

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Overview and Scrutiny Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 4 September 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 J R Mason

OS.27 ANNOUNCEMENTS

- 27.1 The evacuation procedure, as noted on the Agenda, was taken as read.
- 27.2 The Chair welcomed the Lead Member for Clean and Green Environment to the meeting and indicated that he would be giving a presentation at Agenda Item 9 – Ubico Contract Matters.

OS.28 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

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

OS.29 DECLARATIONS OF INTEREST

- 29.1 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.
- 29.2 There were no declarations made on this occasion.

OS.30 MINUTES

- 30.1 The Minutes of the meeting held on 17 July 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

OS.31 EXECUTIVE COMMITTEE FORWARD PLAN

31.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 17-21. 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.

31.2 A Member raised concern that the Forward Plan was very sparsely populated and this was a recurring issue. The Chief Executive recognised that this had been raised previously by the Overview and Scrutiny Committee and similar comments had been made at Executive Committee. Due to the nature of the work of the Committee, it was not always possible to plan which items would come forward, nevertheless, it was important that those items which were known about were included in the Forward Plan and he undertook to review this with Management Team. The Head of Corporate Services indicated that a number of corporate policies and strategies were due for review over the coming year and he would expect to see them programmed into the Forward Plan.

31.3 It was

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

OS.32 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2018/19

32.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2018/19, circulated at Pages No. 22-30, which Members were asked to consider.

32.2 A Member raised concern that there were a number of items which had been in the 'pending items' section of the Work Programme for some time and he hoped that these would come forward in the near future. The Head of Corporate Services indicated that the Review of Workforce Development Strategy was being undertaken by the Interim HR Manager who had been tasked to complete this by the end of the year; he was keen for the Overview and Scrutiny Committee to have an input so this would be incorporated into the Work Programme for the coming months. The Review of the Corporate Enforcement Policy was being led by the Counter Fraud Manager and a draft policy had been produced which was currently with Management Team for discussion so this could also be expected in the near future. Another Member expressed concern that two of the items in the pending section had been identified in June 2017 - well over a year ago. The Head of Corporate Services clarified that items did not always have timescales attached when they came forward and he agreed that the pending items needed to be discussed and programmed in by management team; he provided assurance that this would be done by the next meeting of the Committee.

32.3 It was

RESOLVED 1. That the Overview and Scrutiny Committee Work Programme 2018/19 be **NOTED**.

2. That the pending items be scheduled into the Work Programme prior to the next meeting of the Committee.

OS.33 PERFORMANCE REPORT QUARTER 1 2018/19

- 33.1 The report of the Head of Corporate Services, circulated at Pages No. 31-71, attached performance management information for the first quarter of 2018/19. The Overview and Scrutiny Committee was asked to review and scrutinise the performance information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.
- 33.2 Members were advised that this was the first quarterly monitoring report for 2018/19 and progress against delivering the objectives and actions for each of the Council Plan priorities was reported through the Performance Tracker, attached at Appendix 1 to the report. Key actions for the quarter were highlighted at Paragraph 2.3 of the report and included: Executive Committee approval of disposal of the Ministry of Agriculture, Food and Fisheries (MAFF) site; two additional property investments; success of the garden waste project; completion of the Public Services Centre refurbishment; letting of the remaining office space on the top floor of the building; appointment of the Business Transformation Manager and Technical Planning Manager within Development Services; Council approval of the Community Services restructure; appointment of a development advisor for the Spring Gardens project; progress in respect of the implementation of the Customer Relationship Management (CRM) system; and delivery of 79 affordable homes. As always, due to the complex nature of the actions being delivered, it was inevitable that some would not progress as smoothly or quickly as envisaged and details of these were set out at Paragraph 2.4 of the report. The Head of Corporate Services pointed out that some of these actions had now been reported several times and there was a need for a discussion by the Management Team to ensure they had realistic target dates and adequate resources for delivery. In terms of the Key Performance Indicators (KPIs), Members were informed that the status of each indicator was set out at Paragraph 3.2 of the report. Of the 16 indicators with targets, two had not been achieved as at the end of the first quarter. It was noted that three new KPIs had been included for 2018/19: the number of visitors entering the Growth Hub; percentage of Freedom of Information (FOI) requests answered on time; and percentage of formal complaints answered on time. It was pleasing to report that that 100% of 'major' planning applications had been determined within 13 weeks, or an alternative period agreed with the applicant, which exceeded both the target and last year's outturn, and there had also been a reduction in the number of reported enviro-crimes compared to the previous year. A Member drew attention to Page No. 35, Paragraph 3.3, bullet point five of the report, in relation to KPI 21 – average number of days to process new benefit claims – which stated that the performance of 21 days was below the target of 15 days but should say 'above' the target. In respect of the reduction in the number of reported enviro-crimes, a Member indicated that this was largely due to the number of prosecutions and he felt that Officers' hard work should be recognised in this regard.

