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**MINUTES OF A MEETING OF THE
OVERVIEW & SCRUTINY BOARD
Havering Town Hall, Main Road, Romford
13 May 2021 (7.30 - 8.56 pm)**

Present:

COUNCILLORS

Conservative Group	Ray Best, John Crowder*, Judith Holt, Nisha Patel, Christine Smith, Maggie Themistocli and Michael White (Vice-Chair)
Residents' Group	Ray Morgon and Barry Mugglestone
Upminster & Cranham Residents' Group'	Linda Hawthorn and Christopher Wilkins
Independent Residents' Group	Natasha Summers and Graham Williamson
North Havering Residents' Group	Darren Wise (Chairman)

*Substituting for Councillor Philippa Crowder.

Apologies were received for the absence of Councillors Keith Darvill and Sally Miller.

Also present:

Councillor Osman Dervish
Councillor Gillian Ford
Councillor John Tyler
Councillor Linda Van den Hende
Barry Francis, Director of Neighbourhoods
Nicolina Cooper, Head of Highways, Traffic and Parking
Mel Gadd, Interim Parking Procurement Manager

The Chairman reminded Members of the action to be taken in an emergency.

1 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS

Apologies were received from Councillor Philippa Crowder (Councillor John Crowder substituting) Councillor Keith Darvill and Councillor Sally Miller.

2 DISCLOSURE OF INTERESTS

There were no disclosures of interests.

3 APPROVAL TO EXTEND THE REACTIVE & PLANNED MAINTENANCE AND CONSTRUCTION IMPROVEMENT SCHEMES CONTRACT

In accordance with paragraph 17 of the Overview and Scrutiny Rules, a requisition signed by six Members representing more than one Group (Councillors Ford, Hawthorn, Morgon, Tyler, Van den Hende and Williamson) had called in the above Key Executive Decision dated 22 April 2021.

The Director of Neighbourhoods stated that the existing contract had delivered many improvements to the reactive and planned maintenance service and that the proposed extension would give a further 3 years continuity. There were no issues with the quality and performance of the contractor.

Contract monitoring took place on a weekly and monthly basis and the timelines of the contractor did not give any cause for concern. It was clarified that the repair of potholes was not the responsibility of the contractor but the contractor (Marlborough) had assisted with the repairs backlog where necessary. Benchmarking had been undertaken when the contract was let and some £65k in social value had been accrued by the Council under the contract. An extension of the contract at this point represented better value for money and risk management.

The Cabinet Member added that an extension of the contract allowed for greater confidence in having the existing contractor during the post-Covid recovery period.

Officers advised that, whilst there was a period of up to 52 weeks to fix some defects, the aim was to complete this at an earlier stage. The contractor would also be held to the performance indicator of completing repairs correctly on 85-90% of occasions.

An annual condition survey was undertaken for roads and footways in the borough and priority was sought to be given to red rated roads in the most urgent need of repair. All roads were listed on the programme together with an explanation of why a road may have been prioritised for repair. The contract needed to be extended 12 months prior to its end date but the contractor had been advised that the period would be shorter in this instance.

It was accepted that staff off sick and shielding due to the pandemic had resulted in the transfer of more of the backlog from the Direct Services Organisation (DSO) to Marlborough. The 'worst first' policy was used to decide on priority of repairs but other factors were also taken into account,

for example if the road condition was causing structural damage to properties. The average condition of the whole road length was used and details could be shared of how the average rating was calculated. Roads were split into sections for the undertaking of work but it would be aimed to undertake repairs to the whole road within a year.

It was accepted that some staff had left the DSO for career progression but the Council sought to keep its best staff. The recent Highways restructure would offer more opportunities to retain good staff.

Officers accepted that the Horizon system required development work. Under the restructure, the number of Area Liaison Officers would be increased from four to six. Some DSO staff had been downgraded after a review. Officers would confirm if the annual survey in fact covered every road in the borough. Key performance indicators were monitored at officer rather than Member level although the pothole repair survey was brought to overview and scrutiny on a quarterly basis.

It was accepted that there had been problems with recent work in St Mary's Lane, Upminster but this had been due to a service failure by highways rather than by Marlborough. Officers apologised for the service failure in this instance.

Consultation had been undertaken with other boroughs around the contractual position at Havering. Savings could not be confirmed until the contract extension had been signed but a report on the savings could be brought to a future meeting of the relevant Overview and Scrutiny Sub-Committee. There had been positive discussions with Marlborough about savings but these could not be officially agreed until after the contract extension had been signed.

Recruitment of staff for the DSO was currently in progress. Officers confirmed that a budget was available for these vacant posts. All work by the contractor was quality assured and all defects were checked. The programme of repair schemes was monitored on a weekly basis. Delays could however sometimes occur if for example complications were found that resulted in a wait for external agency involvement. A list of work timescales and criteria could be supplied.

A permit had to be applied for if temporary traffic lights were to be installed. Third parties were also required to clearly display permit information by any works. It was clarified that the contractor was not allowed to increase its schedule of rates beyond an annual increase to reflect inflation. There was not a facility under the contract for the contractor to impose any additional charges. Any decision to vary the contract would be a Cabinet rather than officer decision.

Officers reiterated that they felt the extension of the contract would be the right decision. The Cabinet Member suggested that it may be useful to arrange an All Member Briefing on highways work and the restructure.

Red marked potholes would normally be filled in within 7 days and officers were happy to discuss with Members separately any instances where this may not have happened. There remained two full-time managers of the Highways Improvement Programme and agency staff were used to overcome any lack of resources at the DSO.

The contractor could refuse a contract extension but this was unlikely and officers felt the highways department as a whole was not struggling. There were no current plans to disband the DSO or outsource work. It was accepted however that the need for future efficiencies meant this could be considered in the future. A more detailed business case would however be required.

The requisition was **NOT UPHELD** by 8 votes 2 to with 4 abstentions.

Members voting not to uphold the requisition:

Councillor Darren Wise
Councillor Michael White
Councillor Ray Best
Councillor Philippa Crowder
Councillor Judith Holt
Councillor Nisha Patel
Councillor Christine Smith
Councillor Maggie Themistocli

Members voting to uphold the requisition:

Councillor Linda Hawthorn
Councillor Christopher Wilkins

Members voting to abstain:

Councillor Ray Morgon
Councillor Barry Mugglestone
Councillor Natasha Summers
Councillor Graham Williamson

Chairman

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