

Infrastructure+ - review of scrutiny of governance and reporting arrangements to Prosperous Staffordshire Select Committee

Final Report



Contents

	Page Number
Chairman's Foreword / Summary	1
1. Conclusions and Recommendations	3-4
2. Setting the Scene	4-5
3. Scope of the Work/Terms of Reference	5
4. Membership	5
5. Methods of Investigation	5
6. Findings	5-15
7. Community Impact	15
8. Acknowledgements	15
9. List of Appendices/Background Papers	16



Chairman's Foreword

As Members we were pleased to contribute to this important area of work. Scrutiny challenge, in a constructive and non-confrontational way, is important in assuring Members that policies and performance are meeting the Council's aims and priorities.

The partnership that we have with Amey going forward is important to local Members as it has a significant impact on local residents, and queries regarding highways form a significant part of their work.

It is right that we review the governance arrangements and have input into the process.

We look forward to future scrutiny challenge of the performance of the partnership, and co-operation from Amey in exercising our scrutiny duties going forward. Details of future scrutiny will be made available in the Committee's Work Programme that is agreed by Members at every Select Committee meeting.

I would like to thank James Bailey and David Walters for meeting with us, sharing information and being frank and open with us in their responses.



**County Councillor Simon
Tagg
Chairman of
Infrastructure+ Scrutiny
Review**



the knot unites



1. Conclusions and Recommendations of the Name of Scrutiny Review

In reviewing the information relating to the partnership that the Council has entered into with Amey, Members had the opportunity to consider how highways defects were now reported and recorded. Members concluded that feedback to the public was provided in a language that they may find difficult to understand and **recommended** that:

Officers to review the technical language used in customer feedback reports with a view to making it easier for customers to understand (ref. 6.1)

Members considered the governance arrangements for the contract. Further details on scrutiny (Select) committees, their functions, terms of reference, membership, meeting arrangements and details of officers giving account can be found on the Council's website.

The Council is undergoing a period of transformational change, however, Members regarded it important that they should always have available the most up-to-date information so as to be in a position to advise local residents. The Members' intranet is an important tool for local Members. They **recommended** that:

A copy of the Infrastructure+ organisation chart be made available to all Members on the Members' intranet and kept up-to-date (ref. 6.3).

Similarly Members heard that a Members' Guide was being developed and **recommended** that details of this be placed on the Members intranet (ref 6.5); that the gully emptying programme be added to this Guide (ref. 6.5); that a review be made of highways information available on the Members intranet to add details of local highways staff contacts, divisional highways programmes, planning applications in Members' divisions (ref. 6.5) local improvement plans and cyclical highways programmes (ref. 6.6) and that Officers investigate if a routine, reactive and cyclical performance pack for each Member's division could be provided (ref 6.6).

Members were asked to nominate a representative to join the Customer Satisfaction Outcome Group. This request provoked discussion regarding the role of the scrutiny member on the main Select Committee and the possible conflict that may come about if they were invited to join a Group that they could potentially be scrutinising. Members therefore **recommended** that:



A scrutiny Member (who is not a Member of the Prosperous Staffordshire Select Committee) be invited to join the Customer Innovation and Involvement Satisfaction Outcomes Group. (6.3)

Members spent some time reflecting on the impact that new housing developments can have on the local infrastructure and considered that it would be helpful if planning minutes on borough/district council websites included a link to details of local housing developments. It was **recommended** that:

A request is made to Staffordshire Borough and District Council planning officers to ask if they could publish highways (planning) responses that could pertain to housing developments as part of their Planning Committee minutes. (ref. 6.5)

In order to be kept apprised of discussions regarding highways in their division, Members **recommended** that Community Highways Infrastructure Managers be asked to share details of meetings arranged with Parish Councils with elected Members (ref. 6.6).

2. Setting the Scene

- 2.1 The Prosperous Staffordshire Select Committee has responsibility for scrutiny against the Council's Strategic Plan 2015-17 specifically in regard to the key area of activity 'Great Place to Live' "Supporting the improvement and development of shared use of resources such as utilities, highways and technology."

In June 2013 Cabinet agreed to procure a strategic delivery partner to assist the Council with the delivery of highways maintenance, improvement and development major projects, professional services, country parks and rights of way maintenance and grounds maintenance at Shugborough. The Council's contract with Enterprise for highway maintenance functions had run from 2004 and expired in April 2014. Following a procurement exercise the contract was awarded to Amey in August 2014. The contract included the potential for additional services (see 6.1 below) to be delivered through the contract subject to the demonstration of better value and service.

