

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 29 August 2018 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

K J Berry, G F Blackwell, M Dean, J Greening and E J MacTiernan

EX.25 ANNOUNCEMENTS

25.1 The evacuation procedure, as noted on the Agenda, was taken as read.

EX.26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

26.1 Apologies for absence were received from Councillors R Furolo and M A Gore. There were no substitutions for the meeting.

EX.27 DECLARATIONS OF INTEREST

27.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

27.2 There were no declarations of interest made on this occasion.

EX.28 MINUTES

28.1 The Minutes of the meeting held on 11 July 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.29 ITEMS FROM MEMBERS OF THE PUBLIC

29.1 There were no items from members of the public on this occasion.

EX.30 EXECUTIVE COMMITTEE FORWARD PLAN

- 30.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-12. Members were asked to consider the Plan.
- 30.2 The Chief Executive indicated that he would be looking at the Forward Plan with Management Team to try and ensure everything that could be included. In the interim he understood that the item in the 'pending items' section of the Plan on the Affordable Housing Partnership would be ready for consideration at the October meeting. In response to a query regarding the community grants update, the Head of Finance and Asset Management advised that it had originally been scheduled for the current meeting but he had not yet received all of the responses from the applicants in order to provide a full update to Committee.
- 30.3 Accordingly, it was

RESOLVED: That the Committee's Forward Plan be **NOTED**.

EX.31 FINANCIAL UPDATE - QUARTER ONE 2018/19

- 31.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 13-21, provided the financial performance information for the first quarter of 2018/19 which Members were asked to consider.
- 31.2 The Head of Finance and Asset Management explained that the report highlighted a quarter one surplus of £81,867 on the revenue budget and detailed expenditure to date against both the capital programme and the approved reserves. The budget position in relation to the Heads of Service responsibility showed an underspend of £60,753 as at the end of June; this was due to savings in the two main headings of employees and income. The employees heading showed a saving against the budget of £76,330; this was due to the way vacancies were managed during the recruitment period with limited use of agency staff and help from current staff to cover work. In addition, there was a vacant post in Democratic Services which was maintained to offset overtime and other pressures during elections; however, with no significant elections this year savings were being made against the post. In terms of deficits, there was an overspend shown against benefit claimant payments and quarter one monitoring had identified that the Housing Benefits Team had processed a higher than predicted level of overpayments over several years which was caused by claimants not informing the Council of changes in their circumstances. This reduced the amount of subsidy that the Council could claim from the government for operating the service to 40%. However, where it was also possible to reclaim from the individuals the Council was able to reclaim the full amount. In terms of income, the garden waste service had been a great success with a £70,289 surplus on the budget, mostly due to the service being above target following the implementation of the new sticker system and fixed renewal date. There was also some additional income showing in the Corporate Services budget which related to government grant income for the benefits team which had not been budgeted for; this was to help with any costs of transition of claimants to Universal Credit. Planning income remained under target which was cause for concern as it appeared to be a trend over the last 12 months; however, there had been some upturn this month so this would be monitored closely through the year. In respect of business rates, early indications from the pool were encouraging; however, it was to be borne in mind that the position could change quickly so Officers would be keeping a close eye on the situation.

- 31.3 The capital budget position was shown at Appendix 2 to the report and was currently showing a small underspend against the profiled budget. The underspend was due to the refurbishment of the Council Offices being slightly behind the budget profile; however, it should be noted that work was delayed, and costs had increased, due to issues such as the discovery of asbestos. This would put pressure on the overall budget as it moved to completion in quarter two although additional contributions from partners had been identified to offset the increase. Appendix 3 to the report provided a summary of the current usage of available reserves. Members were reminded that reserves had been set aside from previous years to fund known future costs and the strategic planning of the authority's operation; the information in the appendix did not take account of reserves which had been committed but not yet paid. Whilst the quarter one position showed a significant balance, the expectation was that those balances would be spent in the future. Officers had been asked to update the finance team about their plans for reserves to ensure they were used for their intended purpose or released back to the general fund.
- 31.4 During the discussion which ensued, a Member questioned how the benefits overpayment position compared to previous years and what the expectations were of getting them back. In response, the Head of Finance and Asset Management explained that the Council had reported an excellent position last year so, whilst this year was worse than that, it was in line with previous years. It was very difficult to recover overpayments as they tended to be made to people with limited finances; however, extra resources had been put into this area with the intention of recovering as much as possible. The Head of Finance and Asset Management indicated that, realistically, he would expect around 50% to be recovered. In terms of the costs of chasing the overpayment, this depended on the length of time recovery took but Officers tried to get it back as quickly as possible. Another Member referred to the garden waste scheme and requested that the price of the service not be further increased. In response, the Head of Finance and Asset Management explained that this would be considered as part of the budget setting work; the garden waste service was doing well but there were other pressures which would need to be considered before any decisions could be made. A Member noted that the stickers used for the new garden waste scheme were being bleached by the sunshine and she questioned whether this was known to Officers. In response, the Deputy Chief Executive confirmed that Officers were already looking at how this could be addressed for future years.
- 31.5 In terms of the Council Offices refurbishment, a Member questioned whether the project was still within budget. In response, the Head of Finance and Asset Management confirmed that there had been a couple of difficulties regarding asbestos removal, in addition, the project team had taken advantage of the refurbishment to upgrade the intruder and fire alarms in the building; some of those costs would come from revenue and, as previously advised, some would be offset against partner contributions so the 'net' costs should be in line with expectations by the end of the project.
- 31.6 Having considered the report, and information provided, it was

