

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Overview and Scrutiny Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 17 July 2018 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, H C McLain, P E Stokes, P D Surman, M G Sztymiak, H A E Turbyfield and M J Williams

also present:

Councillor R E Garnham

OS.16 ANNOUNCEMENTS

- 16.1 The evacuation procedure, as noted on the Agenda, was taken as read.
- 16.2 The Chair welcomed the Managing Director of Ubico to the meeting and indicated that he was in attendance for Agenda Item 10 – Annual Ubico Report. The Council's representative on the Gloucestershire Police and Crime Panel was also present for Agenda Item 7 – Gloucestershire Police and Crime Panel Update.

OS.17 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 17.1 Apologies for absence were received from Councillor T A Spencer. There were no substitutions for the meeting.

OS.18 DECLARATIONS OF INTEREST

- 18.1 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.
- 18.2 There were no declarations made on this occasion.

OS.19 MINUTES

- 19.1 A Member drew attention to Minute No. OS.14.4 which set out that the Head of Community Services had undertaken to provide additional enviro-crime data and indicated that this had not yet been received. The Head of Community Services apologised for the oversight and undertook to ensure that the information be provided as soon as possible.

- 19.2 The Chair advised that he had attended the Executive Committee meeting on 11 July 2018 to feed back on the Overview and Scrutiny Committee's review of the performance management information. Prior to this, he had informed Members that the Overview and Scrutiny Committee had taken part in a workshop with an external provider on the national review of scrutiny and improving effectiveness which some Executive Committee Members had attended. At that session, there had been general agreement that the Executive Committee could be subject to more challenge by the Overview and Scrutiny Committee, either through Lead Members being invited to attend Overview and Scrutiny Committee to present reports, or the Chair of the Overview and Scrutiny Committee attending Executive Committee meetings to raise any issues arising.
- 19.3 In terms of the performance management review, whilst there had been some good outcomes, two particular areas of concern had been identified: trade waste and Healings Mill regeneration. He had reported that the Committee was disappointed that there was a third slippage in delivering the trade waste project which had an original target date of April 2017. The Overview and Scrutiny Committee had seen the positive impact of the garden waste project and felt that trade waste was another area that could be commercially exploited. During the workshop, it was generally agreed that the information reported to the Overview and Scrutiny Committee was open and transparent; however, in respect of trade waste, there was continued reference to a report undertaken by the Association of Public Service Excellence (APSE) but Members were yet to be informed of what that contained. Both the Lead Member for Clean and Green Environment and the Head of Community Services had responded with the latter offering to bring a summary of the APSE report to Members. As Chair, he would support this offer and recommended that it be added to the Overview and Scrutiny Committee Work Programme. In terms of the Council Plan action to review the trade waste service, it had been confirmed that this could be achieved by the end of March 2019; this would include whether the service could provide a recycling element - something potential customers were looking for but the Council could not currently provide - and whether it would be more economical to take a joint approach with other partners.
- 19.4 With regard to Healings Mill, it was recognised that this was somewhat beyond the Council's control but the dates had slipped three times and, given that the current target date was September 2018, was likely to slip again. There was support, particularly from one Member of the Executive Committee, that the Council should "have more teeth" and be more proactive, particularly given the state of the building and the expiry of previous planning permissions. Whilst the complex nature of the situation was recognised, there was general agreement that the dates in the performance tracker were unrealistic given the circumstances. It had been agreed that Officers needed to work on the options and come back to Members with realistic timescales; this would fit well with the appointment of the new Conservation Officer. The Chair indicated that this could be a piece of work to come back to the Overview and Scrutiny Committee at some point, but he would be happy to take a steer from Members.
- 19.5 In response to a query as to the appropriate way for the Overview and Scrutiny Committee to escalate issues, the Head of Democratic Services explained that, in the first instance, concerns should be raised with the Executive Committee; if the response from the Executive Committee was unsatisfactory then one option would be to refer the matter to Council. The Deputy Chief Executive recognised that the Overview and Scrutiny Committee had been particularly frustrated with how the recent problems with grounds maintenance had developed and he accepted that the Committee had a right to hold Officers to account in terms of timescales etc.; however, going forward it would be beneficial for the Committee to make clear exactly what action it would like to see taken to address concerns in order to avoid ambiguity. A brief discussion ensued as to whether the Overview and Scrutiny

Committee should report to the Executive Committee or whether Lead Members could be invited to the Overview and Scrutiny Committee to answer questions. It was generally considered that both courses of action could be appropriate, depending on the circumstances. It was noted that timescales also played a part as it may not be possible to wait until the next Council or Committee meeting to raise an issue. In terms of the specific items which had been raised by the Chair at the last Executive Committee meeting – Trade Waste and Healings Mill – Members agreed that these should be included as pending items on the Overview and Scrutiny Committee Work Programme.

19.6 It was

RESOLVED

1. That the Minutes of the meeting held on 12 June 2018, copies of which had been circulated, be approved as a correct record and signed by the Chair.
2. That Trade Waste and Healings Mill be added to the pending items section of the Overview and Scrutiny Committee Work Programme 2018/19.

OS.20 CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN

20.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 17-22. 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.

