

Lancashire County Council

Scrutiny Committee

Minutes of the Meeting held on Friday, 11th February, 2011 at 10.00 am in Cabinet Room 'B' - County Hall, Preston

Present:

County Councillor John Shedwick (Chair)

County Councillors

K Ellard	D O'Toole
Mrs F Craig-Wilson	Mrs L Oades
C Crompton	M Otter
M Devaney	P Steen
S Fishwick	D Westley
Mrs J Hanson	B Winlow

1. Apologies

None notified.

2. Disclosure of Personal and Prejudicial Interests

County Councillor P Steen declared a personal interest in item 5 – Rail Improvement Schemes – Report of the Task Group - as a Member of Rossendale Borough Council and a Board Member of the East Lancashire Railway Trust.

County Councillor S Fishwick declared a personal interest in item 5 – Rail Improvement Schemes – Report of the Task Group - as Chair of the Task Group.

3. Minutes of the Meeting held on 21 January 2011

That the minutes of the meeting held on 21 January 2011 be confirmed and signed by the chair.

4. United Utilities and Electricity North West

The Chair welcomed representatives from United Utilities (UU) and Electricity North West (ENW)

United Utilities:

- Brian Morrow, Climate Change Adaption Manager
- Perry Hobbs, Head of Environment Regulation and Waste Water Strategy
- Simon Boyland, Regional Water Asset Manager

- John Webb, Programme and Stakeholder Coordination Manager
- Mark Donaghy, Public Affairs Manager

Electricity North West:

- Stephanie Rourke, Connections Enquiries Manager
- Alan Taylor, Street Lighting Repairs Manager
- Phil Briggs, Construction and Repair Manager

Electricity North West:

ENW Representatives gave a presentation on ENW's performance relating to street lighting faults and connections. It was reported that since their last visit to Scrutiny in 2008 (Sustainable Development Overview and Scrutiny Committee on 10 September 2008) ENW's performance had improved under the old performance measures which were in force until the last quarter of 2010. The Committee was informed that since 1 October 2010 ENW's performance was measured against the Guaranteed Standards of Performance (GSOP) which was introduced by the regulator, Office of the Gas and Electricity Markets (OFGEM). The Committee noted that since 1 October, ENW had met identified targets in relation to response times, high priority repairs, single and multiple unit repairs.

It was reported that ENW and the County Council had established an excellent working relationship and that recent improvements meant that some non emergency faults were being repaired on the day they were reported.

The Committee was informed that ENW regularly met with Local Authority Steering Groups monitoring performance and resolving issues. The work which ENW carries out for Lancashire represented approx 22/23% of its total workload for all Local Authorities.

The committee were given a brief summary of the new GSOP requirements. It was explained that to date ENW had held four workshops with Local Authorities to review the requirements and agree on working practices. A service level agreement had also been agreed with the Local Authority Steering Group for Lancashire. The new requirements also meant that ENW would have to pay certain fees if targets were not met where upon it had been agreed with the County Council that ENW would pay the County Council on a quarterly basis.

Results of ENW's first quarter operating under the new GSOP requirements were as follows:

- 134 quotes issued – zero failures on the 25 working days delivery;
- 371 connections made – zero failures;
- 882 faults repaired – 19 failures on two hour emergency response time, five of which were within the County Council's boundary.

Members were also provided with an update on streetworks which had moved from the responsibility of United Utilities to ENW on 1 July 2010. It was reported

that since 1 July ENW had established a streetworks department and that a new manager responsible for the service was due to take up their post soon. ENW had seen a high volume of defects to be rectified – monitoring of performance would begin soon. The first steering group meeting with the County Council was due to be held in April/May 2011.

United Utilities:

Simon Boyland delivered a presentation on the drought and hosepipe ban in 2010. It was reported that the seven months December 2009 – June 2010 had been the driest for 74 years across all UUs reservoir catchments. In accordance with UU's published drought plan the decision was taken to introduce a hosepipe ban on 9 July 2010.