33.3

During the debate which ensued, the following queries and comments were made in relation to the Performance Tracker:

Priority: Finance and Resources

P41 – Objective 3 – Action a)
– Deliver the aims and objectives of the commercial property investment strategy
– A Member noted that the comments stated that the Council's property portfolio stood at £39m, producing a gross income of about £1.9m; however, the second bullet point on Page No. 33, Paragraph 2.3 of the report, stated that the annual gross income would be £2.4m.

Members questioned how far the property investments had helped to reduce the budget deficit and what action was taken to minimise risks associated with investment properties.

The Finance Manager apologised for this error and indicated that she believed the correct amount was £2.4m but she undertook to provide a schedule of all properties and their gross income following the meeting.

The Chief Executive explained that the deficit over the five year period of the Medium Term Financial Strategy remained at £1.8 - 2m and, whilst the net income of approximately £850,000 from the commercial property portfolio had made a huge difference, there were still some major issues to address as the budget programme moved forward in the autumn. Potential investments were considered by the Commercial Property Investment Board, which was a Member panel advised by Officers and the Council's investment advisors. In order to maximise investment potential, it was important that the property portfolio was as broad as possible and covered a range of sectors. It was worth noting that the external auditors had found the Council's investment portfolio, and the associated processes, to be sound. Members were advised that the risks associated with the portfolio were far outweighed by the income that was generated.

P42 – Objective 4 – Action b)
Explore options for the Ministry of Agriculture, Food and Fisheries (MAFF) site – A Member sought an update on plans for the site.

Members were informed that the Executive Committee had approved the disposal of the MAFF site for residential use. In order to achieve the best price, it was intended to sell the site with planning permission, if possible, and Officers were currently commissioning survey work to support that.

Priority: Promoting and Supporting Economic Growth

P46 – Objective 4 – Action b) Develop a programme with partners to progress Healings Mill and other key development opportunity sites to support the regeneration of Tewkesbury – A Member noted that the target date for this action had changed several times and she questioned whether any developers were interested in the Healings Mill site.

The Chief Executive explained that the main difficulty was that the Council did not own the site and therefore this action was largely outside of its control. Notwithstanding this, he recognised that the target date had changed significantly, and he agreed that more meaningful timescales were needed.

P46 – Objective 5 – Action a) Explore with partners – including the Battlefield Society – the potential to increase the heritage offer at the Battlefield site – A Member sought a progress update.

The Chief Executive advised that some progress had been made and it was intended to bring forward a project with the various partners. To date, Officers had met with the key landowners and stakeholders to discuss what might be possible and consideration was being given to an IT-based heritage project. The project had slipped as it had taken longer than anticipated to engage with the Battlefield Society and other partners. It was noted that the revised target date of December 2018 related to getting agreement on a way forward rather than the date the project would be completed in its entirety.

Key Performance Indicators for Priority: Economic Development

P48 – KPI 5 – Number of visitors to Tewkesbury Tourist Information Centre (TIC) – A Member was surprised to see that the number of visitors to the Tewkesbury TIC had decreased given the fantastic weather over the summer.

Members were reminded that the figures related to the first quarter of 2018/19 which covered the period April-June - before the extended period of hot and dry weather.

P48 – KPI 7 – Number of visitors entering the Growth Hub – A Member noted that this was a new indicator and questioned what comparisons would be used to establish whether performance was good or bad.

The Chief Executive explained that this KPI had been set by the Local Enterprise Partnership (LEP) as a condition of the capital that it had put into the Growth Hub and it was currently the only measure of performance available. The only other tier two Growth Hub in Gloucestershire was at the Royal Agricultural University in Cirencester, which had recently opened, and no other Growth Hub in the UK was located within a local authority premises therefore there was no established track record for comparison.