20.2 A Member expressed concern that the Forward Plan looked very light; something which had repeatedly been raised in the past. He reiterated that it was difficult for the Overview and Scrutiny Committee to scrutinise the plan if it was unclear which items were coming forward. The Deputy Chief Executive accepted this point and undertook to review the situation in more detail following the meeting. It was subsequently

RESOLVED

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

OS.21 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2018/19

21.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2018/19, circulated at Pages No. 23-31, which Members were asked to consider.

21.2 It was noted that the Head of Corporate Services had arranged for the representatives from Gloucestershire Healthwatch to attend the meeting on 12 February 2019. It was

RESOLVED

That the Overview and Scrutiny Committee Work Programme 2018/19 be **NOTED**, subject to the inclusion of the items raised in Minute No. OS.19.6 – Trade Waste and Healings Mill - and the Gloucestershire Healthwatch Update being moved from the pending items to the meeting on 12 February 2019.

OS.22 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

- 22.1 Members received an update from the Council's representative on the Gloucestershire Police and Crime Panel, on matters discussed at the last meeting of the Panel held on 13 July 2018.
- 22.2 Members were advised that, as this was the first meeting of the municipal year, a Chair and Vice-Chair had been appointed and were unchanged from the previous year. One Member had highlighted the long gap between meetings of the Panel in the period March to July each year; whilst it was understood that the County and District Councils had to ratify their membership, it was suggested that an additional meeting could be included, or at least a meeting earlier in the calendar year, to ensure reports remained relevant.
- 22.3 It was noted that a motion had been passed by Gloucestershire County Council on 6 May requiring the County Council to write to the Police and Crime Commissioner for further details regarding funding, constabulary spending, the appointment of a Deputy Police and Crime Commissioner etc. The Police and Crime Commissioner was of the view that all nine questions came under the remit of the Police and Crime Panel and so wanted to share the response with Members – this had resulted in a lively debate among the Panel.
- 22.4 The Council's representative was pleased to report that, as of the end of the year to April 2018, Tewkesbury Borough was second out of 15 in its 'Most Similar Areas' group and, overall, there had been a 1% reduction in crime; Gloucestershire was bucking the national trend as crime was increasing in many areas. It was noted that a new project was being launched to address shortcomings identified during the recent inspections in relation to vulnerable children. "Child Friendly Gloucestershire" was based on the "Child Friendly Leeds" approach which brought together many agencies in the city. A draft of the Police and Crime Commissioner's annual report had been endorsed by the Panel and Members were advised that the Office of the Police and Crime Commissioner was happy to receive any feedback in relation to where the report should be circulated.
- 22.5 Notable in the Commissioner's Police and Crime Plan Priorities Highlight Report was the aim of improving neighbourhood policing. The key Constabulary pledges included: making local policing accessible by providing a dedicated, named Police Community Support Officer (PCSO) in every neighbourhood so that everyone knew who their local contact was and how to get in touch with them; appointing 55 or more PCSOs to act as a first point of contact for local concerns; and, investing additional Officers in neighbourhood policing in 2018 including schools officers, vulnerability PCSOs and rural liaison officers.
- 22.6 Members were informed that the National Association of Police Fire and Crime Panels was a recently formed association and would be a special interest group of the Local Government Association (LGA); this was something Police and Crime Panels had been aiming for across the country. It would cost £500 for the Gloucestershire Police and Crime Panel to become a Member and the Tewkesbury Borough Council representative felt this would be worthwhile as it was difficult to gain a unified response across 43 individual Police and Crime Panels. Finally, Members had been informed of the appointment of the new Chief Finance Officer for the Officer of the Police and Crime Commissioner; this role had previously been shared with the Constabulary.
- 22.7 Although he was pleased to hear that crime rates in Gloucestershire were bucking the national trend, a Member asked about crime detection rates and whether Gloucestershire Constabulary or the Police and Crime Panel monitored these. The Council's representative did not think these statistics were reported to the Panel – or there may be a delay in receiving them if they were being audited – but he undertook to investigate and report back to Members following the meeting.

Another Member noted the pledges in relation to improving neighbourhood policing and queried whether this would result in additional recruitment. The Council's representative undertook to provide the latest breakdown on the number of Police Officers, PCSOs and Special Constables. In response to a question about whether the new arrangements were being implemented, the Council's representative confirmed that they were and another Member reported that his local PCSO had introduced himself at a recent Parish Council meeting. The Council's representative undertook to confirm the date that the new programme had gone live.

- 22.8 The Chair thanked the Council's representative for the update and it was
RESOLVED That the Gloucestershire Police and Crime Panel update be
NOTED.

