

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Overview and Scrutiny Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 17 October 2017 commencing at 4:30 pm

Present:

Chair
Vice Chair

Councillor P W Awford
Councillor R E Allen

and Councillors:

G J Bocking, K J Cromwell, J E Day, D T Foyle, P A Godwin, R M Hatton, T A Spencer, Mrs P E Stokes, M G Sztymiak, H A E Turbyfield and M J Williams

also present:

Councillor G F Blackwell

OS.35 ANNOUNCEMENTS

- 35.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 35.2 The Chair introduced the new Head of the Gloucestershire Joint Waste Team, Wayne Lewis, and welcomed him, and the other representatives from the Team, Rachel Capon and Julie Davies, to the meeting. He indicated that they were in attendance for Item 9 – Gloucestershire Joint Waste Committee 2017/18 Business and Action Plan Update. It was noted that Councillor Gill Blackwell was also present to observe the meeting in her role as Lead Member for Organisational Development which included Overview and Scrutiny.

OS.36 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 36.1 Apologies for absence were received from Councillors H C McLain and P D Surman. There were no substitutions for the meeting.

OS.37 DECLARATIONS OF INTEREST

- 37.1 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.
- 37.2 There were no declarations made on this occasion.

OS.38 MINUTES

- 38.1 The Minutes of the meeting held on 5 September 2017, copies of which had been circulated, were approved as a correct record and signed by the Chair.

OS.39 CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN

- 39.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages

No. 14-18. Members were asked to determine whether there were any questions for the relevant Lead Members and what support the Overview and Scrutiny Committee could give to the work contained within the plan.

- 39.2 A Member indicated that the plan had previously included an item in respect of Joint Core Strategy strategic allocation sites and the allocation of affordable housing. This was due to be considered at the Executive Committee meeting on 15 March 2017 but that meeting had been cancelled and the item had not been taken to the following meeting or included in the plan for a future meeting. The Head of Community Services advised that this work had been delayed due to ongoing negotiations with Cheltenham Borough and Gloucester City Councils, the other Joint Core Strategy partners, and would now be taken to the Executive Committee meeting on 22 November 2017.

- 39.3 It was

RESOLVED That the Executive Committee Forward Plan be **NOTED**.

OS.40 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2017/18

- 40.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2017/18, circulated at Pages No. 19-24, which Members were asked to consider.

- 40.2 A Member noted that there was currently only one item on the Agenda for the meeting on 9 January 2018 and queried whether it was possible to bring other items forward. The Head of Corporate Services advised that there were a number of pending items within the work programme, including the Risk Management Strategy Review and Review of Customer Care Strategy, which may be ready ahead of time and he would liaise with Officers following the meeting to see which, if any, could be brought forward. It was subsequently

RESOLVED That the Overview and Scrutiny Committee Work Programme 2017/18 be **NOTED**.

OS.41 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

- 41.1 The Chair indicated that the Council's representative on the Gloucestershire Police and Crime Panel was unable to attend the meeting to give an update in person and had instead prepared a written update on matters discussed at the last meeting of the Panel, held on 8 September 2017, which had been circulated to the Committee prior to the meeting. Members were asked to consider the information which had been provided.

- 41.2 It was

RESOLVED That the feedback from the last meeting of the Gloucestershire Police and Crime Panel be **NOTED**.

OS.42 GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE UPDATE

- 42.1 Members received an update from Councillor Ron Allen, the Council's reserve representative on the Gloucestershire Health and Care Overview and Scrutiny

Committee, on matters discussed at its last meeting held on 12 September 2017.

