



Environment and Climate Change Committee

6 September 2022

Title	Q1 2022/23 Contracts Performance Report
Report of	Chair of Environment and Climate Change Committee
Wards	All
Status	Public
Urgent	No
Key	No
Enclosures	Appendix A – Tarmac Kier Joint Venture Performance
Officer Contact Details	Tim Campbell, Head of Commercial Management tim.campbell@barnet.gov.uk Alaine Clarke, Head of Programmes, Performance & Risk alaine.clarke@barnet.gov.uk

Summary

This report provides an overview of Quarter 1 (Q1) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

Overall, performance is going well, with the vast majority of KPIs achieving their targets. The council continues to work with its contracted partners to address areas of concern, particularly on ensuring that progress is being made where backlogs have occurred due to the impact of the Covid-19 pandemic.

Officers Recommendations

The Committee is asked to note the Quarter 1 (Q1) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

1. PURPOSE OF REPORT

Introduction

- 1.1 This report provides an overview of Quarter 1 (Q1) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee (listed in alphabetical order):
- Food Hygiene/Standards Inspections
 - Hendon Cemetery and Crematorium
 - Highways
 - Licensing and Trading Standards
 - Scientific Services and Pest Control
- 1.2 The report does not include budget information, which is provided separately to Policy and Resources Committee.

Overview

- 1.3 Food inspections backlog has reduced to 312 inspections from 1,121. The expected date of completion is likely to be September 2022.
- 1.4 Hendon Cemetery and Crematorium service has continued at normal levels following the peaks in demand from Covid-19.
- 1.5 Highways performance is positive with the majority of KPIs achieving target and good progress has been made with the 2022/23 programme of delivery of footway and carriageway schemes.

Note on tables

- 1.6 The targets listed are both for the year 2022/23 and the current reporting period, Q1 2022/23.

Food Hygiene/Standards Inspections

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Conducting Food Hygiene Inspections - Target A - Number of completed Food Hygiene Inspections due and overdue	Bigger is Better	%	100	86.4	54.2	Improved ▲
Conducting Food Hygiene Inspections - Target B - Number of completed Food Hygiene Interventions due and overdue	Bigger is Better	%	85	19.2	21.2	Worsened ▼
Conducting Food Hygiene Inspections - Target C - Number of completed Food Hygiene Inspections of new unrated premises within 28 days of discovery date	Bigger is Better	%	90	48.4	24.8	Improved ▲
Food & Drinking Water Sampling Inspections	Bigger is Better	%	100	133.3	152.9	Worsened ▼
Food Standards Inspections (Category A) - Number of A rated interventions completed within 28 days of due date	Bigger is Better	%	100	No Activity	No Activity	Same ♦
Food Standards Inspections (Category B) - Number of B rated interventions completed on or before the next due intervention	Bigger is Better	%	100	100	97.2	Improved ▲
Food Standards Inspections (unrated premises) - Unrated: Number of unrated premises inspected at the same time as the first food hygiene inspection	Bigger is Better	%	100	100	100	Same ♦

Implementing Health & Safety Inspection Programme - Compliance with legislation, departmental, statutory and service standards	Bigger is Better	%	100	No Activity	100	Not comparable —
Improvement in food hygiene in the highest risk premises	Bigger is Better	%	90	100	100	Same ♦
Safer workplaces – A higher level of compliance with health and safety legislation in the known most unsafe workplaces	Bigger is Better	%	75	100	100	Same ♦

- 1.7 There are ten KPIs for Food Hygiene/Standards Inspections. Five indicators achieved the Q1 target and two reported no activity. Three indicators did not meet target, all of which relate to the backlog of inspections caused by the Covid-19 restrictions.
- 1.8 The Food Hygiene Inspections (Target A, B and C) KPIs did not meet the Q1 targets due to the impact of previous Covid-19 restrictions on the hospitality sector that required the closure of restaurants. This has resulted in inspections not taking place as planned and generated a substantial backlog.
- 1.9 The initial backlog totalled 1,121. Of which, 305 inspections were completed in 2021/22 and 330 inspections were completed in Q1 2022/23. A recent review of the data for the backlog found an error where premises that had closed or changed hands had not been excluded. These 174 premises have been removed now, leaving 312 premises still to be inspected.
- 1.10 Additional funding of £260k has been agreed to clear the backlog; initially by July 2022, but now extended to September 2022. There is a possibility this might be delayed again due to the summer holiday period and difficulties accessing certain premises, for example due to late opening or home caterers. The position is being monitored closely