OS.23 GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE UPDATE

- 23.1 Members received an update from the Council's representative on the Gloucestershire Health and Care Overview and Scrutiny Committee on matters discussed at the last meeting held on 10 July 2018.
- 23.2 The Council's representative advised that it had been confirmed that Gloucestershire would become one of only 14 Integrated Care Systems (ICS) in the country; the county had been given a huge vote of confidence and was praised by the NHS England Chief Executive for providing strong leadership and effective partnership working. An ICS for Gloucestershire would mean: an even greater focus on supporting people to stay healthy and independent; local people with long term conditions should see more joined-up care and support in their own homes; greater freedom to make local decisions about services; and, the ability to attract additional money.
- 23.3 The Committee had been pleased to welcome the Chief Operating Officer from the Gloucestershire Care Services NHS Trust (GCS), the Clinical Lead Therapist from the Gloucestershire Clinical Commissioning Group (GCCG) and the Consultant Physician in Stroke and General and Old Age Medicine at Gloucestershire Hospitals NHS Foundation Trust to discuss the clinical case for change for bed-based stroke rehabilitation. The Committee had been concerned about performance against stroke targets for some time and the clinical evidence supporting the change was clear that creating a centre of excellence for stroke patients in Gloucestershire was the best way forward for patients. It would deliver benefits to patients' health and reduce social care needs and would be staffed in line with national guidance from the Royal College of Physicians and the Stroke Association. The options appraisal that had been undertaken had identified the Vale Community Hospital in Dursley as the preferred location. The question was posed as to whether the service development would adversely affect the number of beds available across the county and the Chief Operating Officer from the Gloucestershire Care Services NHS Trust had discussed the bed modelling that had been undertaken which demonstrated that there would be no adverse impact. The GCCG and GCS had not identified the proposal as a substantial variation and therefore the Committee did not have a statutory role, instead it had a significant role as a critical friend. All Members of the Committee had been fully supportive of this proposal as it was clear that moving to a community setting was significantly better than trying to deliver a comprehensive stroke rehabilitation regime in an acute hospital setting.

- 23.4 The Director of Adult Social Services had informed the Committee that overall performance was good; however, performance relating to carers and self-directed support was not where it needed to be. A report was being taken to Gloucestershire County Council's Cabinet on 18 July 2018 with regard to the procurement of a new carers' contract and, within this context, consideration had been given as to how this funding could be made more widely available. Some Members had expressed disappointment that not all of the data in this report – or the public health report which was discussed later in the meeting - was up-to-date; it had also been stated that the structure of both reports made it difficult to understand the overall performance picture.
- 23.5 With regard to the public health report, the Committee had been advised that there continued to be a positive trend against performance targets in the Healthy Lifestyle Service. Performance relating to NHS Health Checks had fallen in quarter three, although it was still above the regional and national average based on the latest available data. Some Members had indicated that it would be helpful to receive a wider range of public health indicators e.g. immunisation data.
- 23.6 The GCCG report had shown significant use of Emergency Departments by people with minor conditions over the last month – this was disappointing given the increase in the primary care offer, including availability of appointments both during the week and at weekends. It was agreed that it would be more informative for the Committee to receive a breakdown of the Accident and Emergency data between sites, as opposed to performance for the Trust as a whole. It was also noted that performance against cancer targets remained a concern, particularly the two week wait.
- 23.7 The Chair thanked the Council's representative for her report and it was
RESOLVED That the Gloucestershire Health and Care Overview and Scrutiny Committee update be **NOTED**.

OS.24 GLOUCESTERSHIRE ECONOMIC GROWTH SCRUTINY COMMITTEE UPDATE

- 24.1 Members received an update from the Council's representative on the Gloucestershire Economic Growth Scrutiny Committee on matters discussed at the last meeting held on 20 June 2018.
- 24.2 In noting the outcomes of locally-held meetings at Tewkesbury Borough Council and Cotswold District Council, the Committee had agreed to review the processes and issues raised at the meetings and to discuss the arrangements for future 'district held' meetings at the next Gloucestershire Economic Growth Scrutiny Committee meeting. The review would be prior to the meeting scheduled to take place at Cheltenham Borough Council on 31 October 2018.
- 24.3 The Gloucestershire Economic Growth Joint Committee had requested the Scrutiny Committee to consider the aspiration by the Cotswold Conservation Board to establish a National Park in the Cotswold Area of Outstanding Natural Beauty and the Committee had engaged in a detailed discussion on its merits, as well as the feasibility of the request. The Chair of the Joint Committee and the Chief Executive of Tewkesbury Borough Council had attended the meeting to respond to questions and to provide details of the Joint Committee's forward plan. With a slight majority, it had been agreed that the Scrutiny Committee would seek approval from the County Council's Overview and Scrutiny Management Committee to establish a task group to consider the impact of obtaining National Park status for the Cotswold Area of Outstanding Natural Beauty. In response to comments that had been made by the Government's Environment Secretary pending a national review of National Parks and Areas of Outstanding Natural Beauty, it had been suggested that the

scope of the review could be extended to include other areas within Gloucestershire that might have an interest in obtaining National Park status. A meeting between the Chair/Vice-Chair and senior officers would be held in early August to draft a one-page strategy for the proposed review. The draft document would be shared with Gloucestershire County Council lead opposition Members before seeking views from the Economic Growth Scrutiny Committee and submitting to the Overview and Scrutiny Management Committee for approval – if approved, the first meeting of the task group would be arranged in the autumn.

24.4 In terms of the work plan, Members were advised that a request had been made for a task group to be established to consider some of the specific implications relating to Brexit. It had been noted that the Gloucestershire Economic Growth Joint Committee and the Local Government Association were both involved in aspects of this work and – taking into consideration the national position – it was considered that it may not be an appropriate time for such a review and it had subsequently been agreed that the viability of setting up a task group be reviewed periodically. A suggestion had been made to invite the Leader of the Council, or a representative from the Local Government Association, to give an update at a future meeting of the Joint Committee on current issues and the potential implications of Brexit post-March 2019; it was agreed that Members of the Gloucestershire Economic Growth Scrutiny Committee should be invited to that meeting. Another request had been made for the Committee to receive a presentation from mobile phone providers and an update on mobile phone coverage/connectivity in rural areas. It had since been suggested that an all-Member briefing be arranged on a non-Committee meeting day. It had also been agreed that a presentation from the Cotswold Water Park Trust be added to the work plan for future consideration. In response to concern about the demise of city centres and the impact of large scale retail business moving to out of town locations, the Chief Executive of GFirst Local Enterprise Partnership (LEP) had offered to arrange a presentation from the GFirst LEP Board which was agreed. A similar suggestion made on behalf of the Joint Committee was for the Scrutiny Committee to consider the sustainability and economic growth of market towns in Gloucestershire as part of the Committees' visit to local authorities.