- 42.2 It was noted that Members had received the annual report of the Gloucestershire Safeguarding Adults Board (GSAB) for 2016/17. Progress was reported in the five main areas: Empowerment; Protection and Prevention; Proportionality; Partnership; and Leadership/Accountability/Governance. In general the path was upward, although it was recognised in the accompanying papers that some elements of risk remained unchanged from the previous report. The Board worked with more than sixteen partner agencies and timely and adequate sharing of information had long been of questionable quality, both within the county and nationally. The GSAB had taken action to improve transfer of information, particularly with the Police which now had an electronic risk assessment module - the Vulnerability Identification Screening Tool (VIST) - to help in making judgements on risk and share them remotely with the multi-agency safeguarding hub. Members had been advised that decisions on intervention could be difficult because of the limitations imposed by statute to protect individuals' privacy; however, there were indications that partner agencies were improving their co-operation in terms of sharing information on vulnerable people and some relevant risks in the GSAB's register had been satisfactorily removed as a result.
- 42.3 The Gloucestershire Clinical Commissioning Group had begun to consult residents in the Forest of Dean on a proposal to build a new hospital. Four options were being presented to the public: firstly, maintaining the two existing community hospitals - the Dilke Memorial in Cinderford and the Lydney and District Hospital; secondly, redeveloping to provide two community hospitals; thirdly, creating a single new community hospital; and, fourthly, closing both existing hospitals and offering home-based services as an alternative. The Trust's favoured option was to offer a completely new community hospital, similar to those in other parts of the county, using the capital receipts from the sale of currently used land to support the financing of the new structure. A number of consultation events had been advertised between 27 September and 5 December 2017 and it was anticipated there would be a lively and emotional response, particularly to the proposal to demolish the Dilke Memorial Hospital.
- 42.4 It was noted that Deborah Lee and Peter Lachecki had joined Gloucestershire Hospitals NHS Foundation Trust in 2016 as Chief Executive and Chair respectively, following a widely reported unexpected and significant deterioration in the Trust's financial position. They had presented the key findings and recommendations from a four month independent review of the Trust's governance between April 2013 and March 2016. Currently, the Trust remained in the NHS Improvement Financial Special Measures regime as a consequence of apparent failings in governance. It was noted that the former Chief Executive, Chair, Finance Director and Chair of the Finance and Performance Committee were no longer employed by the Trust and the presentation from the new team leaders was upbeat and positive. Actions had been taken in response to the review's findings and associated recommendations which were designed to ensure that the failings would not be repeated.
- 42.5 Gloucestershire's Director of Public Health had also presented a paper on the coalescence of two services for young people bringing together the health visiting and school nursing services. In December 2016, Gloucestershire County Council had approved remodelling of the public health nursing service to provide a single service entity for children and families from pre-birth to age 19, with specific support at key development stages. Public consultation was taking place between 4 September and 19 November 2017 to obtain views on the proposal and specific elements where a service may change. It was intended that two principles would underlie the new service: public health nursing would be available to every family living in Gloucestershire at any time in a child's life from birth to age 19 - this would allow the service to identify any support required early on and focus on ensuring

that those who needed most help could access specialist support; and improving services based on the best evidence - this might mean adapting to new technologies and online options to offer more choice in how families and children accessed the advice and support they needed.

42.6 The Committee had also received an update on developments in the Sustainability and Transformation Plan. It was noted that mergers of GP practices were underway in some parts of the county, as requested by NHS England to address current challenges in primary provision. It was reported that the Chair of the 2gether NHS Foundation Trust - the Mental Health Trust for Gloucestershire and Herefordshire - had announced her retirement from the Trust at the end of the year. The two Gloucestershire Hospitals NHS Foundation Trust acute hospitals had been the subject of an inspection report from the Care Quality Commission in July and the Trust's overall rating remained at 'requires improvement' - no service had been rated as 'inadequate'. Reference had again been made to the review of the Gloucestershire Hospitals NHS Foundation Trust and it was noted that it was a very different organisation today compared with a year ago - eight new members had joined the Board, including the new Chair, Chief Executive and Finance Director and the report signalled 'a significant shift in the culture of the organisation led by the new leadership team'. 95% of the 19 recommendations within the review had been actioned and full implementation of the remaining actions was planned. It was pleasing to note that cardiology services had been recognised for the quality of teaching for medical staff in training; it was ranked first in the UK for 'overall satisfaction' compared to two years ago when it had been ranked thirteenth.