- 33.4 Turning to the financial information, the Finance Manager was pleased to report an £81,867 surplus against the profiled budget for quarter one. This was largely due to employee cost savings of £76,330, mainly within the Property and Development Services teams, and additional income of £19,940 mainly in relation to the garden waste service and grant income for the Benefits team which had not been budgeted for. Unfortunately, the savings on employees in Development Services had been offset by the reduction in planning income which had been a continuing trend over the last 12 months. There had also been an overspend against benefit claimant payments i.e. where housing benefit claimants had been overpaid which could occur when claimants failed to inform the Council of a change in circumstances. This would be monitored over the coming months to identify any trends and resources had been allocated to the recovery of overpaid housing benefit. In addition, the first quarter outturn position for the Ubico contract had forecast a full year deficit of £84,000. It was noted that business rates income, returns from the investment portfolio and treasury management activities were all positive. Appendix 3 to the report set out the capital budget position as at quarter one. This showed a small underspend because of the office refurbishment being slightly behind the budget profile. Members were advised that this work had been delayed and the overall costs had increased due to the discovery of asbestos. The final element of the report related to the current usage of available reserves and a breakdown was shown at Appendix 4 to the report.
- 33.5 A Member drew attention to the table at Page No. 36, Paragraph 4.2 of the report, which showed a budget variance of £76,330 in respect of employee cost savings whereas Paragraph 4.3 reported this as £79,330. The Finance Manager confirmed that the figure in the table was correct, i.e. £76,330, and she apologised for the typographical error within the main body of the report. Another Member understood that there was a 1% margin of error within benefits due to overpayments and he questioned why this was not budgeted for. The Finance Manager believed that a 1% margin had been included in the budget; she explained that, if an overpayment was due to claimant error, the Council was able to recover 40% from the government. Tewkesbury Borough Council had a good track record of this and, given that it was only the first quarter, she was optimistic that the situation would improve. In response to a query regarding the asbestos, the Finance Manager confirmed that it had been found beneath the flagstones under the entrance to reception but it had not been as significant as first thought and had all been successfully removed.
- 33.6 Having considered the information provided, it was
- RESOLVED** That the performance management information for quarter one of 2018/19 be **NOTED**.

OS.34 GRASS CUTTING IMPROVEMENT PLAN

- 34.1 The report of the Head of Community Services, circulated at Pages No. 72-82, attached the grass cutting improvement plan that had been agreed to address the concerns raised at the Executive Committee meeting in June. Members were asked to consider the progress made against the improvement plan.
- 34.2 The Head of Community Services indicated that the history to the report was well-documented and he was pleased to advise that significant progress had been made against the actions contained within the grass cutting improvement plan. Following the approval of a contingency fund, a number of short-term improvements were immediately put in place and these were detailed at Page No. 74, Paragraph 2.1 of the report. A project group had been established, consisting of senior officers from the Council and Ubico, to ensure that these improvements were embedded and the group was also working on a number of longer-term improvements, as set out at Paragraph 3.1. Particular reference was made to the

need to consider the number of cuts and the standard that could be expected from a range of scenarios e.g. 8-10 cuts compared to 12-14 cuts etc. In addition to this, he was keen for Members to explore the possibility of prioritising certain areas for a higher standard of cut. He recognised that this was a significant piece of work but he considered that good progress was being made.

34.3 A Member felt that one of the biggest issues this year was in relation to the areas of grass owned by Gloucestershire County Council and how they had been dealt with - he understood that Tewkesbury Borough Council had mowed the land on behalf of the County Council. The Head of Community Services explained that he was awaiting the outcome of the County Council's review of its grass-cutting needs and he provided assurance that Officers would work with the County to address the issue going forward. The Member asked that this be reflected in the improvement plan and the Head of Community Services undertook to make this amendment.

34.4 The Chair sought views as to when the improvement plan should be brought back to the Committee for consideration and Members agreed that it should be added to the Agenda for the meeting in February 2019 to ensure that all issues had been addressed before the new grass-cutting season. The Head of Community Services indicated that he would like to do some work with Members prior to that, for example, reviewing the number of cuts and the prioritisation of areas, and he would consider how best to take that forward. It was

RESOLVED

1. That the progress against the grass cutting improvement plan be **NOTED**.

2. That a further report brought back to the Overview and Scrutiny Committee on 12 February 2019.

OS.35 UBICO CONTRACT MATTERS

35.1 The Chair indicated that the Lead Member for Clean and Green Environment had been invited to give a presentation on Ubico contract matters.

