest to save" and resilience issues. The use of capital funding for schools and other infrastructure and regeneration projects was highlighted.

43.13 The Lead Member for Transport and Environment responded that the Council is adopting a rational approach to investment in East Sussex, particularly through bids made as part of the Local Economic Partnership (LEP). East Sussex has been successful in securing a number of bids and should continue to take advantage of central Government funding to achieve the Council's strategic plans. The County needs proper infrastructure in order to grow and there is a need to invest in schools.

43.14 RESOLVED: It was resolved to hold a further "Away Day" to look at the RPPR issues and discuss the Committee's work programme before July 2015.

44 SCRUTINY COMMITTEE FUTURE WORK PROGRAMME

44.1 RESOLVED: It was resolved to amend the scrutiny work programme to include the following items:

Reformulated Supported Bus Network (RSBN)

44.2 It was agreed to set up a small task and finish review board to examine the effectiveness of the mitigation measures that were put in place to offset the impact of the changes made to the supported bus network. The Committee discussed the timescale for starting this review and agreed that it would be best start the review in March or April 2016. This would allow sufficient time for the impacts of the reformulated supported bus network to become apparent.

Highways Drainage

44.3 The Committee agreed to undertake a Scrutiny review of gully emptying and Highways drainage to examine:

- The costs and effectiveness for current arrangements for gully emptying
- To look at other Highways drainage arrangements (such as ditches and grips), how surface water is removed from the highway and where it goes.
- The impact on road safety.

The review board will consist of Councillors Stogdon, Rodohan, Taylor and Pursglove and will agree the terms of reference for the review at the first review board meeting.

Road Safety

44.4 Road Safety was discussed at the Audit, Best Value and Community Services (ABVCS) Scrutiny Committee as part of the funding of one-off projects from the Public Health budget. It was suggested that the Economy, Transport and Environment (ETE) Scrutiny Committee set up a joint review board with the ABVCS Scrutiny Committee to look at this issue.

44.5 The ETE Scrutiny Committee discussed various aspects of road safety centred around interventions that aim to change driver behaviour. The Committee was mindful of the recent changes to road safety funding and the impact of future funding on the Council's partner's ability to deliver road safety initiatives (e.g. Sussex Police and East Sussex Fire & Rescue Service).

44.6 The ETE Scrutiny Committee agreed to form a joint review board to examine the delivery of road safety interventions and their effectiveness in reducing the number of people killed or seriously injured (KSI) in East Sussex. The board will consist of the following members of the ETE Scrutiny Committee: Councillors St. Pierre, Pursglove, Taylor and Stogdon, plus representatives from the ABVCS Scrutiny Committee.

MEETING TO BE HELD ON 1 JULY 2015

- Scrutiny Review of School Crossing Patrol Alternative Funding

Update report on the progress in implementing the recommendations of the review.

- Safer Streets

A report on the Safer Streets initiative led by the Public Health department, which links to the Killed and Seriously Injured (KSI) performance targets and wider road safety issues.

MEETING TO BE HELD ON 30 SEPTEMBER 2015

- Economic Development

A detailed appraisal of the impact and overall effectiveness of the Rural Growth and Employment Fund (RuGEF), ESCC Capital Budget for Growth, and Regional Growth Fund (RGF) programmes, looking at how different businesses have benefitted and the effectiveness of the programme.

- Reconciling Policy, Performance and Resources (RPPR).

The Committee will start looking at the Department's Portfolio Plan and budget setting process for the 2016/17 financial year and beyond.

MEETING TO BE HELD ON 18 NOVEMBER 2015

- Strategic Infrastructure

It was agreed to provide a report on Strategic Infrastructure that will include strategic road, rail and IT infrastructure improvements. This will include an update on the Superfast Broadband project, examining take up and the next stages of the project. The Committee can then decide which areas that it would like to examine in more detail.

- Buy With Confidence Scheme

The Committee requested a report be brought to the November meeting on the replacement of the Buy with Confidence scheme with an alternative approved contractor scheme. The report is to provide:

- An update on the progress to replace the scheme;
- An overview of the checks and balances that have been put in place to ensure the quality and reliability of the services provided by the chosen provider; and
- An evaluation of the extent to which the new scheme is working effectively and the degree of public confidence in the new scheme.

- Reconciling Policy, Performance and Resources (RPPR).
The Committee will discuss any further information and issues for the RPPR process. It will establish an RPPR Board to review the department's budget and portfolio plan in detail, and provide comments and recommendations to Cabinet.

45 FORWARD PLAN

45.1 The Committee considered the Forward Plan for the period 1 March 2015 to 30 June 2015. Requests for information should be raised with the listed contact officer, and any scrutiny issues with the Member Services Manager.

45.2 The Committee asked the Director of Communities, Economy and Transport if the report on Road Safety priorities going to the Lead Member meeting on the 21 June 2015 could be moved to a later meeting to allow the Committee time to consider this issue.

46 ANY OTHER ITEMS PREVIOUSLY NOTIFIED UNDER AGENDA ITEM 4

46.1 No urgent items were raised for discussion.

47 NEXT MEETING

47.1 The next meeting of the Committee will be held on Wednesday 1 July 2015.

(The meeting ended at 12.27 pm)

COUNCILLOR RICHARD STOGDON
CHAIR