UU increased external communications regarding the hosepipe ban and a number of customer campaigns were introduced to highlight many ways in which people can maximise water resources more effectively. Information was also provided in relation to exemptions in line with the UK Water Industry Research's (UKWIR) code of practice along with details surrounding the use of hosepipes, sprinklers or similar apparatus with regard to the watering of private gardens and the washing of private cars.

The hosepipe ban was subsequently lifted on 19 August after considerable rainfall. The Committee was informed there were currently no concerns regarding water resources.

Perry Hobbs spoke to the Committee on river water quality, bathing waters in the region and more specifically deemed discharge consents and UUs appeal against the Environment Agency on upgrading consents in the northwest. He reported that UU's concern was with the nonspecific nature of the proposals, not the principle of upgrading. UU were now working with the Environment Agency to ensure that the consents were modified and fit for purpose.

With regard to intermittent discharges, UU were investing up to £500m to improve them by 2015.

With regard to certain bathing water areas in Lancashire not meeting the mandatory compliance standards, the Committee was informed that the Environment Agency was responsible for this area of work and that UU were also a key partner in improving bathing water quality as well as improving 'point source discharges' such as sewerage and intermittent discharges. However, the decline in bathing water quality was attributed to the adverse weather conditions experienced in the summer of 2010 and the impact of 'urban diffuse pollution' from towns and cities and agriculture.

UU confirmed that in respect of the failing beaches at St Annes and Heysham all their assets which could impact on those beaches were operating as they should and in line with their consents. Further improvement work was also being carried out with UUs assets around these areas.

The Environment Agency had also identified a programme of works of investigations and actions into diffuse pollution and looking at DNA type analysis to ascertain the sources of pollution.

Brian Morrow spoke to the Committee on UUs role in flood risk assessment. He explained that the county council was the lead authority, and that UU had a legal obligation to co-operate on flood risk assessments. He reported that UUs policy on data sharing had recently changed and that the sharing of data was now at no cost to Local Authorities. He also reported that co-operation from UU staff was also free of charge but was resource limited.

The Committee was informed that UU was currently working with the County Council to develop new frameworks and ways of managing flood risks. Over the last nine to 12 months they had been building partnerships with officers in the County Council to identify roles. The Committee was also informed that the County Council was a leading light on this issue within the region.

It was reported that UU were also currently working with the Environment Agency in developing a Memorandum of Understanding to identify how services can be better provided, in particular looking at issues relating to incident management and the implementation of joint training courses.

John Webb, gave a brief description of his role in UU. He stated that co-ordination of streetworks with highways authorities had become more prevalent during his time with UU and that a change of working practice was needed in this area. As of Monday 14 February his job title and responsibility would change to Highways Co-ordination Manager where upon he would be focussing on the need to relate to highways authorities more closely.

Members were informed that UU along with all North Western Local Authorities had held quarterly 'Streetworks Co-ordination Meetings' over the past 18 years. However, due to the frequency of these meetings the timing of information exchange wasn't always suitable and that UU were looking to establish a process of forward planning via the Co-ordination meetings and electronically for the co-ordination of data for highways authorities.

Mr Webb also mentioned that, whilst there had been occasional absences from UU at Co-ordination meetings in the past; UU had identified two Programme Co-ordinator posts – one for the north area and one for the south area to attend, where possible, all Co-ordination Meetings in the future. The programme co-ordinator for the northern area would cover Cumbria and Lancashire.

Members were also informed that UU was looking towards transposing their data into the County Council's MARIO (Maps and Related Information Online) system to assist in identifying where pipelines were situated underground.

Mr Webb was aware of the County Council's need to minimise works durations and stressed that all UU's partners were reminded not to build excessive

durations into their projects. Works durations that exceed planned timeframes would incur costs for all partners involved in any given project. Whilst UU was working with its major partners to minimise works durations, UU were also looking to convey the message to its minor partners who would normally carry out the smaller tasks.