42.7 Councillor Allen went on to advise that, since the meeting it had been announced that Ingrid Barker, Chair of the Gloucestershire Care Services NHS Trust, had been appointed as the new joint chair to lead the 2gether NHS Foundation Trust and Gloucestershire Care Services NHS Trust through proposals to join together as a single organisation. She would take up her position in January 2018 to oversee the development of a business case with a view to the formal uniting of the two Trusts from October 2018. A new joint Chief Executive would also be appointed to be in post in January 2018.

42.8 With regard to the consultation on the hospital for the Forest of Dean, a Member indicated that, if the preferred option was for a new community hospital, it should be borne in mind that Tewkesbury Community Hospital had been built to the same specification as Vale Community Hospital in Dursley in order to make cost savings.

42.9 The Chair thanked the Council's reserve representative for his update and indicated that it would be circulated to Members following the meeting. It was

RESOLVED That the feedback from the last meeting of the Gloucestershire Health and Care Overview and Scrutiny Committee be **NOTED**.

OS.43 GLOUCESTERSHIRE JOINT WASTE COMMITTEE 2017/18 BUSINESS AND ACTION PLAN UPDATE

43.1 The report of the Head of Community Services, circulated at Pages No. 25-48, provided an update on the progress against the Gloucestershire Joint Waste Committee business plan and action plan for 2017/18. Members were asked to consider the progress made to date.

43.2 The Head of Community Services explained that Tewkesbury Borough Council was a member of the Gloucestershire Joint Waste Committee together with four other local authorities within the county. It was represented on the Committee by the Lead and Support Members for Clean and Green Environment. The Gloucestershire Joint Waste Committee business and action plans covered a three

year horizon and were updated on an annual basis; the current plan covered the period 2017-20. The current business plan was set out at Appendix 1 to the report with the action plan for 2017/18 set out in full at Appendix 2. The key achievements with a Tewkesbury Borough Council focus were highlighted at Page No. 27, Paragraph 4.1 of the report.

- 43.3 A Member raised concern that it was not clear from the appendices which actions had been completed and there was no explanation as to what was meant when actions were classified as 'amber' or 'green'. He also queried whether there were any actions outstanding as nothing had been marked as 'red'. The Contracts Manager (Collection and Street Scene West) from the Joint Waste Team confirmed that the actions marked as 'amber' were in progress and those marked as 'green' were complete. She went on to explain that, when the report had last been considered by the Overview and Scrutiny Committee at its meeting in October 2016, Members had expressed the view that, going forward, the report should only highlight the key achievements with a Tewkesbury Borough Council focus and Members were advised that all of those actions had been achieved.
- 43.4 The Head of the Gloucestershire Joint Waste Team indicated that this was his second week in the role having joined the team from WRAP which provided recycling advice to local authorities around the country. During his first week, he had been meeting the team and partner councils in order to build an understanding of the current work programme and start to plan for the following year. In terms of what to expect going forward, there would be a strong focus on reducing waste, which was essential for all partner councils, along with achieving value for money across the services and meeting customer expectations. It was a significant task to maintain the existing service and ensure that waste continued to be collected, treated and processed across the county as well as trying to improve recycling rates from an already impressive 55% in Gloucestershire. A Member sought the Head of the Gloucestershire Joint Waste Team's view as to what recycling rate could realistically be achieved and was informed that Gloucestershire was already a high performer given that the national recycling rate was 40%; however, some local authorities in England were achieving rates of around 60% and there were ambitions to reach 70% in parts of Wales. He pointed out that it was not so long ago that 25% had been considered to be out of reach so a lot of progress had been made in a short space of time and it was worth reflecting on that achievement. Whilst it may take some time, he did not feel that 70% was unachievable for the county.
- 43.5 In response to a Member query as to how seriously the industry was taking the argument that it should take positive action in relation to the redesign of packaging, the Head of the Gloucestershire Joint Waste Team indicated that WRAP was working with the industry on a voluntary basis and this was the government's favoured approach. A great deal had already been achieved with the 'big five' supermarkets, and the supply chains feeding into them, contributing to a reduction in packaging and food waste. Big businesses were increasingly aware of their corporate and social responsibility and wanted to be seen to be green. Recently there had been a focus on 'lightweighting', for example, reducing the weight of products such as newspapers and glass jars. Some packaging continued to cause problems but these messages were being fed back and improvements were being made as a result. A Member questioned what the impact of the supplement for plastic bags had been and was informed that this had been remarkably successful leading to an 80-90% reduction in single waste carrier bag usage. In terms of the most problematic materials, black plastic and laminate pouches were very difficult to recycle; cartons were now less difficult but they tended to be comprised of different material types – single materials were much easier to manage.
- 43.6 A Member drew attention to the chart at Page No. 36 of the report which showed food waste delivered for anaerobic digestion since September 2014 for each of the