An outline business case was scrutinised by the Select Committee on 3 June 2013. At this meeting Members made several comments and raised concerns, and asked that these be forwarded to Cabinet for consideration and that they be kept updated on the project progress and specifically that they receive a report at the end of the year and prior to Cabinet decision on the chosen bidder.



A more detailed business case was presented for scrutiny by the Select Committee on 12 February 2014. At this meeting it was resolved that 1) the recommendations to Cabinet (to select a partner to deliver services in relation to physical infrastructure) be endorsed in principle.

2) Cabinet is asked to consider including a role for scrutiny in the contract monitoring arrangements. It was noted that the governance arrangements for monitoring the contract were still under development. Members suggested that the Select Committee should play a role in this process.

Further scrutiny took place on 6 March 2015. At this meeting it was resolved that:-

- a) The Head of Place Delivery provide Members with an organisational chart that would illustrate the partnership structure;
- b) The Head of Place Delivery feedback concerns regarding the technical language used in reporting back to the public, with a view to making it more customer-friendly;
- c) A Working Group is set up in June 2015 to advise the Committee on how they might be involved in the governance of the Infrastructure+ contract.

3. Scope of the Work/Terms of Reference

3.1 At the first meeting of the Working Group Members agreed to review the following areas:

- Background and overview of the objectives, critical success factors, outcomes and mobilisation and transition progress
- Governance arrangements
- Finance
- Outcome Groups
- Performance Management Framework
- Audit

Officers shared the governance model embedded in the Infrastructure+ contract and proposed that the model and associated reporting information could form the basis for discussion going forward. Members were asked to identify any additional information that they wished to examine.

It was agreed to examine the governance model under the following key areas:



- Mobilisation of the contract and transition progress to date
- Objectives, critical success factors and outcomes
- Governance arrangements
- Finance
- Outcome groups
- Performance Management Framework
- Audit

4. Membership of the Working Group

- 4.1 Councillors Tagg, Loades and Hollinshead set up a small Task and Finish Working Group to consider this matter. Councillor Tagg agreed to Chair the Working Group. Members of this Working Group had not previously been involved in scrutiny of the Infrastructure+ contract i.e. they had not been Members of the Prosperous Staffordshire Select Committee when this matter was discussed.

Tina Randall, Scrutiny and Support Manager supported the group.

5. Methods of Investigation

5.1 Membership of Working Group and meeting arrangements

Members decided that they should meet as a Working Group to give them the opportunity to look at information, some of which may be commercially sensitive, in close detail. They agreed to meet with the lead officers: James Bailey, Commissioner for Highways and the Built County; and David Walters, Regulation and Governance Manager, Staffordshire County Council. The Group met on three occasions, in private, in County Buildings, Stafford:

8 July 2015

25 July 2015

4 September 2015

6. Findings

6.1 Mobilisation of the contract and transition progress to date

A mobilization process began in August 2014 involving the transfer of just over 100 County Council staff to Amey, and just over 200 staff from Enterprise (who had been contracted by the Council to provide a highway maintenance service up until this time). Amey's parent company bought Enterprise, but Amey and Enterprise remained as two separate legal entities as far as the implementation of the contract is concerned. The new contract with Amey began on 1 October 2014. The Core Service contract includes:



- Reactive highway maintenance
- Cyclical highway maintenance
- Highway Winter Service
- Highway construction schemes within exclusivity thresholds (<£500k improvements and <£1m maintenance)

Additional 'Business Case supported' call off contracts include:

- Highway network management and inspections
- Construction Contract Project Management
- Highway design and construction project management
- Individual highway construction schemes above the exclusivity thresholds

As part of the mobilisation process a new ICT system for the recording of highways defects and management of the operational process was introduced – this being part of the Amey Standard Operating Model (SOM). A new asset management system is also being implemented and data is being transferred from the previous systems to Amey's systems. In the long term the customer relationship programme – LAGAN will be integrated. In the meantime an interim solution has been developed through the Amey SOM software. Customers who report a defect, via email, get an acknowledgement that they have reported a defect and a further update when the job has been reviewed or inspected, and finally when it is completed. Customers are given a work reference number if repair works are required. Currently this works reference number can be looked up on the intranet, so progress with the job can be observed. There are plans to send customers an automated email confirming that the defect has been inspected, the resulting level of priority assigned and the expected timescale for the repair. Improvements to the system should be in place by 1 October 2015. Members have also been offered a visit to the operational control room so that they can see how issues are logged and dealt with.