24.5 The Vice-Chair of the Gloucestershire Economic Growth Scrutiny Committee indicated that the Forest of Dean District Council had been interested in obtaining Area of Outstanding Natural Beauty status and had put this forward during the discussions around National Park status. With regard to the LEP, he advised that funding for all of the Growth Hubs would be in place by September. The Chief Executive clarified that there were two Tier 2 hubs – one in Cirencester which would be opening within the next week or so, and the one located at Tewkesbury Borough Council which would have a soft launch shortly followed by a formal launch in September. Work was ongoing in relation to a Tier 2 hub in Cheltenham and there were a number of Tier 3 hubs which would also be opening – the Tewkesbury Borough Growth Hub remained the only Tier 2 hub to be located within a local authority office. In response to a query regarding the launch date, the Chief Executive advised that, although a date had not yet been set, the formal launch would be arranged for September following the completion of the office refurbishment work which was on target to complete within the agreed timescales.

24.6 It was

RESOLVED That the Gloucestershire Economic Growth Scrutiny Committee update be **NOTED**.

OS.25 ANNUAL UBICO REPORT

- 25.1 The report of the Head of Community Services, circulated at Pages No. 32-69, provided an update on the Ubico contract for waste and recycling, street cleansing and grounds maintenance services. Members were asked to consider the annual report.
- 25.2 The Head of Community Services explained that Ubico had been delivering the Council's waste and recycling, street cleansing and grounds maintenance services since 1 April 2015 and the Overview and Scrutiny Committee reviewed the performance of the contract on an annual basis. The last annual report had been presented to the Overview and Scrutiny Committee in May 2017 but had not included quarter four figures due to the timing of the report. It had subsequently been agreed that the annual review be taken to the Committee in July each year. It was noted that the Committee had received an interim report in September 2017.
- 25.3 Members were reminded that a range of performance information was collected and reported to the Environmental Services Partnership Board (ESPB) on a quarterly basis and monitored by the Joint Waste Team on a monthly basis. The Commissioner Report prepared for the ESPB was attached at Appendix 1 to the report and detailed service requests, performance and health and safety statistics for the year. It was well documented that there had been problems with missed bin collections earlier in the year following the roll-out of a significant service change in April 2017 that had seen over 60% of households having a change in collection day or week. In previous years, the target for missed bin collections was 1%, or 42,000 misses per year, and, following a request from the Overview and Scrutiny Committee to make that more challenging, the Managing Director of Ubico had agreed a new target of 0.1%, or 4,200 misses per year. During 2017/18, a total of 5,317 bin collections had been missed which was just outside of the new target; however, there had been improvement during the year. The table at Page No. 34, Paragraph 3.3.1 of the report, showed that the amount of residual household waste taken to landfill had decreased significantly with the percentage of household waste reused, recycled and composted increasing from 53.29% in 2016/17 to 54.07% in 2017/18 against a national downturn.
- 25.4 With regard to grounds maintenance, Members would be well aware of the issues that had been experienced earlier in the year in relation to grass cutting and an urgent improvement plan, attached at Appendix 2 to the report, had been put in place to address this. There were two main aims: to bring the situation back under control and to ensure that the Council was not in the same position when the grass cutting season commenced next year. The Head of Community Services indicated that a lot of time and effort had gone into working with Ubico to address the situation and there had been significant improvement – the recent hot weather had helped as the grass had stopped growing over the last few weeks. He provided assurance that Ubico was now completely on top of the situation and all areas had had at least three cuts with the majority now on their fifth cut. The service was being reviewed to establish what resources and equipment were needed to prevent this situation recurring and a commitment had been made to involve Members in the delivery of the improvement plan. He explained that Ubico was currently contracted to carry out eight to 10 cuts across the borough each year – other District Councils within Gloucestershire and the surrounding areas did considerably more, for example, West Oxfordshire District Council carried out 17-18 cuts per year. It was important to understand what that actually meant in order to compare what Tewkesbury Borough Council was getting for its money and this would be discussed with Members in due course.