local authorities in the Gloucestershire Joint Waste Committee. Unfortunately it was difficult to see how Tewkesbury Borough Council was performing as the chart was not in colour and he questioned whether the Joint Waste Team was satisfied with performance. The Head of the Gloucestershire Joint Waste Team indicated that he did not have an in-depth understanding of the figures but, looking at the direction of travel, there had been a step change in terms of the amount of food waste being collected; it was noted that Stroud District Council had introduced food waste collections most recently and there had been a far greater response than anticipated. A Member questioned how recycling rates would be calculated going forward if tonnages continued to reduce. Members were advised that calculations were done on the basis of waste per household per year and the type of waste so the two should move together e.g. as more waste was diverted from landfill, there should be less residual waste – whilst the overall tonnages would reduce, the proportions should give a true reflection. In other parts of the country, consideration was being given to a carbon-based measure which would take account of the wider environmental impact rather than relying on tonnages.

- 43.7 A Member noted that Page No. 31, Paragraph 1.1. of the business plan, attached at Appendix 1 to the report, stated that the purpose of the plan was to "...provide a mandate for the GJWC [Gloucestershire Joint Waste Committee] to consider and make decisions, according to set governance and budgetary principles, without constant reference back to the partner authorities"; however, Page No. 34, Paragraph 2.3, set out that one of the aims of the Gloucestershire Joint Waste Committee was to have safeguards in place to ensure that the district and county councils retained decision-making on significant budgetary and service change matters. In response, the Contracts Manager (Collection and Street Scene West) from the Joint Waste Team explained that not all powers had been delegated by every authority, for example, Tewkesbury Borough Council had retained decisions in relation to budget whereas the Forest of Dean District Council had seconded the Joint Waste Team to manage its budget. She clarified that the Gloucestershire Joint Waste Committee comprised two Members from each authority and it made recommendations back to each of the councils.
- 43.8 A Member questioned when the Committee would be able to see what work was planned for the future. The Head of Community Services reiterated that the business plan and action plan covered a three year horizon up to 2020 and they were updated on an annual basis. The Head of the Gloucestershire Joint Waste Team advised that the team would be developing a future work programme in consultation with the Gloucestershire Joint Waste Committee during the autumn and, in the longer term, consideration would also be given to the county-wide waste strategy and whether further updates were required; he would be happy to bring both of these back to the Committee for consideration.
- 43.9 A Member drew attention to Page No. 44, Appendix 2A of the business plan, and raised concern that R7, which related to the Joint Waste Team management structure not being fit for purpose, had been flagged as a medium risk rather than a low risk which he would expect to see. In response, the Contracts Manager (Collection and Street Scene West) from the Joint Waste Team advised that there were three vacant posts within the team when the plan had been put together, including the Head of Service role which had been vacant since April, and this was why it had been identified as a medium risk.
- 43.10 Having considered the information provided, it was
RESOLVED That the progress made to date in relation to the Gloucestershire Joint Waste Committee Action Plan be **NOTED**.