Members commented that the report back to customers could be improved if the language used in the communication was easier to understand (less technical).

Further Option Appraisals are now taking place in regard to other services within the scope of the Infrastructure+ strategic partnership.

- Lighting contract management;
- Intelligent traffic systems management and maintenance
- Environmental specialist service provision
- Transport planning
- Road safety
- Highways laboratory



- Community liaison (short and long term options)
- Management of rights of way; management of country parks (Shugborough is outside the remit of this option appraisal) and data management.

Where significant potential benefit is identified detailed business cases will be developed in the future, subject to satisfactory performance being demonstrated within the existing Core Service and additional Call Offs.

Additional opportunities for the partnership also exist in respect of closer working arrangements with Districts Councils and Stoke City Council.

Recommendation: Officers to review the technical language used in customer feedback reports with a view to making it easier for customers to understand.

6.2 Objectives, critical success factors and outcomes

A copy of the high level business plan was shared with the Working Group.

This detailed the outcomes, as follows:

- People are able to access a network that is safe and well maintained;
- The public realm is improved and enhanced;
- A highways infrastructure that is efficient, accessible, positive, long lasting and supports economic growth;
- Staffordshire is well connected with equality of access for all;
- In infrastructure that promotes sustainable travel;
- The impact of transport upon the environment and communities is minimised ;
- There is a high level of satisfaction with infrastructure services;
- An environment that promotes pride and ownership amongst communities;
- Staffordshire's environment is maintained and enhanced and promoted for the benefit of visitors, residents and future generations;
- Staffordshire's communities and visitors can access, enjoy and benefit from a range of learning, recreational and cultural activities.

The focus is on the following **critical success factors**:

- Increased value and prosperity for Staffordshire through a positive impact on jobs and growth;



- A customer focused service which enhances customer satisfaction and the reputation of the Council;
- Financially sustainable and resilient services;
- The flexibility to meet changing future demands through innovation and development.

6.3 Governance arrangements

A copy of an organisation chart was shared with Members. A request was made that this be made available to all Members on the Members' intranet. Members were made aware of the dynamic nature of the detail on the diagram.

The County Council has three managers responsible for different elements of contract management. All report to James Bailey, Commissioner for Highways and the Built County:

- Highways Asset Strategy – David Burns
- Infrastructure Development and Improvements – Dale Arthur
- Highways Regulation and Governance – David Walters

At Board level there is a three tier structure:

Strategic Partnership Board with membership from:

Staffordshire County Council: Cabinet Member for Economy, Environment and Transport (Mark Winnington) , the Cabinet Support Member for Highways and Transport (Mark Deaville), the interim Director for Place (Darryl Eyers) and

Amey: Local Government Division Managing Director (Nick Gregg); Amey Business Director (Steve Munro) and Amey Commercial Director (Kelvin Dyer).

Operational Commissioning Board with membership from:

Staffordshire County Council: - Place Commissioners - James Bailey (Chair), Clive Thomson, Ian Wykes, Ian Turner (Head of Commercial)

Amey: Mike Cafferky (Business Director), Steve Jones (Account Director), Lee Griffiths (Principal Commercial Manager), Andrew Yeoman (Associate Director, Amey Consulting)

Delivery Project Teams – there are several groups made up of Amey operational managers and SCC retained contract management staff.

A chart detailing when reports would be presented to the above Boards and Teams over the next twelve months was shared with Members.



Officers asked if consideration could be given to an elected Member joining the **Customer Satisfaction Outcome Group**. Aspects to consider and prioritize for development include defect reporting mechanisms, web page information; contact centre; member reporting; complaints; MP correspondence; scheme communications; demand management; communications and marketing and devolution (greater involvement of communities in decisions, delivery and management of services). Following discussion at the Scrutiny Chairs Forum it was agreed that a scrutiny member, who was not a Member of the Prosperous Staffordshire Select Committee, be asked to join the Customer Satisfaction Outcomes Group. This would avoid conflict in regard to the scrutiny of the Infrastructure+ contract.

