

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held remotely on
Tuesday, 9 March 2021 commencing at 4:30 pm**

Present:

Chair
Vice Chair

Councillor K J Cromwell
Councillor J W Murphy

and Councillors:

C L J Carter, P A Godwin, H C McLain, P D McLain, H S Munro, J K Smith, R J G Smith,
P D Surman, S Thomson, M J Williams and P N Workman

also present:

Councillors D W Gray and D J Harwood

OS.69 ANNOUNCEMENTS

- 69.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

OS.70 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 70.1 Apologies for absence were received from Councillor G J Bocking.

OS.71 DECLARATIONS OF INTEREST

- 71.1 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.
- 71.2 There were no declarations of interest made on this occasion.

OS.72 MINUTES

- 72.1 The Minutes of the meeting held on 9 February 2021, copies of which had been circulated, were approved as a correct record.

OS.73 EXECUTIVE COMMITTEE FORWARD PLAN

- 73.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 9-11. 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.
- 73.2 The Head of Corporate Services explained that the Complaints Policy, which had been considered by the Overview and Scrutiny Committee at its last meeting and recommended to the Executive Committee, would be on the Agenda for that meeting on 31 March 2021.
- 73.3 A Member queried what a Section 31 grant was and the Head of Finance and Asset Management confirmed that it was a government revenue grant which was made to the Council. Unlike many grants it came with no significant caveats on how it should be spent and as such was very welcome.
- 73.4 Accordingly, it was
- RESOLVED** That the Executive Committee Forward Plan be **NOTED**.

OS.74 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2020/21

- 74.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2020/21, circulated at Pages No. 12-15, which Members were asked to consider.
- 74.2 Members were advised that the work programme for 2021/22 would be considered at the next meeting and the Head of Corporate Services was trying to get as much out of the pending section and into the programme as possible prior to that. He hoped the Severn Trent presentation would come forward in June and the review of lessons learnt following the COVID-19 pandemic would be submitted to the Committee in September. At its meeting on 3 March, the Executive Committee had approved funding towards the countywide 'We Can Move' project and those outcomes would be monitored by the Overview and Scrutiny Committee, so that would also need to be added to the work programme in due course.
- 74.3 In response to a query regarding the nature of the Community Services Improvement Plan, the Head of Community Services explained that some service improvements had commenced within Environmental Health and Housing two or three years ago and had been ongoing – although had been on hold during the COVID-19 pandemic – and an update report would be submitted to the Committee in due course on the outcomes of those improvements. In respect of the 'We Can Move' project, the Chair asked that Members be briefed on what it was, how it would work, how the funding would be administered and the links to other districts etc. prior to being asked to scrutinise the project. In response, the Community and Economic Development Manager confirmed that he intended to provide a Member seminar to engage all Members – that session would also form part of the development of the scheme – and community engagement would also be undertaken. In addition, the Chief Executive indicated that the Executive Committee report could be circulated to Overview and Scrutiny Committee Members as a starting point for information as it set out the proposals and funding arrangements. Significantly more funding was being provided by the Clinical Commissioning Group and the County Council than the £50,000 being provided by each of the District Councils over the five year period.
- 74.4 Accordingly, it was
- RESOLVED** That the Overview and Scrutiny Committee Work Programme 2020/21 be **NOTED**.