OS.44 TEWKESBURY BOROUGH COUNCIL WASTE & RECYCLING COLLECTION SERVICES POLICY AND PROCEDURES

- 44.1 The report of the Head of Community Services, circulated at Pages No. 49-63, attached, at Appendix 1, the Council's draft Waste and Recycling Collection Service Policy. Members were asked to recommend to the Executive Committee that the policy be adopted.
- 44.2 Members were informed that the proposed policy set out the standards that could be expected from the Council as a waste service provider and covered a range of elements of the waste and recycling collection service e.g. frequency of collection, how to present waste and recycling for collection etc. If adopted by the Executive Committee, the policy would be a clear guide for officers, members of the public and Councillors. A Member queried whether dog bins and street bins were included in the scope of the policy. The Head of Community Services explained that, in view of the significant changes within the service, the policy intended to set out the expectations in relation to collection of household waste from domestic properties. Street cleansing was in the process of being reviewed and it might be that a different policy could be produced for those services. The Member felt that it should be made clear that the policy related to domestic waste and the Head of Community Services undertook to amend the policy to reflect that.
- 44.3 It was subsequently

RESOLVED That it be **RECOMMENDED TO THE EXECUTIVE COMMITTEE** that the draft Waste and Recycling Collection Service Policy be **ADOPTED**, subject to appropriate amendments to make clear that the policy related to domestic waste and recycling.

OS.45 ENVIRONMENTAL CRIME ACTION PLAN - UPDATE

- 45.1 Attention was drawn to the report of the Head of Community Services, circulated at Pages No. 64-74, which provided Members with an update on the current activities in respect of dealing with enviro-crimes. Members were asked to consider the progress made against the action plan, attached at Appendix 1 to the report.
- 45.2 The Head of Community Services explained that, at its meeting on 2 May 2017, the Overview and Scrutiny Committee had considered a report regarding the Council's approach to tackling enviro-crime within the borough and Members had asked that a further update on progress against the action plan be provided in six months' time. He made specific reference to the fixed penalty policy for environmental offences which had been approved by the Executive Committee at its meeting on 11 October 2017 and would enable Officers to issue fixed penalty notices for a range of offences including flytipping and littering. This was part of the wider action around ensuring that Officers had the necessary tools available to take robust action against enviro-crimes.
- 45.3 A Member drew attention to the action around prosecuting flytipping offenders and advertising the results in the local media and indicated that she had seen a list which suggested that Tewkesbury Borough Council had not made any prosecutions which she understood was not the case. The Head of Community Services was not sure why this would have been reported as there had been four successful prosecutions in the current financial year with more in progress. In terms of fixed penalty notices, the Principal Environmental Health Officer advised that 20 had been served during the financial year. The Chief Executive confirmed that press releases were generally issued for successful prosecutions and it was his understanding that they were circulated to all Members via email, albeit under the guise of a press release which was a slightly different format than they may be used to. He undertook to look into this following the meeting. A Member indicated that her Ward had a Parish magazine which could be used to report successful prosecutions and the Head of Community Services undertook to speak to the

Communications Team about producing a standard article for Parish Councils to include in their newsletters and magazines.

45.4 In response to a query regarding waste left behind by the gypsy and travelling community, the Head of Community Services confirmed that they could be provided with black bags etc. for waste disposal. If evidence was found within any material left on site then it may be possible to take action in line with the usual procedures. Another Member expressed the view that dog fouling continued to be a problem and she suggested that local dog walkers may be willing to volunteer to wear high visibility jackets to act as a deterrent, in a similar way to the volunteer litter pickers. The Head of Community Services felt this was an excellent idea and he undertook to take it forward outside of the meeting.

45.5 A Member raised concern that there were several gaps in the 'comments' section of the action plan which meant that it was difficult to understand what had been achieved and whether the actions were on target. Particular attention was drawn to the action to 'finalise governance and HR arrangements for employing the Environmental Warden' which was 'green' despite a comment stating that there were insufficient contributions from Town and Parish Councils to progress at this stage. The Head of Community Services explained that the report had been written prior to the Town and Parish Council seminar where this had become clear and he indicated that the action would be removed from the plan.

45.6 Having considered the information provided, it was

RESOLVED That progress against the Enviro-Crimes Action Plan be
NOTED.

OS.46 HOUSING, RENEWAL AND HOMELESSNESS STRATEGY REVIEW MONITORING REPORT

46.1 The report of the Head of Community Services, circulated at Pages No. 75-91, provided Members with a summary of the key activities that had been achieved in relation to the Housing, Renewal and Homelessness Strategy Review Action Plan. Members were asked to consider the achievements made to date.