Hendon Cemetery and Crematorium

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Meeting religious burial requests timescales	Bigger is Better	%	95	100	100	Same ♦

- 1.11 The service continued at normal levels following the impact of the pandemic peaks of 2020/21 and 2021/22 and a good level of performance has been maintained.
- 1.12 However, only one cremator is in operation at present due to the other requiring a new thermal lining. The work was planned for the end of July 2022 and the second cremator should be operational again in August 2022.

Highways¹

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Emergency Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	Suspended	Not comparable —
Response to complaints relating to a drainage malfunction and/or flooding event	Bigger is Better	%	100	100	Suspended	Not comparable —
Response in dealing with Highway Licence applications	Bigger is Better	%	100	100	100	Same ♦
Processing of Vehicle Crossover Applications - timescale for providing quotes	Bigger is Better	%	100	100	100	Same ♦
Timely construction of Vehicle Crossovers following receipt of payment	Bigger is Better	%	100	100	Suspended	Not comparable —
Timely response to Permit requests (LoPS)	Bigger is Better	%	100	100	100	Same ♦
Appropriate conditions attached to Permits (LoPS)	Bigger is Better	%	100	100	100	Same ♦
Appropriateness of approved and rejected extension requests (Permit Extension Requests, LoPS)	Bigger is Better	%	100	100	100	Same ♦
Compliance with Sample Inspection regime (Compliance with chargeable inspection regime to quality-check works on highways (New Roads and Street Works Act))	Bigger is Better	Number	2040	351	0	Not comparable —
Level of Withdrawn Defects. Levels of passed and failed Highways works inspections	Smaller is better	%	15	0	4.6	Improved ▲
Activity in relation to dealing with Section 50 (S50) Requests (TMA)	Bigger is Better	%	100	100	100	Same ♦
Section 74 (S74) compliance and sanctions correctly imposed for failures (NRSWA)	Bigger is Better	%	100	99.1	100	Worsened ▼
Interventions (from DfT or similar agencies) regarding Traffic Manager Duties (TMA)	Smaller is better	%	0	0	0	Same ♦
Processing of Vehicle Crossover Appeals	Smaller is better	%	100	No Activity	No Activity	Not comparable —
Category 1 Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	Suspended	Not comparable —
Category 2 Defects Rectification Timescales completed on time	Bigger is Better	%	100	100	Suspended	Not comparable —
Insurance Investigations completed on time (14 days)	Bigger is Better	%	100	100	100	Same ♦

- 1.13 There are 17 KPIs for Highways. 14 achieved the Q1 target, one reported no activity, one just missed the target and one did not achieve target.
- 1.14 The compliance with sample inspection regime KPI is dependent on a programme of utility works scheduled for the year. The target of 2,040 is for the full year 2022/23 and volumes achieved are monitored on a monthly basis; at this stage in the year the position is not a concern.
- 1.15 A number of KPIs were suspended in Q1 2021/22 to allow a review of KPIs for Re Highways and Tarmac Kier Joint Venture (TKJV) following the award of the new Term Maintenance Contractor. This was completed in Q2 2021/22 and the implementation of new KPIs commenced from July 2021.
- 1.16 The Highways service, except for the Local Implementation Plan (LIP) programme, is operating to 'normal' and continuing to progress well with the 2022/23 programme of delivery of footway and carriageway schemes.
- 1.17 A significant issue continues to be the recruitment of engineering and specialist services within a tough market. Currently, the service has approximately 12

¹ Level of Withdrawn Defects = any failed defects have been upheld.

vacancies out of an establishment of 109, which has increased during Q1. There are several offers out to individuals, which will bring this number down, and ongoing support from recruitment specialists who are advertising vacancies on industry trade websites and working to carefully define hard to fill roles. This is proving to be a positive approach.

