

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 3 April 2019 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

G F Blackwell, M Dean, R Furolo, M A Gore, J Greening and E J MacTiernan

EX.87 ANNOUNCEMENTS

- 87.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 87.2 The Chair welcomed a member of the public who was in attendance to ask questions at Agenda Item 5 – Items from Members of the Public. Councillor P W Awford was welcomed to the meeting, as Chair of Overview and Scrutiny Committee, to introduce Agenda Item 7 – Performance Management Report – Quarter Three 2018/19.
- 87.3 The Chair advised that he had used his discretion to vary the order of the Agenda so Item 9 – ICT Policy would be taken before Item 7 - Performance Management Report – Quarter Three 2018/19.

EX.88 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 88.1 Apologies were received from Councillor K J Berry. There were no substitutions on this occasion.

EX.89 DECLARATIONS OF INTEREST

- 89.1 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.
- 89.2 There were no declarations of interest made on this occasion.

EX.90 MINUTES

- 90.1 The Minutes of the meeting held on 6 March 2019, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.91 ITEMS FROM MEMBERS OF THE PUBLIC

91.1 The Chair invited the member of the public to ask his questions and indicated that he, as the Leader of the Council, would answer them:

1. Could the Leader of the Council please explain, as Tewkesbury's Chief Executive was the Lead Officer on the Joint Core Strategy (JCS), why the link road from the A38 to the new A40 gateway was not reintroduced into the JCS after the decision to include the Twigworth site on appeal - DS3 made it clear as well as the Highways Authority, the link would be necessary.

Answer: The link between A38 and A40 was included in the issued JCS transport strategy – DS7; however, in determining the appeals for the Innsworth and Twigworth proposals, the Appeal Inspector did not consider that the link between the A38 and A40 was necessary to allow the developments to proceed. Therefore, the link was not a requirement of the planning permissions subsequently granted by the Secretary of State.

2. As the Chief Executive, under delegated authority, was Lead Officer on the JCS, in consultation with the Leader of the Council, why was it not necessary to have an overarching flood impact assessment on all the sites linked by the Ham, Normans, Horsbere, Hatherley, Wooten Brooks and Queens Dyke that flow from the Brockworth escarpment into the River Severn? As the culverts, maintenance and water retention will impact on the flow across all sites to the River Severn and the tidal impact which created the flooding problems in 2007.

Answer: To support the JCS, flood impact assessments were completed at level 1 for the wider JCS area and level 2 for the proposed strategic allocations. This evidence was tested at examination and accepted.

3. All traffic impact assessments made it very clear that all junctions around Churchdown, Innsworth, Longford and Twigworth would be well over capacity. Why was an access from the back of the A40 Gateway link, to the proposed extension to Innsworth Technology Park not included in the JCS to alleviate the damage to the B-roads by HGV's and for the safety of existing and new residents?

Answer: The proposal for the Innsworth application, which was allowed on appeal, did not include a link from the A40 to the Innsworth Technology Park. There were no objections from Highways England or Gloucestershire County Council at the Public Inquiry subject to conditions and planning obligations to secure appropriate improvements to the highway network. The Secretary of State concluded that the proposed development of the Innsworth part of the Strategic Allocation was acceptable on highway grounds. This does not preclude a link being provided in the future however this will be a matter for the developer and the owner of the Technology Park.

4. What is the estimated cost, in light of the uncertainty over Brexit, of the European elections to the Council. Has a contingency been put in place?

Answer: The cost of the European elections in 2014 was approximately £98,000 all of which was reclaimed from the government. The same arrangements would apply in 2019 therefore there is no need to put in place any financial contingency.

5. Is it Council policy that development densities should not exceed 33 houses per hectare. If it is, why has the A1 phase one site got a density of 43 houses per hectare?

Answer: The Council does not have planning policies that prescribe exact densities for new residential development. There is, however, Policy SD4: Design Requirements in the Joint Core Strategy which sets out the expectations for new development generally. The policy states that development should be of a scale, type and density appropriate to the site and its setting. This recognises that different densities may be appropriate in different sites depending on the particular circumstances and context of the development.

- 91.2 The Chair thanked the member of the public for his questions and indicated that he could stay for the remainder of the meeting should he so wish.

EX.92 EXECUTIVE COMMITTEE FORWARD PLAN

- 92.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No.8-14. Members were asked to consider the Plan.
- 92.2 Accordingly, it was

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

EX.93 ICT POLICY

- 93.1 The report of the Head of Corporate Services, circulated at Pages No. 105-111, asked Members to approve the revised ICT Policy and agree that all Officers and Members sign the new policy to ensure full compliance.
- 93.2 The Finance Manager explained that the Council was in the process of rolling out a suite of Office 365 applications which should help the Council's teams work more efficiently. When the project had been discussed by the Operational Managers Group they had agreed the original policy was too long and very out of date therefore did not offer the Council and its staff the protection which was required. The revised policy was more generic and shorter to make it more about the principles of how the Council worked than what it did.
- 93.3 A Member noted that social media was not included within the policy and was advised that the Council had a Social Media Policy which covered the use of IT as well.
- 93.4 Members felt the revised policy was much clearer and set out in an easily understood way which would ensure it was easier to follow. Accordingly, it was

RESOLVED:

1. That the revised ICT Policy be **APPROVED**.
2. That all Officers and Members be required to sign the new ICT Policy to ensure full compliance.