OS.75 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

- 75.1 The Chair reminded the Committee that they should treat the County and Police Crime Panel updates in the same way as normal scrutiny reports. This meant Members should have read them in advance and be able to ask questions that could be taken back to those groups.
- 75.2 The representative on the Gloucestershire Police and Crime Panel presented his report, circulated with the Agenda at Pages No. 16-17 for the meeting held on 8 February 2021.
- 75.3 During the discussion which ensued, a Member questioned what the 'Bamfurlong' site was; how the intention to ensure all Police Officers received degree level training would work; what the acronym COO stood for; why crime had increased so significantly; and what happened when farms were visited as part of rural crime week. Another Member questioned how many COVID-19 enforcements had been made in the Borough. In response, the representative explained that Bamfurlong was a site off the M5 which was the control centre for all of the Police cars in the County. It had been taken off-line for badly needed refurbishment and the cars distributed across the County. In terms of Police Officers training to degree level, he explained that Officers were available for emergencies whilst they were undertaking training but the Police and Crime Commissioner was keen for people to understand that it took three years for new Police Officers to become fully available for duty. The COO was the Chief Operating Officer and was the person that ran the Police and Crime Commissioner's office. In terms of reporting of crime, the representative explained that two years ago a central review had been undertaken which had criticised the Gloucestershire Police force for not registering all calls as a crime and instead only registering those that had been investigated as a crime. The force now recorded all calls which had resulted in a 10% increase but that did not mean there were actually more crimes just that more were now being recorded. Gloucestershire still recorded the sixth lowest crime rate in the country but it used to be even lower. In terms of rural crime week, farms had been visited to talk about crime prevention i.e. how to ensure farm machinery and livestock were safe so that they did not become a rural crime. In terms of the number of COVID-19 related enforcements, the representative did not know the number in the Borough but he was sure it would be small as the numbers across the whole of Gloucestershire were low compared to other more urban areas.
- 75.4 Accordingly, it was
- RESOLVED** That the Gloucestershire Police and Crime Panel Update be **NOTED**.

OS.76 GLOUCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE UPDATE

- 76.1 The representative on the Gloucestershire Health Overview and Scrutiny Committee presented her report, circulated separately, for the meeting held on 2 March 2021.
- 76.2 A Member expressed concerns about the health visitor services in the area and queried whether the representative could find out what the policy was on this. In response she undertook to try and find out from colleagues and would respond via email copying in all Members of the Overview and Scrutiny Committee.
- 76.3 Accordingly, it was
- RESOLVED** That the Gloucestershire Health Overview and Scrutiny Committee update be **NOTED**.

OS.77 COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER 3 2020/21

- 77.1 The report of the Head of Corporate Services, circulated at Pages No. 18-112, attached the performance management and recovery information for quarter three of 2020/2021 along with a financial update for the period. The Overview and Scrutiny Committee was asked to review and scrutinise the performance and recovery information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.
- 77.2 In presenting the report, the Head of Corporate Services indicated that there were three elements: the Council Plan tracker; the Recovery Plan tracker; and the financial information update. He advised that he would deal with the first two elements and take any questions on those, and then hand over to the Head of Finance and Asset Management to deal with the final element on the Council's finances.
- 77.3 Members were advised that since the preparation of the report, the government's 'roadmap' route out of lockdown had been provided and the management team was looking closely at that and how it would affect all services. The Head of Corporate Services advised that Paragraph 2.3 of the report set out a number of successful key activities undertaken since the last performance report such as the Medium Term Financial Strategy being approved; the completion of the business case for improving the trade waste service; and the commencement of the Tewkesbury Borough Plan examination in public. As ever, given the complex nature of some of the actions being delivered, and particularly in the current circumstances of the COVID-19 pandemic, it was inevitable that some may not progress as smoothly or quickly as envisaged; those actions were set out at Paragraph 2.4 of the report. Some of the Council Plan actions had been put on hold due to staff resources being deployed to the COVID-19 response and recovery and those were shown by grey shading within Appendix 1 to the report and were highlighted at Paragraph 2.5 of the report. In terms of the Key Performance Indicators (KPIs), those where the direction of travel was down and/or the action had some issues or delay but there was no significant slippage in the delivery; where there was a significant risk to not achieving the action; or where there had been significant slippage in the timetable or performance was below target, were set out at Paragraph 3.3 of the report. Similarly, the recovery tracker exceptions were set out at Paragraph 4.3 of the report and those were the actions that were not progressing as originally intended. The key activities of particular note from the recovery tracker were set out at Paragraph 4.2 of the report and included £170,000 of funding received to support Tewkesbury Leisure Centre; award of 39 emergency community grants; and significant funding secured for the replacement of the heating system at the Public Services Centre. Particular attention was drawn to the recovery plan action to 'support the safe re-opening of buildings that provide a Council service' and Members were advised that, as the government's roadmap out of lockdown had now been released, that project would become live.
- 77.4 Referring to Pages No. 55-57, a Member noted that there were a number of indicators with no direction of travel and questioned when that information would be available. In response, the Head of Community Services advised that those Key Performance Indicators were under review as the legislation had changed and this meant there was no point in attempting to make comparisons, so Officers were in the process of developing new indicators. In respect of planning performance indicators, a Member questioned why the performance went up and down so much. In response, the Development Manager explained that there were often fluctuations from quarter to quarter and this was indicative of the type of service and the different applications that came forward throughout the year; if there were a few major applications that needed a lot of senior officer input this sometimes caused a