- 1.18 The service has reviewed the LIP funding in light of the latest Transport for London (TfL) communication setting out partial funding extended through to 13 July 2022, subsequently extended to 3 August 2022. This funding is welcome as it ensures the sustainability of customer focused services; however, it only provides a time limited partial solution to the long-term delivery of LIP funded schemes.
- 1.19 The delivery of LIP schemes remains under review in the absence of TfL funding certainty, including dialogue with TfL. The Highways service is considering the reallocation of staff if there is any reduction in LIP funding. This will take into account the work needed to maintain delivery in School Travel planning and Sustainable Travel: Active, Responsible, Safe (STARS) accreditation, as well as the need to maintain the resources to deliver against the administration's priorities in relation to active travel, and ongoing engagement with TfL. Current indications are that TfL and the Department for Transport (DfT) are close to reaching a financial arrangement that is expected to enable a longer-term planning approach to active travel to be developed and implemented by local authorities across London.
- 1.20 The service has implemented the 2022/23 Network Recovery Plan and aligned the Community Infrastructure Levy (CIL) programme with the council and lead members' priorities. The programme continues to evolve collaboratively with TKJV and includes the introduction of an innovative materials matrix approach from April 2022. Otherwise known as a "Highway Material Palette", this approach supports the council in its sustainability objectives through utilising alternative materials for highways repair and maintenance, and drives efficiency in the operation, providing the council with ongoing value for money as well as reduction in CO2e carbon emissions and increasing the use of recycled materials. This approach was recognised as an exemplar at a recent sustainability event hosted by Tarmac and attended by Local Authority and Industry Leads across the country.
- 1.21 The service has supported the development of the future Highways Strategy post-September 2023 and the focus is now on the delivery of activities to support the service returning to the council's control.

Licensing and Trading Standards

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
Compliance with Licensing Requirements for Houses in Multiple Occupation (HMOs) - Licenced HMOs meeting legal standards	Bigger is Better	%	71	69.3	65.6	Improved ▲
Business license applications processed in a timely manner	Bigger is Better	%	95	100	100	Same ◆
Appropriate response to statutory deadlines. Ensuring that all statutory time scales are being adhered to. Within the Licensing and Gambling Act	Bigger is Better	%	100	100	100	Same ◆
Appropriate response to service requests Service requests dealt with to present standards to the satisfaction of customers	Bigger is Better	%	90	98.5	94.7	Improved ▲

- 1.22 There are four KPIs for Licensing and Trading Standards. Three achieved the Q1 target and one narrowly missed achieving the target but exceeded performance for the same period last year.
- 1.23 The Compliance with Licensing Requirements for Houses in Multiple Occupation (HMOs) KPI has been impacted by the Covid-19 backlog and all HMO Enforcement staff working on the Homes for Ukraine (HFU) project. An interim has been recently brought in to work on the HFU project, which should help to alleviate some pressure.
- 1.24 A 'day of action' was carried out by Trading Standards in High Barnet in June 2022, which resulted in the seizure of unsafe products, removing of non-conforming products from sale and provision of regulatory advice to traders.
- 1.25 On 16 June 2022, Licensing officers presented a licensing application to the Licensing Sub-Committee for the 51st State Festival held at Copthall Playing Fields in August 2022. The committee were satisfied that the organisers had addressed concerns raised and granted a licence for the event.
- 1.26 Licensing and Trading Standards Officers also visited festivals held in the borough to ensure compliance with licensing conditions and product safety legislation; and supported the Jubilee weekend, with 158 known events taking place in the borough with 16 having Temporary Event Notices (TENs).

Risks

- 1.27 There was one high-level (scoring 15+) joint risk for Licensing in Q1, which is being managed in accordance with the council's risk management framework.