With regard to the reinstatement of performance targets, Mr Webb was aware that over the last couple of quarters UU had not achieved the performance standard of 90% but were running at approximately 87% of the standard. Whilst this meant that UU were operating at a 13% failure rate; in comparison to the region that UU covers, UU had been known to work on as many as 150,000 works openings in any given year with approximately 60,000 being in Lancashire. Mr Webb stated that he was looking to work with UUs partners to improve on performance and to find out the root causes of any failures.

Members raised a number of queries and questions under three categories as directed by the Chair - a summary of which is provided below.

Street works:

The committee recognised the importance of appropriate re-instatements. Examples were provided of areas of York stone or granite not being properly repaired. UU confirmed that the reinstatement should match existing materials, and contractors are informed of this.

It was confirmed that all utilities do share information on assets, and that records of where sewage pipes, electricity cables etc run is constantly updated. However, it is the case that, in some cases, records date back a century or more, and so inaccuracies can occur.

The committee queried the 13% failure rate of repairs. It was advised that this is measured after 2 years. UU do not carry out inspection of repairs, but the county council does shortly before the two year "guarantee" period is up. The effectiveness of repairs is dependent on materials and weather.

In response to concerns raised about vandalism and the security of repair sites, it was highlighted that a new government safety code was originally expected in April, but that this has now been delayed. The approach taken is "horses for courses" in terms of the size and location of the works.

The "Preston Tunnels" work was praised as an excellent example of communication with elected councillors. It was confirmed that this was felt to be the case by UU as well, and that this is a model for the future

The issue of communication was recognised as vital. The committee suggested that there should always be an on site information board, with more information than the current "apology board", although that was welcome. Information in the media (traditional and new) was also felt to be vital, especially in the case of urgent work or work taking longer than expected. The issue was linked to the

issue of roads under repair without any visible work taking place. UU confirmed it was in no-one's interest, including their own, for work to take longer than necessary, and that there was often a reason for a lack of visible work being undertaken.

The committee also stressed the economic cost of road works, and expressed support for weekend and evening working to minimise disruption. UU acknowledged the benefits of this approach, but advised that this would mean additional costs.

Street lighting:

Concerns about the electricity supply in the Kirkham area were acknowledged, although this is not an ENW issue. Where there were specific problems, there could be a number of causes. ENW act to contract, and there are times when developers erect light but do not contract ENW for several months.

The committee raised questions about the processes for dealing with faulty street lights which can involve several inspections and visits. ENW advised that they simply completed what they were asked to, and had targets for that. There were now opportunities to do things differently with ICPs, and several members felt that this was a route worth the county council considering.

On the 15 day indicator, it was confirmed that this included the 10 day notice period required, effectively giving a target of 5 days.

Water/flooding:

Members raised examples of longstanding problems with flooding. It was recognised that the causes could be complex, and not always the responsibility of UU. Often, there were no single causes, and the causes of the problem were not always at the site of the flooding.

The committee raised the issue of the recent ban on all recreational swimming in reservoirs. UU explained that their position was based on the need for safety – there have been fatalities in the past, and so a total ban, including on organised events, was imposed. The committee expressed the view that organised events, such as one in Rossendale were properly supervised, and should be permitted, even if general swimming was banned. UU advised that they were firm in their position.

On leaks, UU advised that they attended large leaks within one day and smaller leaks within seven days. Poor weather in winter had led to some delays, but UU were catching up. £29m per year was spent on leakages, and whilst resources were increased during the drought, that additional investment was not sustainable.

It was highlighted that flooding from coastal sites was an issue for the Environment Agency.

The committee were informed that reservoir levels were currently at 96% of the average level for the time of year, compared to 91% last year. It was noted that hosepipe bans in the North West were uncommon, with the last one before last year in 1996.

The committee were advised that approximately 22% of the water supply was lost in leaks, which was half the figure in 1995. The target for the next few years, as agreed with the water regulator Ofwat, was for that figure to remain stable. It was explained that locating and repairing leaks becomes increasingly complex and expensive, with around 44,000 km of pipes, and many leaks not actually appearing as ground water, and even where that is the case, the leak itself may not be at the place where the water appears. UU said that customer research indicated that customers would accept occasional hosepipe bans in preference to the higher bills that would result from reducing leakage significantly. The committee felt the level of water lost through leakage was an area of concern.