35.2 The following key points were raised during the presentation:

- Ubico – A Teckal Company – A local authority-owned company that must have 80% of its activity with the company owner i.e. Tewkesbury Borough Council and the other Councils; the other 20% could be work for other bodies and could generate income for the owning company; allowed for flexible trading arrangements; Tewkesbury Borough Council had the same control as if it was a Council department.
- Advantages of a Teckal – Tewkesbury Borough Council remained in control; shared risks and benefits; potential for economies of scale; savings from efficiencies benefited the owners; 20% headroom for commercial trading.
- A Local Authority-Owned Company – Seven shareholding authorities: Cheltenham Borough Council; Cotswold District Council; Tewkesbury Borough Council; Forest of Dean District Council; West Oxfordshire District Council; Stroud District Council; and Gloucestershire County Council.
- Ubico is Growing – Since the start of Ubico in 2012, with a turnover of £7m, it had grown rapidly: 650 employees; 450 vehicles and plant; 2017/18 turnover £29.9m.
- Benefits to Shareholders – Retain control over service provision and the company; economies of scale – purchasing strength, greater resilience, costs do not increase as much as a private contractor; flexibility to change services with minimal costs or legal fees; shared best practice.

- Medium Term Commercial Opportunities – Fleet: setting up of a vehicle rental company to reduce the cost of hiring vehicles; Staffing: setting up of a staffing agency to reduce costs of agency staff; Ubico Consultancy: use the Ubico model to support other Councils that want to set-up teckal companies.
- Longer Term Commercial Opportunities – Disposal and material recovery: setting up a Materials Recovery Facility (MRF); Acquisition: look to acquire businesses that complement Ubico's operation; Diversification: look to deliver a wider range of services to shareholders e.g. facilities management, transport and highways.
- Tewkesbury Borough Specifics – 350,600 collections per month – 4.2m collections per year; 175 hectares of grass maintained; monthly contract meeting to discuss performance; quarterly performance meetings; weekly customer services meetings; regular project meetings e.g. continuous improvement, garden waste club, street cleansing review, grounds maintenance, Javelin Park.
- Fleet – In 2017, £3.1m was spent on a new fleet for Tewkesbury Borough Council; an audit of how the fleet is being managed was being reported to the Audit Committee later in the year; in the process of commissioning a valuation of the fleet.
- Javelin Park – The new Energy from Waste facility would start to take waste from Gloucestershire authorities in March 2019 and be fully operational by August 2019; negotiations currently underway as to whether Tewkesbury Borough Council would deliver waste directly or via a waste transfer station; Members would be updated in due course.
- Tewkesbury Borough Member Involvement – Planned: Overview and Scrutiny Committee visit to the Swindon Road depot; visit West Oxfordshire to look at grounds maintenance; Ubico presenting commercial strategy to Council in January 2019.

35.3

The Chair thanked the Lead Member for his presentation and invited questions from the Committee. A Member sought an update on plans for a commercial trade waste service and was advised that the revised target date for this project was April 2019. The Head of Community Services explained that it had become evident from discussions to date that each local authority provided the service slightly differently, for example, some recycled which Tewkesbury Borough Council did not have capacity for, and Officers were continuing to explore the options. The Association of Public Service Excellence (APSE) report had recommended that this service be handed over to Ubico; however, this had not been considered favourably as the Council would not benefit from any profit generated. There was a further complication in that some local authorities may opt to join Publica - a local authority-owned company which delivered services on behalf of Councils - and therefore the commercial opportunity may not be as beneficial to Tewkesbury Borough Council; notwithstanding this, he provided assurance that discussions were ongoing with other authorities via the Joint Waste Partnership. The Lead Member reiterated that, in order to make it a viable service for Tewkesbury Borough Council, it was essential that it was offered in partnership and, whilst other local authorities were keen to offer a trade waste service, there were a number of complications which needed to be overcome.