- 25.5 In terms of street cleansing and garden waste, it was noted that the Joint Waste Team was in the process of undertaking a street cleansing review which was due to complete in September. Over the years there had been a considerable increase in housing development in the borough and therefore in the number of bins e.g. general waste bins, dog waste bins etc. so it was important to evaluate the service performance and determine if the current levels of resourcing, activities and schedules were sufficient. The Head of Community Services advised that the Council had changed the way it delivered its garden waste services and, from April 2018, had moved to a single renewal date with a stickering system to identify which customers had paid for the service for the current year. This had led to an increase of 2,200 customers resulting in a total customer database of over 16,500 and generating income of more than £731,000. With regard to financial performance, it was important to note that Ubico had reported a total underspend of £58,000 for 2017/18 so further improvement was needed in terms of budget management and forecasting. Full details of the financial performance could be found at Appendix 3 to the report. The Head of Community Services went on to advise that the Joint Waste Team and Ubico had been working with partners over the last 12 months to deliver a new suite of performance indicators which were attached at Appendix 4 to the report; these had been agreed across the Ubico partnership and would form the basis of Ubico reports to the Committee going forward.
- 25.6 The Managing Director of Ubico advised that Ubico had been developing its own performance report which was attached at Appendix 5 to the report. As a teckal company, Ubico should behave as an extension of a Council department, and, in the spirit of working in partnership, this was the approach it tried to adopt. Ubico was a patchwork of services and contracts accumulated over the years and developing its own identity and culture had been a slow process. The company values had been reviewed by staff, with the only caveat being that they needed to be simple and understood by all operatives; whilst they had been adopted, it would be a significant task to ensure they were embedded and reflected in behaviours and ways of working. Grounds maintenance was part of the Ubico contract with Tewkesbury Borough Council and represented 10% of its overall value, although clearly this was disproportionate when compared to the reputational impact if things went awry. In terms of the issues that had been experienced with grass cutting, there were three main failings in his view: prioritisation of the areas to cut i.e. different priority areas identified; when the situation had started to spiral out of control, reporting had not been quick enough and the response had been reactive rather than proactive; and, the unacceptable quality of the cuts when they were carried out. He apologised for the service failure and the associated reputational damage and stressed that he was working with the Head of Community Services, the Chief Executive and Deputy Chief Executive to capture the key learning points to ensure that the situation would not happen again. As a company, Ubico generally performed well in respect of grounds maintenance, which could be seen in the quality of the areas it maintained in Cheltenham Borough. Tewkesbury Borough had the ability to set its own priority areas and Ubico would deliver this in accordance with the specification. Whilst Ubico was not requesting more resources at this stage, it was important that available resources matched aspirations and he suggested thinking about a contingency so that any issues could be addressed in a proactive manner. He welcomed the opportunity to look at the service in an open and transparent way to avoid a repeat of the situation; it was his intention that, by next year, everyone would be clear on priority areas and resourcing so that Ubico could deliver in accordance with the Council's expectations.

- 25.7 The Managing Director of Ubico went on to explain that there was a drive across the company to be more open and transparent in terms of health and safety with a particular focus on improving near miss reporting, for example, when a vehicle mounted the kerb and put an operative in danger. There was a drive to ensure that 100% of crew inspections were completed for available staff each month; the data currently showed this was at 88% which could be due to some of the operational managers carrying out a full head count including those who were absent due to sickness. He provided assurance that inspections for Tewkesbury Borough Council remained high and advised that the Head of Community Services and his team carried out their own inspections as a double check. In terms of personal accidents, there had been an increase in trips and falls which was largely due to the harsh winter. It was Ubico's decision as to whether it was safe to undertake waste collections; operational managers were eager to do a good job, and to continue with their usual rounds where possible, so there was a need to ensure that the increase in December 2017 had not been due to over-eagerness when the local roads were not safe enough. Whilst there was no particular trend in respect of vehicle accidents, Ubico was working with Zurich insurance to improve driver assessment and training. With regard to sickness, First Care - a new nurse-led sickness absence system – and an employee assistance helpline had been introduced in 2017. Ubico was encouraging staff to report via First Care and to utilise nurse-led advice to diagnose any medical conditions at an earlier stage. The top five reasons for absence were set out at Page No. 60 of the report and Ubico was working with First Care to identify trends and come up with actions to reduce the overall level.
- 25.8 As had been alluded to earlier in the meeting, Ubico had reported an underspend against the Tewkesbury Borough Council contract for 2017/18 and it was accepted that Ubico needed to improve its forecasting. This was a company-wide issue and work was being done with operational managers and the internal finance team to build-up capacity to ensure that better information was available from the outset about what would be spent over the year. The Managing Director of Ubico recognised that a better job could have been done to forecast the underspend within the year and a big piece of work was needed to improve the finance system, financial reporting and the budget setting process. It was noted that the surplus had been largely due to the recent replacement of the vehicle fleet; however, as time went on it was expected that maintenance costs would increase significantly, therefore provision would need to be made within the budget for the medium term. There were plans to improve profiling going forward so that vehicles were not used for any longer than necessary and to guard against further financial risk. In terms of the business plan for 2018/19 there would be a specific focus on improving financial reporting and risk management/scrutiny of risks as well as continuing improvement in health and safety. The Managing Director of Ubico recognised that grounds maintenance had been a problem and reassured the Committee that this would be prioritised; however, Ubico also wanted to look at ways to add value for shareholders, for example, exploring potential for internal fleet hire and a greater trade waste operation.
- 25.9 With regard to the grass cutting improvement plan at Appendix 2 to the report, a Member expressed the view that there were several areas to work on and she sought clarification as to what was being done to ensure this did not happen again. The Managing Director of Ubico had stated that it was very good at grounds maintenance in other areas, but Members were concerned about Tewkesbury Borough and the reputation of Tewkesbury Borough Council, so it was crucial there was a robust plan in place. For example, it was stated that crews had been issued with new round maps and that grass cutting round sheets would be introduced for crews to sign-off work on a weekly basis – she assumed that someone would need to monitor these actions to ensure compliance. In terms of equipment requirements, she raised concern that the target date for this action was not until