EX.94 PERFORMANCE MANAGEMENT REPORT - QUARTER THREE 2018/19

- 94.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 15-64, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the 2018/19 quarter three performance management information.

- 94.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached at Appendix 1 to the report; the Council Plan Performance Tracker, attached to the report at Appendix 2; and the financial performance information circulated at Appendices 3-5.
- 94.3 The Chair of the Overview and Scrutiny Committee explained that the Committee had raised general questions around the performance management information; however, the main focus of questions, and something about which Members had significant concern, was the financial performance of Ubico. Whilst the report of the Head of Finance and Asset Management indicated an overall budget surplus of over £600,000 against the budgeted profile as at the end of quarter 3, it was felt to be disappointing that the Ubico contract had reported a projected overspend in excess of £230,000 – an increase of £89,000 from quarter 2. This had provoked a lengthy debate with concern expressed over the £59,000 overspend on tyres and how that had happened - no explanation could be provided but Officers had given assurance that robust questions were being asked of Ubico. The budgeting between quarter two and quarter three was felt to be unacceptable which was a view shared by the Head of Finance and Asset Management; however, he was confident that working with Ubico's new financial controller would ensure accounting practices were improved moving forward. Assurance was provided that all costs would be looked at to ensure they had been correctly allocated. The Head of Community Services had advised that the Ubico response was inadequate and, as a result, meetings would take place every three weeks between himself, the Deputy Chief Executive, the Head of Finance and Asset Management and the Managing Director of Ubico to try and understand the deficit. Members had asked whether the Council's internal audit team could investigate but had been advised that, whilst this was possible, in the first instance it would be beneficial to obtain Ubico's internal audit team audit plan to see if any assurance could be obtained from their work. In response to a query as to whether it was possible to compare the figures with partner authorities, the Head of Finance and Asset Management confirmed that he had access to the high-level figures and a number of other authorities were also in deficit for various reasons. The Chief Executive had assured Members that Officers were taking a robust approach with Ubico and, whilst there had been concerns about service issues previously, this was the first time there had been a problem of this level with the Ubico contract framework. Although some of the overspend was understandable, the deficit for the quarter was significant and the information being provided had been very limited. It was in the Council's interest to understand the reasons for the deficit and to work with Ubico to ensure it had proper controls in place.
- 94.4 In terms of actions within the Council Plan Performance Tracker, Overview and Scrutiny Members had noted the achievements highlighted in the report in terms of approval of the Medium Term Financial Strategy; approval of a new commercial strategy; the official launch of the growth hub; the completion of works to Lower Lode depot car park; the implementation of a car pool; the increased garden waste income; and consultation on important issues such as the Tewkesbury Borough Plan and the Ashchurch Masterplan. In addition, there had been general questions on various actions, the key ones being how the provision of electric charging points was progressing; the difficulties in progressing anything around the Battlefield Site; and progress in respect of the Tourist Information Centre. The Head of Finance and Asset Management had indicated that he anticipated the installation of electric charging points in quarter two of 2019/20 for use by both staff and the public. In addition, the Head of Development Services had explained that the opportunities regarding the Tourist Information Centre (TIC) were part of the overall strategy for tourism which would be presented to Members shortly. There had been various conversations in relation to the centre and the opportunity for a service agreement with Tewkesbury Abbey; however, there were issues about the use of the Hat Shop building, where the TIC was currently situated, and how this fitted with the

conditions of the grant, so Officers had been working to ensure compliance. With regards to the sad face on the modular housing related action, Members had thought this was harsh given that two or three related projects were progressing. A separate report had also been presented at the Committee in relation to Healings Mill which Members had requested so as to get a greater understanding of the issues the site presented; a further report would be presented in six months' time.

- 94.5 During the discussion which ensued, a Member requested an update on the current situation regarding Ubico. In response, the Deputy Chief Executive advised that the key purpose of the regular meetings was to address the ongoing issues. The role of the Deputy Chief Executive was to arbitrate and ensure the timescales for getting the matters addressed was agreed. The meetings held to date had been very productive but there were still elements of the service which Tewkesbury Borough Officers were not happy with and a letter had been sent to Ubico identifying those issues and setting out deadlines for them to be addressed i.e. the reasons for the significant overspend on tyres. It was understood this was not a clear-cut picture but a justification of costs was needed. The Deputy Chief Executive undertook to circulate a summary of the actions agreed following the meeting. In terms of the discussion which had taken place at the Audit and Governance Committee, the Head of Corporate Services explained that there was an allocation of days for Ubico within the Internal Audit six monthly plan and this had been agreed by the Committee. The Internal Audit Team would work with the Head of Finance and Asset Management and Head of Community Services to decide how best to use the days and ensure no duplication of work with Ubico's Internal Audit Team – there should be a clear way forward on this work within the next month.
- 94.6 Referring to Page No. 18, deliver short-term access improvements to the infrastructure around the Ashchurch Housing Zone, a Member noted that the overall programme delivery had been extended to March 2022 and she questioned whether that was acceptable in terms of the initial deadline of three years. In response, the Chief Executive confirmed that Homes England had extended the date itself to allow it time to process the applications which had been received. The Member also questioned whether the paperless billing for Council Tax and business rates would be introduced from the next financial year. In response, the Head of Corporate Services indicated that it would be implemented by June 2019 which meant it would not be available for the 2019/20 Council Tax billing.
- 94.7 The Chair offered his thanks to the Overview and Scrutiny Committee Chair for his updates to Executive Committee during his time as Chair. Accordingly, it was