- 35.4 A Member noted that Ubico had grown quite quickly and she raised concern that some of the aspirations seemed quite grand for what was a relatively small workforce. The Head of Community Services indicated that this had been recognised and one of the new Managing Director's first tasks had been to restructure the organisation and allocate additional resources to the corporate centre to be able to deliver these aspirations. In his view, one of the key issues which needed to be addressed urgently was staffing – there was a significant problem with attracting drivers which resulted in a reliance upon agency staff which cost Ubico, and therefore the Council, a lot of money. The Member questioned whether the Council was able to influence Ubico to prioritise this and she was informed that Tewkesbury Borough Council, via the Chief Executive, was a shareholder and the Deputy Chief Executive was Director of the Board so they would certainly have an influence.
- 35.5 A Member queried where Tewkesbury Borough's recycling was taken and was advised that the contract to sort the mixed recycling was with Suez Resource and Recovery at its Materials Recovery Facility (MRF) plant in Avonmouth; 92-95% was recycled at the plant and any that could not be recycled was taken to an Energy from Waste plant. The Chief Executive indicated that this had recently been raised at a Council meeting and a Member Update had been circulated with more information. Another Member went on to query whether the partner authorities in Ubico dealt with bin collection in the same way and if each Council had their own vehicle fleet as Tewkesbury Borough Council did. The Lead Member confirmed that Tewkesbury Borough Council shared Cheltenham Borough Council's depot; Cotswold, Forest of Dean and Stroud District Councils all had their own vehicles; some local authorities leased their vehicles rather than owning them. Each authority collected residual waste in more or less the same way; however, Tewkesbury Borough and Stroud District Councils collected co-mingled recycling whereas the other authorities did a kerbside sort. Whilst the majority of the local authority partners sent food waste to anaerobic digestion, Cotswold District Council still mixed food waste with garden waste which went for composting, although the Joint Waste Committee was seeking to influence that authority to come into line with the others. In response to a query as to why Cheltenham Borough Council did not use wheeled bins for its recycling, the Lead Member clarified that each local authority was able to choose what type of service it offered to its residents - Cheltenham Borough Council had carried out a survey which had shown that the majority of residents preferred a kerbside sort and it was easier to use recycling boxes for that. Given the different approaches taken by the local authorities, a Member raised concern that it would not be possible to achieve economies of scale. In response, the Lead Member reiterated that residual waste was collected in the same way, and the majority of food waste collections were also the same, so there was potential for some efficiencies to be made e.g. through bulk buying bins, fuel costs. The Chief Executive confirmed that approximately 70% of the service operated by Ubico was similar for all partners. It was important for Tewkesbury Borough Council to retain control and flexibility which, unfortunately, did limit the amount of operational economies of scale achieved; however, there could be other benefits to that, for example, the Council owned its vehicle fleet which offered some protection should Ubico ever get into difficulty and it meant that the vehicles were limited to working in Tewkesbury Borough so mileage etc. was kept in check. In response to a query, clarification was provided that some of the partner authorities leased their vehicles. A Member indicated that he would like an independent valuation of the Council's vehicle fleet and confirmation was provided that this was being commissioned.