March 2019. The Head of Community Services recognised that this was a significant piece of work and confirmed that an Officer had been appointed to monitor the grounds maintenance contract; this post had recently been made permanent. The Officer sat on the Project Team alongside himself and representatives from the Joint Waste Team and Ubico and the Overview and Scrutiny Committee would monitor delivery of the improvement plan, in accordance with the resolution of the Executive Committee. Ubico had what it needed for the remainder of the calendar year in respect of grass cutting and the first formal meeting of the Project Team was being held the following week to scope out what needed to be achieved by January 2019 ready for the imminent growing season. Going forward, it would be necessary to consider what equipment was needed for each piece of land, and to review the rounds to make them more logical. The Managing Director of Ubico indicated that, from his perspective, the issue was supervision and ensuring that the quality of work was scrutinised more carefully than it had been in the past, as well as agreeing the key priority areas. As had been mentioned earlier in the meeting, it was intended to give a flavour of the impact of having a greater number of cuts per year, for example, the ability to flex with the growing season and environment etc. In other local authorities, operational managers had more flexibility in their budgets to be able to add more cuts throughout the year as opposed to having fixed dates. From an operational point of view, it would be critical to deliver quality cuts and to leave areas clean and tidy; this would be standardised where possible so that everyone knew what to expect from a particular frequency of cut. He provided assurance that senior managers at Ubico and Tewkesbury Borough Council were working in partnership and he was confident that the issues around grass cutting would be adequately addressed. As Members would be aware, problems with grounds maintenance had started with the loss of a very knowledgeable supervisor; the Head of Community Services had led the work to put Tewkesbury Borough Council back in control of the situation and this would be further progressed by determining priority areas and setting clear expectations.

- 25.10 The Member went on to seek clarification as to whether the number of cuts per year was based on how quickly the grass was growing and questioned whether the problems that had been encountered this year were for budgetary reasons or if they were due to lack of organisation and a breakdown in communication. The Head of Community Services explained that Ubico currently had a budget for 10 cuts per year which would be adequate for some areas; however, there may be areas which Members wished to prioritise by increasing the number of cuts whilst other areas may benefit from less frequent cuts, for example, wildflower meadows. A Member expressed the view that it was crucial to be clear about who was responsible for what, for example, Gloucestershire County Highways was responsible for cutting grass verges alongside highways. The Head of Community Services agreed and explained that, until April 2018, the County Council had undertaken cuts twice a year in accordance with safety standards but this was not always enough, as had been evident this year. The County Council had belatedly agreed to pay for Ubico to cut these areas at the same frequency as Tewkesbury Borough Council-owned land; importantly, the County Council had funded these additional cuts as Tewkesbury Borough Council did not have the budget for more than two cuts. A Member drew attention to Paragraph 3.6.1 of the Officer report which set out that Tewkesbury Borough Council was responsible for grass cutting on its own land and had a contract arrangement with Gloucestershire County Highways and Parish Councils to cut various areas of grass across the borough. The report went on to mention several Parishes including Wheatpieces, Bishop's Cleeve and Winchcombe but there was no reference to Brockworth. He had complained in June about high grass on a very dangerous bend on Brockworth Road and, when nothing had happened, he had subsequently emailed Gloucestershire County Council and had received a response saying this had been passed on – he questioned how communications worked and asked who this would have been passed on to and why nothing had happened initially. The Head of Community Services clarified that

Gloucestershire County Highways contracted Tewkesbury Borough Council, which contracted Ubico, to cut certain areas of grass across the borough within developments and he had given several examples of Parishes where those developments were located but he stressed that this was not a definitive list. In terms of verges along main roads - such as the Brockworth Road - Gloucestershire County Council contracted Amey to cut those areas; this was completely out of the hands of both Tewkesbury Borough Council and Ubico as it was a direct relationship between the County Council and Amey. He confirmed that he had also reported the complaint that the Member had referred to, so he hoped that action had been taken by now. Another Member mentioned a roundabout where the grass had grown particularly tall and had compromised visibility and clarification was provided that visibility splays and junctions were the County Council's responsibility. The Head of Community Services reassured Members that, whenever they submitted a service request, or sent him an email in relation to grass cutting, the first thing he did was identify if it was Tewkesbury Borough Council's responsibility - if it was the Borough Council's responsibility he would immediately ask Ubico when it would be addressed so he could feed this back, if it was not the Borough Council's responsibility, he would tell them that and, in some circumstances, would report it to the County Council. The Managing Director of Ubico explained that there was a further complication as Gloucestershire County Council was also a Ubico shareholder. The County Council was in the process of re-tendering for the contract it currently held with Amey so there may be an opportunity for Ubico to work with the new contractor on adopting a more joined-up approach - as it had done for other issues such as litter picking and maintenance of the A40 - or, at the very least, to ensure there was common understanding of roles and responsibilities. A Member felt that it would be beneficial to provide Members with a map showing the areas of land Tewkesbury Borough Council was responsible for; he explained that the military owned a considerable amount of land within his Ward but it was often mistaken for Council land and a map would help Members to identify which authority to contact.