Recommendations: A copy of the Infrastructure+ organisation chart be made available to all Members on the Members' intranet and kept up to date.

A scrutiny Member (who is not a Member of the Prosperous Staffordshire Select Committee) be invited to join the Customer Innovation and Involvement Satisfaction Outcomes Group.

6.4 Finance

Given current financial pressure faced by the County Council, services must be financially sustainable and resilient. The Council is trying to utilize the Infrastructure+ contract to deliver against a range of business plan outcomes on economic prosperity and growth.

The partnership with Amey has allowed the Council to streamline the technical improvement process for private development and reduce the Council's overhead costs.

The contract has been set up in such a way that Borough and District Councils and Stoke City Council can access the contract direct for services such as Streetscene, highway operations, infrastructure design and construction.

Members were informed that Highways England (Motorways and Trunk Roads) expenditure is increasing significantly over the next 5 years, which is expected to place increasing market pressures on Local Highway Authority services.

The current **capital grant allocation** for maintenance of highways in Staffordshire is around £17m per year. This is set against an identified need of £30-£35m in order to maintain a steady state for the condition of the highway network. £3m is top sliced from the £17m for the Corporate Capital Programme and the MTFS. This leaves around £14m-15m for all highway capital maintenance in the county.



The Department for Transport (DfT) are introducing an incentive fund element to the capital grant allocation for maintenance of highways. From November 2015 each highway authority will be required to complete and submit a self-assessment form which will place the organisation in one of three bands. In order to receive the full allocation available, authorities will in future need to be in the highest of these bands. The self-assessment covers a number of criteria, including Asset Management; Resilience; Customer; Benchmarking and Efficiency; Operational Service Delivery.

There is also a **Challenge Fund** against which bids can be made for extra investment. The first round of allocations in 2015-16 saw a significant amount of this fund being allocated to Street Lighting projects and where highways were in serious need of improvement. Staffordshire had submitted two unsuccessful bids for funding.

6.5 Outcome Groups

The Infrastructure+ governance structure includes a series of Outcome Groups made up of stakeholders that will drive forward continuous improvement of the partnership.

In terms of **customer satisfaction**, the County Council's Insight Team has evidenced that overall Staffordshire's residents feel happy with their local area as a place to live, but maintenance of roads and pavements and traffic congestion are two of the top issues perceived by residents as most in need of improvement. However, analysis of performance and spend data suggests that Staffordshire performs well in this area, suggesting there is gap between residents' expectations and actual performance. In terms of overall satisfaction with transport and highways, the National Highways and Transport Survey shows that Staffordshire performs 13th out of 24 County Councils, with a satisfaction score of 50%. This is in line with the national average of 49.3%. Staffordshire has recorded a 2.7% decrease in satisfaction compared with the previous year. This follows a national trend.

Customer demands for highways maintenance and improvements place significant pressure on the resources of the County Council. In addition to the 43,000 highways issues raised in 2014/15 the County Council received 220 formal **complaints** regarding the highways service of which approximately one third were upheld. In comparison the County Council received 141 recorded **compliments** about the highways service in the same period.

In regard to **social values and communications**, Members were informed that improving customer satisfaction was a critical success factor of the Infrastructure+ contract. A number of improvements were



underway with further enhancements to email updates on enquiries and defects (see recommendation at 6.1 above). Roadworks.org is on the County Council website and Members can use the website to sign up to receive alerts on utility and other works that are recorded on the Streetworks register.

Members reflected on the impact that **new housing developments** have on the highways infrastructure and were reassured that the highways team are involved right from the outset of the housing development process. They asked if Borough and District Council planning officers could publish highways (planning) consultation responses that could pertain to housing developments as part of their Planning Committee minutes. It was agreed that a request could be made to Staffordshire Borough/District Council colleagues.

Members were informed that the **roadworks permit scheme** that the government were due to introduce in April 2015 had been delayed and further guidance was due in October 2015.

Members asked if they could have knowledge of the highway **gully emptying** programme as there was a public perception that gullies were not being emptied frequently enough. Officers advised that data capture systems and a risk based approach are being used to identify which gullies need to be emptied more often (and those that could be emptied on a less frequent basis). An example was given that higher priority would be given to clearing gullies on a high speed principal road, where the presence of standing water would carry greater risk, than to a road with lower speed and volumes. A zonal approach also allows priority reactive gully emptying to be programmed more efficiently with planned works. Standing water on the highway may be symptomatic of an underlying problem with the drainage system or the watercourse that the drain outfalls into. The resolution of these latter problems can obviously be more costly and time consuming to resolve. The minimum or short-term response to a report of regular standing water on a road might be a road warning sign alerting road users of the risk. Officers stated that a Members' Guide is being developed and Members asked that the Gully Emptying programme be added to the Guide.