RESOLVED: That the Overview and Scrutiny Committee's comments on the Performance Management Report for Quarter Three of 2018/19 be **NOTED**.

EX.95 HIGH LEVEL SERVICE PLAN SUMMARIES

- 95.1 The report of the Head of Corporate Services, circulated at Pages No. 65-104, attached the 2019/20 service plans for each service grouping which Members were asked to consider and endorse.
- 95.2 The Head of Corporate Services indicated that each service grouping produced a plan for the forthcoming financial year. The template for the plans had been kept as simple as possible to ensure they were not onerous for Officers to complete. It was expected that service plans would form part of the Lead Member Briefings and individual team meetings so that they were embedded into the organisation.

95.3 Accordingly, it was

RESOLVED: That the 2019/20 service plans be **ENDORSED**.

EX.96 WORKFORCE DEVELOPMENT STRATEGY

- 96.1 The report of the Head of Corporate Services, circulated at Pages No. 112-128, attached a Workforce Development Strategy for the Council which covered the period 2019-24. Members were asked to consider and approve the Strategy.
- 96.2 The Interim Head of HR explained that the Council's peer review in 2014 had noted that it did not have an up to date Workforce Strategy in place and had recommended that one should be developed. In addition, it was felt that the combination of the challenges arising out of the Council's financial position, the need for continuing service transformation and the rapidly changing nature of employment and the jobs market, both locally and nationally, made such a strategy a necessity. The Local Government Association had recently published a national Workforce Strategy for the local government sector therefore it was felt to be timely for the Council to consider its own local Workforce Strategy drawing on the national strategy as appropriate.
- 96.3 Members were advised that it was important for the Council to have a strategy in place to support the overall delivery of the Council Plan, to achieve value for money in the expenditure on its employees, to respond to challenges and opportunities in the job market and to successfully recruit, retain, develop and engage staff to deliver the range of services for which the Council was responsible. The strategy before the Committee had been developed through discussion with the Council's management team, operational managers, Trade Union representatives and employees. In addition, a workshop had been held with the Overview and Scrutiny Committee in February at which the Workforce Development Strategy had been discussed and further additions had been made to the document in relation to attracting and retaining new entrants to the workforce and the threat of the Council's pay rates becoming uncompetitive in the job market – the Strategy was recommended by the Overview and Scrutiny Committee to the Executive Committee for adoption.
- 96.4 The Workforce Development Strategy was set out in five parts including an overall statement of vision and priorities for the Council as an employer; a description of the national context for the local government sector which the Council needed to take account of; the strategic workforce themes and direction statements for the Council; the plan to address the Council's gender pay gap; and a suite of workforce metrics to enable senior management and Members to track more effectively how successful the Council was in relation to its ability to recruit, retain, develop and engage its employees in line with the ambitions of the Workforce Strategy. The key themes of the strategy were releasing productivity; digital transformation; commercialisation; workforce resilience; and being a great place to work. Each of those themes had an aim and detailed the future steps required – there were no actions within the strategy as those would be contained within the relevant service plans and would be reviewed on an annual basis.
- 96.5 A Member questioned why there was a gender pay gap and why it would take time to address. In response, the Chief Executive explained that every job within the Council was evaluated to ensure it was paid at the appropriate rate regardless of who occupied it so the issue was not that people doing the same jobs were being paid differently rather it was the number of jobs occupied by men and women and this obviously took time to address.

96.6 Having considered the report and advice given, it was

RESOLVED: That the Workforce Development Strategy 2019-24 be
APPROVED.

EX.97 FINANCIAL PROCEDURE RULES

97.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 129-164, set out the proposed revised Financial Procedure Rules, for inclusion in the Council's Constitution, which Members were asked to adopt.

97.2 The Head of Finance and Asset Management explained that the Financial Procedure Rules had last been reviewed in 2012 and, in light of the length of time that had passed and the recent approval of the updated Constitution, it was felt the right time to update the Rules. Only limited changes had been made to the detailed requirements which included: increased delegated limits for virement and write-off in line with limits set within the Constitution; updated requirements reflecting recent legislative changes such as the introduction of off payroll working and the need to produce capital and investment strategies; changes to reflect the latest business practices such as the use of pool cars; changes to reflect the increasing use of technology within the Council's processes; and changes to reflect the structure of services and ownership of specific issues such as risk management.

97.3 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the revised Financial Procedure Rules be **ADOPTED.**

The meeting closed at 3:10 pm