bit of a ‘bottleneck’; in addition, if there were a number of appeals this could have the same effect. It was understood that there was a need to ensure the service resources were directed in the right place and the way the service was structured needed to try and address this issue so it was something that was being looked at. The Member also raised concerns about the Planning Enforcement team and why there seemed to be a delay with responses to enquiries. In response, the Development Manager explained that he was surprised if there was a lack of acknowledgment of queries as they were auto generated by the system so he undertook to look into this and contact Shurdington Parish Council (which had raised particular concerns) directly. He acknowledged that there were some capacity issues within the Planning Enforcement team and this was certainly impacted by big enforcement cases that took up a lot of time – there was currently a mini review of the team structure being undertaken and the current thinking was that there was a need to fill the Senior Enforcement Officer post which would help release capacity. A Member noted that, whilst Councillors were advised of enforcement cases within their Wards, the information provided was not sufficient and usually resulted in Councillors having to ask a number of additional questions to get the information they required such as what the enforcement was and what the outcome was. The Development Manager conceded that Members should not need to have to ask further questions about what the enforcement issue was and undertook to look into that. He confirmed that the Business Transformation Officer for the planning service was currently working with the Enforcement team to tweak some procedures and it was anticipated that this would help going forward.

77.5

During the debate which ensued, the following queries and comments were made in relation to the Council Plan and Recovery Plan trackers:

Priority: Housing and Communities	
P50 – Objective 1c) Develop a work programme with landlords to ensure residents have a supply of rented properties to meet their needs – a Member questioned what was happening with this as the target date had been amended six times already and had now been amended again.	In response, the Head of Community Services confirmed that this had been a countywide project and the ‘goal posts’ had been shifted a number of times. However, he was now confident that the summary report from the pilot would be available for the Committee’s consideration in June.
Priority: Finance and Resources	
P38 – Objective 3b) Approve a new planned maintenance programme – a Member questioned what this was and whether the Council had a current plan until the new plan was in place.	The Head of Finance and Asset Management advised that the planned maintenance programme covered all major assets of the Council. There was already an Asset Management Plan in place but the Council did not have a detailed 20 year maintenance programme which was what was being worked on. The management and maintenance of assets was going well, e.g. update of the offices / heating system, but a detailed plan was required.

Priority: Economic Growth	
P46 – Objective 4c) Celebrate with partners the significance of 2021 for Tewkesbury – a Member queried whether Officers had any insight into whether it was expected that the £25,000 the Council had put into the project would be spent.	In response, the Community and Economic Development Manager expected that the Steering Group anticipated using the funding and proposals would be provided by the project team shortly. It was anticipated that more events would be held towards the end of the year in accordance with the roadmap out of lockdown.
Priority Housing and Communities	
P50 – Objective 1d) Carry out housing needs assessments to deliver affordable housing in rural areas – a Member questioned whether the completion time for the Gloucestershire Rural Community Council (GRCC) survey work was at risk due to staff illness. He indicated that there was pressure for housing in the Borough and the more options that were available the better.	The Head of Community Services advised that work on the housing needs surveys had been put on hold due to sickness at GRCC; however, the Council had been in contact and GRCC had identified someone else to undertake the work and it was hoped the housing needs assessments could be done quite quickly so the final end date would not slip; he would update Members on this in the usual way through the Council Plan performance tracker.
P54 – Objective 3b) – Through the development process, work with communities to deliver the Community Infrastructure Levy (CIL) and Section 106 – a Member noted that a workshop had been held in October which had been well received by Parishes and, as attendance had been limited to one or two representatives from each Parish, she questioned whether another workshop was planned.	The Head of Development Services explained that Parishes had indicated they had found the session useful so she was happy to arrange another session in October this year. In response to a suggestion that Borough Councillors would also find the information of interest, she confirmed that a session would also be organised for them.
Priority: Customer First	
P62 – Objective 1a) Continue to improve the proactive homelessness prevention programme – a Member noted that this action had been deferred and questioned how long it would be deferred for.	The Head of Community Services indicated that he was not aware any homelessness prevention work had stopped so he may need to reconsider the wording in the comment; he would provide an update to the Committee following the meeting.