- 25.11 A Member raised concern that the same issues had been discussed at the Overview and Scrutiny Committee in May 2017 and, far from improving, the situation had deteriorated since that time. He noted the intention to bring the grass cutting improvement plan back to the Overview and Scrutiny Committee meeting in November but, in his opinion, this needed to come back to the next meeting in September. Members subsequently agreed that it would be appropriate to bring the plan back to the next meeting, and to each successive meeting until all actions had been delivered. The Chief Executive acknowledged Members' concerns in respect of grounds maintenance and reiterated that the reasons for the problems this year were based on a combination of factors, some of which were down to Tewkesbury Borough Council, some down to Ubico and others due to nature i.e. the weather. An action plan was now in place which the Overview and Scrutiny Committee would monitor going forward and, as such, Members would be kept fully apprised of progress. The Chair reminded Members that the Lead Member for Clean and Green Environment could be invited to attend the Committee meeting in September, should this be considered beneficial. In response to a query regarding the possible need for additional resources, the Chief Executive advised that, whilst this was part of the action plan, and consideration would be given to whether additional cuts were required, that was not the only issue, and it would not have resolved all of the problems that had been encountered with grass cutting. He stressed that the overall aim was to reach a point where Members could have full confidence in Ubico and be proud of the service it provided on behalf of the Council.

- 25.12 A Member went on to express the view that the grounds maintenance equipment needed to be assessed and pointed out that, this year, the grass had been allowed to grow so long that the mowers had been unable to cut it properly resulting in a poorer quality of cut. He had heard a Ubico vehicle making a screeching sound on more than one occasion which suggested to him it was not being properly maintained and he queried whether equipment was regularly checked and if it was considered to provide value for money. The Managing Director of Ubico echoed the comments made by the Chief Executive and confirmed that a combination of factors had meant that grass cutting had been worse than in previous years; notwithstanding this, positive progress had been made in terms of getting proper commissioning arrangements in place and putting the Council back in control of setting priorities. In terms of the vehicle fleet, there was a daily inspection of vehicles by the drivers, with any defects identified reported immediately. In addition, there was a rigid maintenance regime for servicing and MOTs and vehicles also had to comply with the Lifting Operations Lifting Equipment Regulations 1998 (LOLER). If the noise referenced by the Member was occurring repeatedly, this was something which the driver should report - he undertook to look into this following the meeting and indicated that he would be happy to re-emphasise to operators the need to report any defects.
- 25.13 Turning attention to Appendix 3, a Member noted the underspend of £46,977 on grounds maintenance during 2017/18 – he found this difficult to understand given that there was a set budget for grass cutting. He questioned who made the decisions regarding expenditure, particularly given the need to bring in additional resources to address the grass cutting issues. The Managing Director of Ubico advised that the budget was entirely ringfenced and any underspend was returned to the Council. He accepted that improved financial reporting to the Head of Community Services was necessary to enable him to make decisions about how money should be spent throughout the year. He confirmed that Ubico had appointed a new Operations Manager for the Tewkesbury Borough Council contract to improve budget management and forecasting. He realised that the underspend was worrying in the context of the grass cutting situation and recognised the frustration that this could have been better managed so that Tewkesbury Borough Council had more control over how resources were deployed. He advised that Ubico was now running monthly reports, as opposed to quarterly reconciliations, which would improve the breakdown and transparency of figures and would allow the Head of Community Services to have access to an up-to-date budget at any particular point in time. A Member noted from Appendix 3 that almost all of the underspend related to transport department charges and questioned if he was right in thinking that cost would increase over the coming years as the vehicle fleet aged. The Head of Community Services confirmed that was the case. A Member queried whether there was a valuation on the vehicle fleet and whether any projections had been made in terms of depreciation as it would be useful to know how much the fleet was worth and when vehicles would need to be replaced. The Chief Executive advised that this was an accounting issue and Finance would know how much had been spent and the number of vehicles etc. The fleet was valued over a period of seven years and provisions were made to build-up capital resources over that period with a view to replacing the whole fleet after that time. The Member questioned whether the whole fleet was likely to last that long and whether the Council was checking on its investment. The Managing Director of Ubico explained that seven years was the industry standard for Dennis vehicles; beyond that they became too expensive to repair. Appropriate provisions were made for repairs and maintenance to account for the fact that those costs increased through the life of the vehicles. It was possible to discuss whether this should be brought forward by a year, but he did not see any benefit in reviewing the fleet earlier than that. The

vehicles were currently still under warranty and were operating well. The Chief Executive indicated that he would be happy to include further information on the vehicle fleet in the next report to the Committee, but he clarified that responsibility for maintenance rested with Ubico.