Concern was expressed about increased demand. UU advised that demand was actually currently falling, due to reducing commercial demand (mainly caused by the reduction in manufacturing industries in the county). This reduction was likely to continue until 2022. A 25 year Water Resources Management Plan was in place to address this, and it was confirmed that cost benefit analysis would be carried out to identify the best solutions for the future water supply. This would include consideration of the creation of new reservoirs, but these were costly and controversial, and no plans currently existed.

The Chair thanked all the representatives from United Utilities and Electricity North West for their attendance and their presentations.

Resolved:

- i. The Committee noted the report and the presentations delivered by the representatives from United Utilities and Electricity North West.
- ii. That the comments raised by Members as set out in the minutes be passed on to United Utilities and Electricity North West for information.
- iii. That this issue be put back on the Committee's work plan for further consideration.

5. Rail Improvement Schemes - Report of the Task Group

County Councillor S Fishwick, Chair of the Rail Improvement Schemes Task Group introduced the report to the Committee.

It was reported that since the Task Group had produced its original report in March 2010 the Task Group had reconvened in January 2011 to consider several developments in relation to the rail schemes considered. The Task Group's report was presented at Appendix 'A'.

The Committee was informed that the Task Group was advised that further progress was expected on the Todmorden curves scheme towards the end of the year and that, based on the Task Group's recommendation, discussions would take place between the County Council and Balfour Beatty in connection with the Colne to Skipton line. It was; therefore, felt that it would be beneficial for the Task Group to meet again in late 2011 to consider the outcomes of the further work on the aforementioned schemes.

It was reported that two names of witnesses had been omitted from the original report of the Task Group. It was confirmed that this omission would be corrected.

One Member expressed concern regarding the analysis of the Rawtenstall to Bury and Manchester scheme, and highlighted some areas that would benefit from further consideration. The Member requested that this scheme be moved up as a priority for further action by the County Council and requested that it be included in the recommendation.

The committee felt that it would not be possible to change the task group's findings on any individual scheme at present, but that a further opportunity to provide further evidence on all of the schemes should be offered at a later date. It was therefore suggested that recommendation iii) be amended to read: agrees to the Task Group meeting later in the year to consider the position on all the schemes under consideration.

Whereupon it was:

Resolved: That;

- i. The further recommendation of the task group:
"That the schemes remain in the categories originally agreed, with the exception of the Colne to Skipton route, which should now become a priority for further action, in that the county council should seek further details of the Balfour Beatty model" be accepted;
- ii. The further recommendation of the Task Group be passed on to the Cabinet Member for Highways and Transport;
- iii. The Task Group should meet later in the year to consider the position on all the schemes under consideration.

6. Task Group Updates

The Committee received an update on current task groups and their proposed completion dates.

With regard to the Fylde Coast MAA Joint Scrutiny Working Group, it was suggested that, given the ending of the MAA agreement, there was no longer any

requirement for such a working group and that the County Council should withdraw from it. This view was shared by the partner authorities.

Resolved:

- i. That the update on existing task groups be noted
- ii. That the County Council withdraw from the Fylde Coast MAA Joint Scrutiny Working Group.

7. Recent and Forthcoming Decisions

The committee considered recent relevant decisions made and also forthcoming decisions including those set out in the current Forward Plan.

Resolved: That the report be noted.

8. Workplan 2010/11

The workplan for the committee was presented for noting and comments. The Chair reminded the Committee that at the next meeting on 4th March they would receive a key report on crime and disorder and that a pre-meeting briefing had been arranged for 9am that morning for all Committee Members to attend.

Resolved: That the report be noted.

9. Urgent Business

There were no items of urgent business.

10. Date of Next Meeting

It was noted that a pre-meeting briefing had been arranged for 9am on the morning of the next meeting of the committee which will be held on Friday 4 March 2011 at County Hall, Preston. The Committee meeting will commence at 10.00 a.m.

I M Fisher
County Secretary and Solicitor

County Hall
Preston