Title	Description	Score	Review Summary
Unsafe/unhealthy living accommodation in private rented sector	A backlog of HMO licensing casework built up during the pandemic and work on the Homes for Ukraine project could lead to identification of issues being slower and all proactive activity to search for unlicensed properties being delayed resulting in residents being exposed to unsafe/unhealthy living conditions.	16	The final draft SPIR has been submitted for internal governance approval prior to being signed by the client. A temporary Homes for Ukraine officer has been identified and the appointment is proceeding. Cost pressure submitted for required £200k cashflow needed to support first two years of Additional Licensing Scheme Implementation.

Scientific Services and Pest Control

Indicator	Polarity	Unit	Target	Current Period Actual	Actual for Same Period Last Year	DoT on Last Year
LAPPC Part 2a and 2b processes intervention programme	Bigger is Better	%	100	No Activity	No Activity	Same ♦
Implementing the Animal Welfare Inspection Programme - Compliance with legislation, departmental, statutory and service standards	Bigger is Better	%	100	100	No Activity	Not comparable —

- 1.28 There are two KPIs for Scientific Services and Pest Control. One achieved the Q1 target and one reported no activity.

- 1.29 During Q1, the service marked National Clean Air Day on 16 June 2022 with a promotion at All Saints School, N20 with the Leader of the Council.
- 1.30 A high number of complaints were received about noise at the site of the National Institute of Medical Research redevelopment. Several weekend visits took place by officers (as the majority of complaints were received at weekends) but no significant noise was evidenced.
- 1.31 The Pest Control service has received an increase in demand in line with the expected seasonality of the business but has achieved all performance targets in Q1 and are on track for this to continue in Q2.

2. REASONS FOR RECOMMENDATIONS

- 2.1 This report provides an overview of Quarter 1 (Q1) 2022/23 performance for the contracted services delivered by Regional Enterprise (Capita) that fall under the remit of this committee.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 None.

4. POST DECISION IMPLEMENTATION

- 4.1 None.

5. IMPLICATIONS OF DECISION

6. Corporate Priorities and Performance

- 6.1 Performance monitoring is essential to ensure robust management of the council's strategic contracts and supports commercial discussion and decision making. It also ensures resources are adequately and appropriately directed to support delivery and achievement of corporate priorities.

- 6.2 Relevant council strategies and policies include the following:

- Re Contract

7. Resources (Finance and Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 7.1 The report does not include budget information, which is provided separately to Policy and Resources Committee.

8. Legal and Constitutional References

- 8.1 Section 151 of the Local Government Act 1972 states that: "without prejudice to section 111, every local authority shall make arrangements for the proper administration of their financial affairs and shall secure that one of their officers has responsibility for the administration of those affairs". Section 111 of the Local

Government Act 1972 relates to the subsidiary powers of local authorities to take actions which are calculated to facilitate, or are conducive or incidental to, the discharge of any of their functions. Robust contract management assists with ensuring the proper administration of the council's financial affairs.

8.2 The council's Constitution, Article 7.5 Committees, Forums, Working Groups and Partnerships, sets out the functions of the Environment and Climate Change Committee.

- (1) Responsibility for all borough-wide or cross-area matters relating to the local environment including:
 - Air Quality
 - Cycling, Walking and Healthy Streets
 - Biodiversity
 - Transport and Public Transport
 - Grounds Maintenance
 - Highways
 - On-Street and Off-Street Parking
 - Road Safety
 - Lighting
 - Street Cleaning
 - Environmental Crime (including littering, fly-tipping fly-posting, and graffiti)
 - The council's Fleet
 - Waste and Recycling
 - Waterways
 - Parks and Open Spaces (including allotments and trees)
 - Cemeteries, Crematoria and Mortuary
 - Trading Standards and Environmental Health (except Environmental Health functions relating to housing and fire safety)
- (2) Responsibility for the council's response to the climate emergency including:
 - Setting and overseeing implementation of carbon reduction targets, both in relation to the council as an organisation and Barnet as a place
 - Developing strategies to meet those carbon reduction targets
 - Developing strategies for the mitigation of the impacts of climate change, both on the council as an organisation and Barnet as a place
 - Implementing the elements of those strategies that relate to functions listed in (1) above.
- (3) To submit to the Policy and Resources Committee proposals relating to the Committee's budget (including fees and charges) for the following year in accordance with the budget timetable.
- (4) To make recommendations to Policy and Resources Committee on issues relating to the budget for the Committee, including virements or underspends and overspends on the budget. No decisions which result in amendments to the agreed budget may be made by the Committee unless and until the amendment has been agreed by Policy and Resources Committee.
- (5) To receive reports on relevant revenue and capital expenditure, contracts, performance information and risk on the services under the remit of the Committee.