- 35.6 A Member raised concern about the possibility of having to take residual waste to the Energy from Waste plant at Javelin Park as there would be a significant increase in mileage for Tewkesbury Borough Council given the geography of the borough and the location of the plant. He questioned whether there would also be additional costs in terms of double-loading. He also pointed out that, to his knowledge, the possibility of joining Publica had not been discussed by Members and he would be keen to understand all of the ramifications, particularly in terms of staffing. With regard to Javelin Park, the Lead Member explained that there would be two options: direct delivery, which would be extremely expensive to Tewkesbury Borough Council, or use of a waste transfer station. This was being discussed and Gloucestershire County Council recognised the impracticality of direct delivery for all of Tewkesbury Borough. In terms of Publica, the Head of Community Services clarified that Tewkesbury Borough Council was a waste collection authority in its own right. The Chief Executive explained that Cotswold, West Oxfordshire and the Forest of Dean District Councils were partners in both Ubico and Publica and they had a slightly different contract; when staff had been transferred from the various Councils to Ubico, those authorities had transferred all staff into Publica which provided the rest of their services. He stressed that the relationship with Ubico was unchanged and those authorities were shareholders in the same way as Tewkesbury Borough Council - rather than employing staff directly, they had a contract with another teckal company to provide staff. The Member went on to indicate that, if Tewkesbury Borough Council was to take its waste to a transfer station, Gloucestershire County Council would incur additional costs of having to go to the transfer station and he was concerned that these costs may be passed on. Clarification was provided that the County Council was a waste disposal authority, not a waste collection authority, so it did not have a fleet of vehicles. The Head of Community Services reiterated that negotiations were ongoing; the bottom line was that, if the County Council directed Tewkesbury Borough Council to take waste to Javelin Park, the amount that would be paid to Tewkesbury Borough Council would not cover these costs so it was necessary to look for an alternative solution, either delivery to a waste transfer station or a combination of that and direct delivery. The County Council recognised that Tewkesbury Borough Council was not willing to disrupt existing rounds and he was optimistic that a solution would be found within the next month or so.
- 35.7 A Member pointed out that there was a perception among some that Tewkesbury Borough Council joining Ubico had been at the expense of its waste service. The Head of Community Services stressed that the service was very good and, whilst there had been some issues over the last year, they were not necessarily down to Ubico as any significant service change caused disruption. A Member expressed the view that there was vast difference in the quality of the service provided by Tewkesbury Borough Council and other local authorities in the area which should be recognised.
- 35.8 A Member noted the proposal to visit West Oxfordshire District Council and she queried whether this was because it operated differently. The Head of Community Services confirmed that the main purpose of the visit would be to look at grounds maintenance and he indicated that this was an example of an area which paid for 17-20 cuts per year, compared to 10-12 in Tewkesbury Borough. The Committee welcomed the opportunity to understand more about Ubico and several Members indicated that they would be happy to visit the Swindon Road Depot. A brief debate ensued as to whether it would be beneficial to invite West Oxfordshire District Council to give a presentation to the Committee and it was agreed that this should be put on hold pending the review of the grass cutting improvement plan in February.

- 35.9 It was
RESOLVED That the presentation in respect of Ubico Contract Matters be
NOTED.

OS.36 SCRUTINY REVIEW OF WATER SUPPLY OUTAGE

- 36.1 Attention was drawn to the report of the Head of Community Services, circulated at Pages No. 83-127, which attached the final draft of the Scrutiny Review of Water Supply Outage Report. Members were asked to approve the draft report and to recommend to Council that the report be adopted, and to agree how the Overview and Scrutiny Committee would monitor delivery of the action plan going forward.
- 36.2 The Head of Community Services indicated that the Overview and Scrutiny Committee had been fully involved in the review. The final draft report was attached at Appendix A to the Committee report and included an action plan containing 20 recommendations which had been identified during the course of the review. It was noted that the action plan had been updated to reflect the current position. Unfortunately, some of the partner organisations had not been able to provide target dates for their actions prior to the meeting; this was largely due to reduced resources over the summer period. Notwithstanding this, he provided assurance that everyone was fully engaged and committed to delivering the action plan and Severn Trent Water had requested a meeting in October to discuss this further with partners.
- 36.3 The Chair indicated that this was the biggest piece of work that had been undertaken by the Overview and Scrutiny Committee during this Council term and he wished to thank everyone who had been involved in the review and the production of the report. He welcomed views on how the action plan should be monitored going forward. A Member also wished to extend his congratulations to all involved but he pointed out that a report was only as good as its outcomes and it was crucial to ensure that the action plan was delivered. The Head of Community Services suggested that the report be brought back in the final quarter of 2018/19, which would be a year after the water outage, and Members agreed that the February meeting would be most appropriate and that they would like all partner organisations involved in the review to attend in order to give updates on the actions relevant to them. The Head of Community Services undertook to invite partners to the meeting when he met with them in October and indicated that he would report back if there was a problem with this date. It was

- RESOLVED**
1. That the draft Scrutiny Review of Water Supply Outage Report be **APPROVED** and that it be **RECOMMENDED TO COUNCIL** that the report be **ADOPTED**.
 2. That the action plan be brought back to the Overview and Scrutiny Committee meeting on 12 February 2019 and that all partners involved in the review be invited to attend.

OS.37 CORPORATE STRATEGIES AND POLICIES

- 37.1 The report of the Head of Corporate Services, circulated at Pages No. 128-138, set out an updated list of corporate policies and strategies. Members were asked to consider the list and identify which policies and strategies would be reviewed by the Overview and Scrutiny Committee during 2018/19.