- 25.14 The Member went on to raise concern that Page No. 36, Paragraph 4.1 of the report, showed only two complaints in respect of grass cutting in 2017/18 – he was confident there would have been many more instances of contact with the public and queried whether a lot of these were complaints that had not been recorded as such. The Head of Community Services confirmed that there had only been two formal complaints in relation to grass cutting; other grounds maintenance reports would have been service requests e.g. someone asking for a particular piece of grass to be cut. The Member indicated that, from a public point of view, someone using the Report It system was effectively making a complaint and he felt it was important for Customer Services to be able to capture this in some way as it was important from a learning point of view. The Deputy Chief Executive agreed that Members needed to see the whole picture and he undertook to provide the Committee with a full breakdown of complaints and service enquiries and to ensure this was something included in the report in future.
- 25.15 A Member drew attention to the contract performance and key performance indicators (KPIs), attached at Appendix 3 to the report, and questioned why there were no indicators for grounds maintenance. The Head of Community Services advised the KPIs had been developed across the Ubico partnership. The KPIs in respect of grounds maintenance made reference to a specification – this was currently being produced ready for next year and the KPIs would be populated and maintained from that point. With regard to missed bin collections, a Member was pleased to see the new target of 0.1% but he drew attention to Appendix 4 where the key performance indicator for missed refuse collections was less than 50 per 100,000 which was half that amount and quite a stretch given that the target was not currently being achieved. The Managing Director of Ubico advised that these were raw figures based on 100,000 collections and work was being done with the Joint Waste Partnership to set achievable targets. It had been agreed that a target of 0.1% was a good starting point in terms of ‘business as usual’ and would generally be achieved in a normal year – he pointed out that 0.06-0.09% had been achieved during the second half of that year and it was hoped that 0.06% would be realistic with continuous improvement.
- 25.16 In response to a query about the Ubico report, attached at Appendix 5 to the report, the Managing Director of Ubico indicated that it was intended to have a local flavour but also give a wider view of the company. From his perspective, he would welcome the opportunity to talk about the company and opportunities for adding more stakeholder value. The business plan for 2018/19 included the potential for generating commercial income, for example, developing an internal hire fleet of vehicles or setting up a trade waste service. He would be happy to share more details outside of the meeting or to bring a separate report back to the Committee. Members agreed this would be of interest to the wider membership and it was suggested that a presentation to Council may be the way forward. The Chief Executive advised that the Executive Committee had also had a similar discussion around commercial waste which was fairly complex as there were other providers with a more competitive service than the Council would be able to offer. On that basis, Officers had taken a step back to work with other partners, via the Joint Waste Committee and Joint Waste Team, to establish how this might be taken forward as a successful operation within Ubico. He noted that the Overview and Scrutiny Committee had raised concern about this particular project when considering the Performance Management Report, as had been discussed earlier in the meeting, and he agreed that the action needed to be reviewed in order to make

it more meaningful and to reflect the current position. A Member drew attention to Page No. 60 of the Ubico Report which showed the Ubico top five reasons for absence and he questioned what the 'other'; and 'unclassified' entries related to. The Managing Director of Ubico clarified that there should only be one 'other' entry in the key and he apologised for this error. He went on to confirm that the 'other' category mainly comprised injuries sustained at work and First Care had been asked to separate this out to improve accuracy. Staff were expected to ring a central number to report all absences and they were given an option to speak to a nurse; during the first few weeks following the introduction of the First Care system, if that offer was declined, the absence had been recorded as unclassified. As a company, Ubico encouraged operatives to speak to the nurse; however, if they declined, the system had been rectified so they had to explain why they were unwell.

- 25.17 Given the issues that had been raised throughout the meeting, the Chief Executive suggested that it would be beneficial to include an item on the next Overview and Scrutiny Committee Agenda to bottom out the various waste issues in relation to the Ubico contract and he felt it would be prudent to invite the Lead Member for Clean and Green Environment to attend the meeting. Subsequently, if Members felt it necessary, this could become a regular item on the Committee's Agenda. Members agreed this would be helpful and it was subsequently

RESOLVED

1. That the Annual Ubico Report be **NOTED**.
2. That an item on Ubico Contract Matters be added to the next Overview and Scrutiny Committee Agenda and the Lead Member for Clean and Green Environment be invited to attend the meeting.
3. Subsequently, that the Committee consider whether a standing item on Ubico Contract Matters be added to the Overview and Scrutiny Committee Agenda.

OS.26 COMMUNITY SAFETY PARTNERSHIP UPDATE

- 26.1 Attention was drawn to the report of the Head of Community Services, circulated at Pages No. 70-76, which provided an update on the work of the Community Safety Steering Group and the progress that had been made so far. Members were asked to consider the update.
- 26.2 Members were reminded that, at its meeting on 6 February 2018, the Overview and Scrutiny Committee had agreed that a report on the local arrangements for community safety should be brought back to the Committee, prior to consideration by the Executive Committee. The Head of Community Services advised that Community Safety Partnerships (CSPs) had been suspended pending the outcome of a countywide review. With the agreement of the Lead Member for Community, a steering group had been established to investigate how community safety could be delivered within the borough; this included representatives from key community safety partners including Gloucestershire Police Constabulary, Gloucestershire Fire and Rescue and Severn Vale Housing. The steering group had met several times to develop a new structure for Tewkesbury Borough CSP and had informally agreed Terms and Conditions, attached at Appendix 1 to the report. A report was now being prepared for the Executive Committee to approve the reconvening of the Tewkesbury Borough CSP and its Terms of Reference, with the intention of reconstituting the CSP by the end of September 2018.

26.3 A Member queried which Members would attend the CSP meetings; although the previous meetings had become somewhat of a “talking shop” they had been useful for exchanging information and finding out what was going on locally. The Head of Community Services noted this comment and agreed that Member involvement was key, on that basis, it was proposed to hold a number of annual events to keep Members updated; notwithstanding this, Member representation on the CSP needed to be kept to a reasonable level to prevent meetings becoming parochial. In response to a query regarding timescales, the Head of Community Services clarified that, if the CSP was reconstituted by September, it would have an opportunity to formulate a strategy for adoption in 2019 – any later and there would not be enough time.

26.4 Having considered the report, it was

RESOLVED That the update on local arrangements for community safety be
NOTED.

The meeting closed at 7:00 pm