<p>P64 – Objective 2b) Implement an online offering for the licensing service – a Member queried why the current software was not being used for the project.</p>	<p>The Head of Community Services explained that the current system was used for Environmental Health and Licensing but the ‘add on’ needed to get the service online was quite clunky and not very user-friendly. As the Council was currently in the process of implementing a new digital platform it was felt using that instead would be more effective. The Head of Corporate Services confirmed that the Business Transformation team was looking at the online licensing project as a priority in the new financial year and there would be cost savings from not buying in additional elements to the Idox system. In response to a query regarding whether Members were used to test new online systems, the Head of Corporate Services advised that the Council’s Citizens Panel was used for that purpose which had been incredibly helpful in terms of feedback. He indicated that he was keen to raise the profile of the Business Transformation team and undertook to set up an information session for Overview and Scrutiny Committee Members to understand what the team was doing.</p>
Priority: Garden Communities	
<p>P74 – Objective 1d) Deliver the first phase of the ‘bridge project’, in line with the funding requirements – a Member queried whether an overrun of costs was likely on this project.</p>	<p>The Head of Development Services explained that there had been some further information sought on a number of technical issues in respect of the planning application which had caused a slight delay – those had now been resolved and the application would be considered by the Planning Committee on 16 March. In terms of the costs, the Chief Executive advised that the project was still within both the cost and timescale envelope. The next big milestone was the Planning Committee’s consideration of the planning application after which the Garden Town team would be able to provide a briefing note for all Members on what was happening with the project.</p>

Priority: Sustainable Environment	
P78 – Objective 3b) – Working with Gloucestershire Waste and Resources Partnership to encourage recycling and reduce plastic waste – a Member questioned why this action had a smiley face when the plastics recycling awareness campaign had not yet commenced.	The Head of Community Services advised that some additional narrative was required in the comments column to show that the plastics campaign was only one element of the action and there were actually a number of campaigns ongoing which was why the action was shown as a smiley face.
P79 – KPI 32 – Number of reported enviro-crimes – a Member noted that fly tips had increased from 248 in 2019/20 to 395 currently. She questioned whether there was anymore the Council could do to minimise flytipping. She also advised that she was surprised to see incidents of dog fouling had decreased given the current issues residents in her area were facing and she queried whether this was because the Environmental Health team was working on different issues.	In response, the Head of Community Services advised that flytipping was on the rise across the country. The Council was tackling it as part of a countywide partnership to educate people about handling their waste responsibly. In addition, the Council had had a successful prosecution in the last couple of weeks which had been publicised in the press to show that robust action was taken against such crimes. All of that information was placed on the 'Tewkesbury Waste Aware' website which detailed the prosecutions undertaken, and the fixed penalty notices issued, over the last year or two and the Head of Community Services undertook to provide the link to that website following the meeting. In terms of dog fouling, this was about whether people were reporting instances of dog fouling rather than the Environmental Health team not dealing with dog fouling. The Environmental Health team had been working on COVID-19 matters consistently in the last 12 months but it was hoped they would be able to start working more on other areas in the next three to four months.
P79 – KPI 33 – Percentage of waste recycled or composted – a Member noted that contamination had been a real issue and he questioned whether it remained a problem.	The Head of Community Services advised that unfortunately two or three bins may contaminate a whole load of 15-20 tonnes. There were still high rejection levels at Avonmouth but this was a problem faced across the country at the moment. Used nappies in the recycling were a recent problem and education campaigns were being put together. The Waste Contracts Manager confirmed that waste management was quite challenging at