46.2 Members were reminded that the Housing Strategy 2017-21 had been developed by an Overview and Scrutiny Working Group and was adopted by the Council in January 2017. The strategy contained four key priorities to meet the housing needs of the borough: increasing the supply of housing; preventing homelessness; meeting the housing need of specific groups; and improving the health and wellbeing of local people. The report provided an update on the progress made against the action plan over the last nine months.

46.3 The Housing Services Manager advised that she had tried to highlight the areas where there had been significant changes. In terms of the first priority in relation to increasing the supply of housing, she indicated that the team had been looking at alternative construction methods which tended to be cheaper than traditional houses. Officers had been working with Severn Vale Housing Society but, unfortunately, many of its sites were unsuitable for the new methods and it would be necessary to look at the Council's own sites. The work on empty homes would continue when the Environmental Health Manager was in post. The implications of Universal Credit on private landlords were currently unknown and promotional activities had stopped until the assistance that could be offered, and the mechanisms for payment in order to incentivise landlords to accept low income residents, became clear. With regard to the priority around homelessness and homelessness prevention, she advised that Tewkesbury Borough Council had been peer reviewed by the Department for Communities and Local Government in July 2017 and had exceeded the 60% required to make an application for the bronze award under its Gold Programme. The main thrust of the work in this area

had been around implementing the new homelessness reduction legislation and combating the effect of welfare reform. She had been to look at the new database which could be used to formulate a housing plan to help reduce the amount of time spent with residents, and the Housing Team had been working with colleagues in Revenues and Benefits and the Financial Inclusion Partnership on how to address the changes brought about by welfare reform. A large proportion of the work around meeting the housing needs of those who needed it most had been done by the new Strategic Housing and Enabling Officer who had concentrated on establishing a local connection policy to ensure that development via rural exception was prioritised for the needs of a local community; this policy was due to be finalised by December 2017. With regard to the priority to improve the health and wellbeing of local people, Members were advised that housing condition service requests had all received responses within the required three days and a prohibition order had been served in relation to a private sector housing complaint which had resulted in the identification of six category one hazards; this order had been breached and a prosecution was pending. The Head of Community Services reminded Members of the seminar on homelessness prevention which was taking place on Monday 30 October and would update them on the homelessness review and implications of Universal Credit and welfare reform.

- 46.4 A Member expressed the view that the Council's Housing Team was taking a very pragmatic and sensitive approach to Universal Credit; however, he was not confident that housing associations were properly informing people of the assistance that was available to them and he questioned whether anything could be done to address this. The Housing Services Manager indicated that this came under the remit of the Financial Inclusion Partnership which included the majority of the borough's housing providers. She had written to the housing providers in respect of the pre-eviction protocol and would be sending out a booklet about the advice on offer. She provided assurance that meetings over the last year had been very much focused on welfare reform and how this could be mitigated as landlords and tenants.
- 46.5 A Member was pleased to note the positive actions which had been taken to date but raised concern that some of the comments in the action plan did not reflect the status given to the actions. For example, Page No. 81, Reference P1.1, Investigate how alternative construction methods can deliver new affordable housing on council-owned land, had a target date of July 2017 and had been reported as being on target, yet the comments stated that this was a longer term objective which implied it had not been completed; similarly, Page No. 81, Reference P1.2 was marked as being ongoing but the target date was still down as July 2017. In view of the concerns raised in respect of both this action plan, and the one in relation to enviro-crimes which had been discussed under the last Agenda item, the Member suggested that it might be beneficial to introduce a standard template for action plans which could be used by every department for monitoring review actions and reporting back to the Committee. The Head of Corporate Services pointed out that there had been three separate reports with action plans on today's Agenda, each with different formats, and he felt that a standard action plan template, together with guidance to Officers as to how it should be completed, would help to ensure consistency in terms of the level of detail contained within the reports. It was therefore

RESOLVED

1. That the progress against the outcomes identified within the Housing, Renewal and Homelessness Strategy Review Action Plan be **NOTED**.
2. That a standard template be introduced for action plans arising from Overview and Scrutiny Committee reviews.

The meeting closed at 5:55 pm