9. Insight

- 9.1 The report identifies performance information in relation to the council's strategic contracts for Quarter 1 (Q1) 2022/23. The report covers delivery from Regional Enterprise (Capita).

10. Social Value

- 10.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. Before commencing a procurement process, commissioners should think about whether the services they are going to buy, or the way they are going to buy them, could secure these benefits for their area or stakeholders. As set out in the council's Contract Procedure Rules, commissioners should use the Procurement Toolkit, which includes Social Value guidance. The Contract Management Toolkit should also be used to help ensure that contracts deliver the expected services to the expected quality for the agreed cost. Requirements for a contractor to deliver activities in line with Social Value will be monitored through the contract management process.

11. Risk Management

- 11.1 The council has an established approach to risk management, which is set out in the Risk Management Framework. Risks are reviewed quarterly (as a minimum) and any high-level (scoring 15+) joint risks with strategic partners are included in this report, as well as being reported to Policy and Resources Committee as part of a wider corporate risk report.

12. Equalities and Diversity

- 12.1 The Equality Act 2010 requires organisations exercising public functions to demonstrate that due regard has been paid to equalities in:

- Elimination of unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Advancement of equality of opportunity between people from different groups.
- Fostering of good relations between people from different groups.

- 12.2 The Equality Act 2010 identifies the following protected characteristics: age; disability; gender reassignment; marriage and civil partnership, pregnancy and maternity; race; religion or belief; sex and sexual orientation; marriage and civil partnership.

- 12.3 In order to assist in meeting the duty the council will:

- Try to understand the diversity of our customers to improve our services.
- Consider the impact of our decisions on different groups to ensure they are fair.
- Mainstream equalities into business and financial planning and integrating equalities into everything we do.
- Learn more about Barnet's diverse communities by engaging with them.

This is also what we expect of our partners.

- 12.4 This is set out in the council's Equalities Policy, which can be found on the website at:

<https://www.barnet.gov.uk/your-council/policies-plans-and-performance/equality-and-diversity>

13. Corporate Parenting

- 13.1 In line with Children and Social Work Act 2017, the council has a duty to consider Corporate Parenting Principles in decision-making across the council. There are no implications for Corporate Parenting in relation to this report.

14. Consultation and Engagement

- 14.1 Obtaining customer feedback is part of the contract management process to inform service delivery, service development and service improvement.

15. Environmental Impact

- 15.1 There are no direct environmental implications from noting the recommendations. Implementing the recommendations in the report will lead to a positive impact on the Council's carbon and ecology impact, or at least it is neutral.

16. BACKGROUND PAPERS

- 16.1 None

Appendix A – Tarmac Kier Joint Venture Performance

- 1.1 The Tarmac Kier Joint Venture (TKJV) is the operational delivery partner contracted to deliver the council's Highways Term Maintenance activities, including the operational delivery of reactive and planned maintenance across the council's 700km of highway network. The Term Maintenance Contract with TKJV commenced on 1 April 2021. Following committee approval in January 2022, work has started to commence negotiations with TKJV to develop the terms of a potential future service provision post September 2023.
- 1.2 The contract has defined performance and defects schedules, with a range of KPIs covering Health and Safety, Financial Management, Planned and Reactive Maintenance and Emergency Response.
- 1.3 The performance of the TKJV contract is set out in the table below. The service has achieved target for 15 out of 19 key performance indicators. However, there is an identified trend regarding contract performance on gully emptying, category 4 planned defects, category 1 reactive defects, category 2 reactive defects, and project planned task orders not achieving target. In addition, accident frequency rates and utility strike rates are showing the wrong direction of travel.