	<p>the moment. Tonnages of all waste streams had increased and this inevitably led to higher rates of contamination – information was due to be circulated shortly which sought to remind residents what should go where with particular emphasis on the different types of plastics and what residents should do with the plastic that the Council's collection did not accept. The Head of Community Services indicated that there was always a need to look at recycling figures alongside residual waste as that was what really needed to be lower. Officers were working on a plan to reduce residual waste.</p>
Priority: Finance and Resources	
P81 – Action – Refocus c) Produce a new six-monthly internal audit plan and review the whole suite of internal audit recommendations to determine if recommendations remain relevant and timescales for implementation remain feasible – a Member questioned what was meant by 'some form of internal audit activity was expected in April 2021'.	In response the Head of Corporate Services confirmed that at least one of the internal audit team would be returning to internal audit work from 1 April 2021.
Priority: Economic Growth	
P86 – Action – Refocus d) – Work closely with partners, businesses and groups to enable the safe and successful reopening of high streets and retail centres – a Member questioned what plans the Council had going forward to ensure safe reopening; he noted that there were a number of measures in place at the moment, such as bollards, floor stickers and sanitiser stations, that had not worked very well to date and questioned whether the Council intended to proactively make changes to address those issues before the high street reopened fully.	The Head of Development Services advised that Officers were working hard to support the reopening of the high street and a company had been commissioned to work on the campaign with positive messaging and physical measures. A briefing with the local Members for Tewkesbury, Winchcombe and Bishop's Cleeve was to be organised so everyone was aware of what was being put into place. 12 April was the date being worked to when non-essential shops could reopen and Officers were conscious that some people would not have really been out into a town centre for a year so it was imperative that confidence was built to encourage people to 'shop local and shop safe'. It was hoped the fact that the towns in the Borough were smaller would encourage people to feel safer to visit. Weekly messages would be pushed out to communities about being safe

	<p>and to indicate what businesses were doing to help people feel safe as part of the 'lets spring back' campaign. In response to a Member's concerns about the safety of the bollards in Tewkesbury high street as they were often moved from where they should be, the Head of Development Services confirmed that the physical measures in the high streets would be reviewed and Environmental Health Officers were working with businesses on COVID safety and addressing the issues such as those raised. The Chief Executive reminded the Committee that the overall message at the moment remained to stay at home so, whilst the high streets were open for essential services, there were not very many people using them but the measures currently in place were ensuring those people were safe. In terms of the 'lets spring back' campaign, a Member asked that thought be given to using paid advertising on social media etc. to target people rather than relying on them to access the Council's digital platforms. The Head of Development Services confirmed that one of the reasons for engaging the publicity company was to ensure the right messages were getting to all age ranges of residents.</p>
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- 77.6 The Head of Finance and Asset Management presented Pages. No. 30-35 of the report which contained a summary of the Council's financial performance for quarter two with Appendices 3-6 providing some added detail. He indicated that the report was in the new format of showing the quarter-end position and forecasting the outturn position at year-end which was a more meaningful way to report the situation. He was pleased to report a significant surplus despite the ongoing impact of COVID; the table at Appendix 3 to the report showed the budget report by service area and the fact that one of the largest losses of income was attributed to the closure of the leisure centre although there were also losses of income in a number of other service areas. The surplus on employee costs was significant and helped to balance out the budget. Property investments were performing strongly and business rates had seen some growth – although performance was aided by the fact that the government had paid in full for all sectors. A large amount of carryover requests were expected with some being due to COVID commitments, some specific service needs and some catch up items that had slipped due to COVID. Officers would also be looking at corporate needs and what reserves might be required i.e. top-up to the COVID reserve. The Chief Executive indicated that it was good news the Council may have a surplus this year, especially given the uncertainty that had been faced throughout and the ongoing reduction of government funding – he hoped there would remain a surplus at the end of the year which could be used to help defend against the uncertainties in future years. In response to a query regarding recruitment of new staff, the Head of Finance and

Asset Management explained that at the beginning of last year there had been a distinct downturn in recruitment figures but that had picked up later in 2020 and the Council was now seeing good amounts of applicants for vacancies. The Chief Executive stated that, whilst unemployment was significantly higher than previously which meant that there were more applicants for jobs, there were still some issues in certain areas like planning where there was demand both in local government and in the private sector as it was a challenge for local government to compete in the private market.

77.7 Accordingly, it was

RESOLVED That the performance management information for quarter three of 2020/2021 be **NOTED**.

OS.78 SEPARATE BUSINESS

78.1 The Chair proposed, and it was

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

OS.79 TRADE / COMMERCIAL WASTE SERVICE BUSINESS CASE

(Exempt – Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))

79.1 The Overview and Scrutiny Committee recommended to the Executive Committee that an operational business case be developed in respect of the Council's trade waste service.

The meeting closed at 6:40 pm