RESOLVED: That the financial performance information for the first quarter of 2018/19 be **NOTED**.

EX.32 DATA PROTECTION POLICY

- 32.1 The report of the Head of Corporate Services, circulated at Pages No. 22-39, attached the Data Protection Policy which Members were asked to approve.
- 32.2 The Communications Officer explained that the Policy had been considered by the Audit Committee on 18 July 2018 and had been recommended to the Executive Committee for approval. The document set out the Council's policy for compliance with the Data Protection Act 2018 and the General Data Protection Regulation (GDPR) 2016. The Council had to ensure it complied with all relevant legislation and that it maintained good practices to protect the personal data it held. The Council aimed to demonstrate compliance with the six principles of good practice: that personal data should be processed lawfully, fairly and in a transparent manner; was only obtained for specified, explicit and legitimate purposes; was accurate and kept up to date; was not kept for longer than necessary; and was processed in a secure manner. These were detailed within the Policy at Appendix 1. Appendix 2 set out a summary of the key roles of the Senior Information Risk Owner; the Data Protection Officer; and the Information Commissioner. There was an Internal Information Board which had been set up to ensure ongoing compliance with GDPR and that Board was chaired by the Senior Information Risk Owner.
- 32.3 Members were advised that the policy would be amended by the Graphics Officer prior to being published on the Council's website. Accordingly, it was

RESOLVED: That the Data Protection Policy be **APPROVED**.

EX.33 TEWKESBURY BOROUGH COMMUNITY SAFETY PARTNERSHIP

- 33.1 The report of the Head of Community Services, circulated at Pages No. 40-47, sought to gain agreement from the Executive Committee as to the way forward for the arrangements of the Tewkesbury Borough Community Safety Partnership.
- 33.2 The Chair explained that Members had received, around the table, a suggested amended resolution which he felt more clearly explained the specific decision which was being made: "that the Executive Committee agree that the Community Safety Partnership be reinstated in accordance with the Terms of Reference set out at Appendix 1 to the report".
- 33.3 In introducing the report, the Head of Community Services explained that, over the last two years, the Community Safety Partnership had been suspended pending the creation of a Countywide partnership. The Countywide group had sought to create and implement a common approach whilst retaining the distinctiveness of each District and recognising that delivery mechanisms may vary across the County in accordance with local need. That partnership, 'Safer Gloucestershire', had now been established and was considering the Countywide community safety priorities. Specifically, progress was being made on the process for considering Domestic Homicide Reviews which would ensure they were carried out in a timely manner and that there was adequate and timely sharing of learning from those reviews which was welcomed by all involved. Locally, there was now a need to rejuvenate the Tewkesbury Borough Community Safety Partnership and decide what its local priorities were. Pending agreement of the current report, it was proposed that the Partnership would be reconstituted by October 2018.

33.4 A Member indicated that she had sat on the previous Community Safety Partnership for a number of years and had found the process to be extremely frustrating with no one taking responsibility for funding applications and she questioned how this would work in future. In response, the Head of Community Services explained that the Police and Crime Commissioner had a funding pot which was distributed by his office. It had been suggested, as part of the Council's Community Services review, that a dedicated coordinator be established to assist with applications for funding which should help resolve this issue. In terms of the latest Domestic Homicide Review, the Head of Community Services confirmed that it was now complete and had been sent to the Home Office as required. The Council's contribution had been administration costs which had been higher than expected, due to the length of time the review had taken, so Officers would be going back to the Police and Crime Commissioner's office to reclaim some of that money.

33.5 Accordingly, it was

RESOLVED: That the Tewkesbury Borough Community Safety Partnership be reinstated in accordance with the Terms of Reference set out within Appendix 1 to the report.

EX.34 SEPARATE BUSINESS

34.1 The Chair proposed, and it was

RESOLVED That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12(A) of the Act.

EX.35 SEPARATE MINUTES

35.1 The separate Minutes of the meeting held on 11 July 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 2:45 pm