Indicator	Polarity	Target	Q2 2021 – Q1 2022				Direction of Travel (Q4 to Q1)	YTD Jun 21-Jun 22
			Q2 2021 Result	Q3 2021 Result	Q4 2021 Result	Q1 2022 Result		
Cl 1.1 Pre-Construction Information Plan and Construction Phase Plan (r) ¹	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.2 Timely Reporting of Incident Investigation Reports (r)	Bigger is Better	90%	No Activity	100%	100%	100%	Same	100%
Cl 1.3 All Accident Frequency Rate (r)	Smaller is Better	1	0	0	0	0.54	Worsened	0.14
Cl 1.4 Utility Strike Rate (r)	Smaller is Better	6	0	0	0.67	1.3	Worsened	0.5
Cl 1.5 Submission of Accurate Pricing Information (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.6 Effective Risk Management (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
Cl 1.7 Defects Rate (r)	Bigger is Better	90%	99.8%	99.9%	99.9%	99.7%	Worsened	99.8%
Cl 1.8 Correction of Scope Defects (r)	Bigger is Better	90%	100%	100%	100%	100%	Same	100%
2.1 Cleaning (Gully, Catchpit, Soakaway) – Annual (r)	Bigger is Better	90%	84%	117%	115%	81%	Worsened	99.4%
2.4 - Emergency Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	100%	100%	100%	98%	Worsened	99.4%
2.5 Category 1 Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	83%	97%	96%	93%	Worsened	92.2%
2.6 Category 2 & 3 Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	78%	96%	91%	91%	Same	88.9%
2.8 Category 4 Planned Defects Rectification Timescales completed on time (r)	Bigger is Better	90%	93%	100%	96%	81%	Worsened	92.5%
Sl.3.1 Emergency Call Outs (r)	Bigger is Better	93%	100%	100%	100%	100%	Same	100%
Sl.3.2 Category 1 Defects (r)	Bigger is Better	92%	83%	97%	95%	94%	Worsened	92.3%
Sl.3.3 Category 2 Defects (r)	Bigger is Better	92%	72%	94%	87%	83%	Worsened	84.3%
Sl.3.4 Activity Task Orders - On-Time Completion (r)	Bigger is Better	90%	35%	97%	100%	100%	Same	83.2%

Indicator	Polarity	Target	Q2 2021 – Q1 2022				Direction of Travel (Q4 to Q1)	YTD Jun 21-Jun 22
			Q2 2021 Result	Q3 2021 Result	Q4 2021 Result	Q1 2022 Result		
SI3.5 Project Tasks Orders - On-time Completion (r)	Bigger is Better	85%	100%	100%	99%	81%	Worsened	95.0%
SI3.6 Quality of the Contractor's Programme Submission (r)	Bigger is Better	93%	100%	100%	100%	100%	Same	100%

1.4 The contract performance has been formally raised with the TKJV Managing Director, and as a result of this TKJV have committed to the implementation of a Service Improvement Plan including the following:

- Refreshed commitment to Health and Safety training
- Increased management site audits to ensure compliance
- Increased felt 'visible' leadership through TKJV Senior Managers
- Review of approach to utility strikes including training and lessons learnt
- Review and implement necessary resource provision aligned to the level of reactive maintenance (Cat1 to Cat3) works being submitted
- Implement joint best practice review between the council's highways engineer and TKJV Senior Highways Inspectors in relation to the future management of reactive maintenance works
- Weekly review by senior management from the council and TKJV weekly review to maintain the focus on contract performance to ensure the service returns to compliant levels.

1.5 Performance of the TKJV contract will continue to be reported to the Environment and Climate Change Committee to ensure the necessary focus is maintained.