Members asked if Members used the alert system available on the national hub for roadworks in the UK **roadworks.org** on the County Council website. It was understood that usage varied.

In regard to **local contact information** Members stated that a form on the Members' intranet with contact information for each Member's division would be helpful, together with divisional highways programmes and local improvement plans.



Members asked if details of **planning applications** (Form X – detailing County Council consultation responses to borough/district councils in relation to planning applications) in their divisions could be made available on the Members' intranet. It was agreed that this would be explored as part of a general review of the information relating to this contract on the Members' intranet. Officers reported that the highways development management team considers and responds to 4,500 planning enquiries per year (about 15 applications per week for each officer in the team). This involves inspection on site for all applications. Officers have 21 days to respond to each application, which can make engagement with local Members challenging. However, using their political antennae officers identify applications that are likely to be contentious and in these cases endeavour to make contact with the local member to ensure that their local knowledge is fed into the response.

Members were informed that they can also check local borough/district council websites to obtain details of any emerging planning applications and can register any concerns with their local Highways Development or Community Highway Liaison contact, who will arrange to keep them fully informed.

In accordance with the National Policy Framework, the County Council's Highways' response is set out on Form X. Members suggested that they could ask Borough and District Councils if they could publish a brief summary of the contents of Form X as part of their Planning Committee decision publications which includes any of the County Council's conditions to mitigate the traffic impact from development.

Recommendations: A request is made to Staffordshire Borough and District Council planning officers to ask if they could publish highways (planning) responses that could pertain to housing developments as part of their Planning Committee minutes.

A link to the Members' Guide is placed on the Members' intranet.

The Gully Emptying programme is added to the Members' Guide.

A review of the information available on the Members' intranet takes place. Consideration is given to adding the local highways staff contact details, divisional highways programmes and planning applications in Members' divisions.



6.6 Performance Management Framework

The routine, reactive and cyclical performance pack, asset management performance pack (showing data from January to July 2015) and road condition report for 2012-2014 and defects from January to July 2015, were presented to Members. The diagram presented illustrated progress with achievement against the outcomes set out in the detailed Business Plan, specifically 'there is a high level of satisfaction with infrastructure services'. An example of the information presented to the Operational Commissioning Board on progress with schemes was shared with Members.

Members were keen to see the improvement plan for their local area. Members asked if they could see details of the **cyclical highways maintenance programmes** for their area, including gully emptying and grass cutting. Officers stated that these maintenance programmes were constantly reviewed to reflect current financial restraints. Members noted that this information would help them in advising local residents when maintenance was due to take place in their area, and could preclude a call to the local Community Highways Infrastructure Manager.

Members also asked if details of meetings arranged between local Parish Councils and the Community Highways Infrastructure Managers could be shared with elected Members.

Officers advised that work was ongoing to develop the performance **balanced scorecard** and that further Key Performance Indicators were being added. These measures reflected the performance across the whole contract rather than the performance of the contract at Members' division level.

Members were shown details of the **road conditions** of principal roads, non principal A, B and C roads and unclassified roads as a Red, Amber, Green (RAG) rating over a three year period; defect numbers over the last six months and safety inspections. Information regarding Capital Programme delivery was missing. Several of the dashboards are still in development. Benchmarking is still an important means of assessing value for money. The overall score for each scorecard is currently a non-weighted score and this may change to reflect the fact that some measures may be of greater importance than others. Members asked if we undertook any comparison of the quality of our roads with those regionally or nationally. Officers responded that benchmarking of road condition and road safety is done nationally through DfT; financial investment/cost through CiPFA and customer



satisfaction nationally through the National Highways and Transport survey. Additionally, performance benchmarking is done across Amey UK contracts and is an underpinning principal of their Standard Operating Model (SOM). Finally, senior officers sit on a number of regional and national professional groups, comparing policy and practice and leading innovation and efficiency e.g. research and development into future durable road materials.

Members asked about the maintenance of **footways** (footpaths), as they were receiving an increasing number of complaints about their poor condition. Members asked how footways were maintained and how performance of the maintenance was measured. Officers advised that performance measures for footways are included in the routine, reactive and cyclical performance pack 'Footway Maintenance Performance'. Measures associated with the repair of defects would not generally distinguish between footway and carriageway repairs. Members were informed that where defects were identified, a risk assessment was carried out to determine the priority that repair should be given.

Recommendations: Officers to investigate if hyperlinks could be provided to local improvement plans and cyclical highways maintenance programmes on the Members' intranet pages.

Community Highways Infrastructure Managers be asked to share details of meetings arranged with Parish Councils with elected Members.

Officers to investigate if a routine, reactive and cyclical performance pack for each Member's division could be provided.

6.7 Audit

There is an SCC Internal Audit Strategy and Plan in place. Currently new systems and processes associated with contract management and Infrastructure+ exclusivity business cases are being designed in conjunction with the Internal Audit team. As part of the Business Plan external strategic peer reviewers from Local Government Association (LGA) / Highways Management Efficiency Programme (HMEP) are being invited to review the Infrastructure+ strategic partnership in 2016/17.

Members asked what preference, if any, Amey were given for new business. It was explained that an exclusivity clause exists within the contract, which provides Amey with first right of refusal for works above threshold values (improvements >£500k, maintenance >£1m) provided that all key performance indicators within the Core Service contract are being met and Amey can also demonstrate how they offer best value.



7. Community Impact

Resources and Value for Money

7.1 The Infrastructure+ contract is complex and diverse. Both capital grant and revenue highway funding resources have reduced significantly in recent years. Value for money is ensured in the various elements through effective business planning to establish prioritised works programmes and service improvement priorities, which are then monitored through effective governance, including benchmarking and robust performance management. Works programmes are prepared in accordance with County Council policies and priorities e.g. Highways Asset Management Plan and Integrated Transport Priorities (e.g. safety, economic growth and accessibility). Annual Capital Programmes are signed off under delegated powers by the Cabinet Member for Economy and Infrastructure.

Equalities and Legal

7.2 The infrastructure+ contract delivery model has been designed to best enable financial sustainability, flexibility and continuous evolution. Being able to adapt to the constantly changing operating environment (political, economic, social, technological, environmental and legal) ensures it is best placed to sustain infrastructure services and minimise the potential for adverse impact on local communities.

7.3 Infrastructure policies, strategies and delivery projects are designed in accordance with a range of national guidance, including: the “Design Manual for Roads and Bridges”; “Manual for Streets”; Local Transport Notes; “Guidance on the use of Tactile Paving”; “Inclusive Mobility”; and “Access for Blind People in Towns”. Different road user groups are also actively engaged via the Staffordshire Public Access Network (SPAN), which is made up of representatives of disability groups and members of the community from across Staffordshire.

7.4 The infrastructure+ contract is the principal service delivery mechanism for the fulfilment of the Council’s statutory duties associated with:

- Highways Act (1980);
- Road Traffic Regulation Act (); and
- Traffic Management Act (2006).

Risk

7.4 The strategic and operating risks associated with the Infrastructure+ contract are regularly reviewed and managed through the governance arrangements set out in section 6.3.



Climate Change

7.5 There are no climate change implications arising from this report.

Health

7.6 There are no health implications arising from this report.

8. Acknowledgements

8.1 We would like to thank the following officers who supported the Working Group:

James Bailey, Commissioner for Highways and the Built County
David Walters, Regulation and Governance Manager

9. List of Appendices/Background Papers

Links to previous scrutiny:

3 June 2013

<http://moderngov.staffordshire.gov.uk/mgAi.aspx?ID=38615>

12 February 2014

<http://moderngov.staffordshire.gov.uk/mgAi.aspx?ID=31960>

6 March 2015

<http://moderngov.staffordshire.gov.uk/mgAi.aspx?ID=27360>

small print BIG PICTURE: A guide to scrutinizing Public-Private Partnerships – Centre for Public Scrutiny May 2008

County Councillor Simon Tagg
Chairman of Infrastructure+ Review of Governance and
Reporting Arrangements to Prosperous Staffordshire Select
Committee Scrutiny Review
November 2015

Contact Officer/s

Name: Tina Randall, Scrutiny and Support Manager
Staffordshire County Council
Telephone: 01785 276148
E-mail: tina.randall@staffordshire.gov.uk

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