37.2 The Head of Corporate Services advised that the Overview and Scrutiny Committee had previously requested that a list of policies and strategies be produced to help inform its work programme as well as to provide support to the Executive Committee. The list was updated on an annual basis and the latest version was attached to the report at Appendix 1 with the policies and strategies due for review in 2018/19 highlighted in bold. It was to be borne in mind that the list included policies and strategies that came under the remit of other Committees and it was important not to duplicate this work. With that in mind, two policies had been identified as suitable for review by the Overview and Scrutiny Committee: Complaints Policy, which had been in place for two years and therefore it was prudent to undertake a review; and the Safeguarding Policy and Procedure which several Members had raised in various forums. Although not included within the list, it would also be necessary to formulate a strategy to implement the recent Council resolution in respect of the elimination of single use plastic within buildings and facilities managed by the Council by 2019, and efforts to encourage elimination within the Council's supply chain by 2025, and it was suggested that this could be undertaken by an Overview and Scrutiny Committee Working Group or workshop, depending on the scale of the task.

37.3 During the brief debate which ensued, a Member questioned whether it would be possible for a Working Group to consider other aspects of reducing waste alongside the resolution to eliminate single use plastic, for example, the benefits of moving towards paperless working. In response, the Chief Executive warned that, if required, this would be a task and finish group and would need to have a very specific focus; introducing other elements would open up the remit and could delay the production of a strategy for the very specific Council resolution on single use plastic that needed to be introduced in the near future if the 2019 target were to be achieved.

37.4 Accordingly, it was

RESOLVED

That the following policies and strategies be included for review in the Overview and Scrutiny Committee Work Programme for 2018/19:

- Complaints Policy
- Safeguarding Policy and Procedure
- Strategy to deliver the Council resolution in respect of the elimination of single use plastic

OS.38 COMPLAINTS REPORT

38.1 Attention was drawn to the report of the Head of Corporate Services, circulated at Pages No. 139-148, which provided a summary of complaints received during 2017/18 and included the annual letter received from the Local Government and Social Care Ombudsman. Members were asked to consider the information provided and any further action required.

38.2 Members were advised that 157 formal complaints had been received within the reporting period April 2017 to March 2018 of which 145 related to Council services. Of those complaints, 143 had been responded to within time which equated to 91%; 14 had been out of time and seven of those had related to planning which were often more complex. A breakdown of the complaints by service area, nature of complaint and remedy was attached to the report at Appendix 1 and it was noted that the majority of complaints were in respect of the Council's frontline services, particularly waste and recycling, which could be attributed to the change in waste rounds, effective from 1 April 2017, and adverse weather conditions. Members were reminded that waste collection was a high-profile service and the number of

complaints in relation to the number of collections was very small. 19 complaints had been subject to a second stage review, of which eight had been justified or partially justified. The second stage was where the complainant was unhappy with the original response and the complaint was assigned to an independent Head of Service for investigation. Members were advised that the figures were benchmarked through LG Inform, a database provided by the Local Government Association, and Tewkesbury Borough Council was consistently one of the best performers. During 2017/18, 12 complaints relating to Tewkesbury Borough Council had been determined by the Local Government and Social Care Ombudsman and only two of those had been upheld.

38.3 A Member sought clarification as to what happened when a complaint to the Local Government and Social Care Ombudsman was upheld and he was advised that this depended on the nature of the complaint – it could be an apology or by remedy. He confirmed that if a complaint was upheld it was not ongoing. In response to a query regarding what those complaints related to and whether there was a common denominator, Members were informed that both had related to planning enforcement. The Chief Executive indicated that he did not have the details to hand but would be happy to provide them outside of the meeting.

38.4 A Member drew attention to Appendix 1 which showed there had been a delay in responding to an enquiry or request on six occasions and she expressed the view that this should not happen. The Head of Corporate Services explained that capacity and competing priorities meant that, on occasion, it had not been possible to meet these targets. The Chief Executive reminded Members that this report should be considered in the context of the amount of individual customer contact and service requests received by the Council. His experience in local government suggested that the figures in relation to formal complaints were very low indeed.

38.5 It was

RESOLVED That the annual complaints report be **NOTED**.

The meeting closed at 6:40 pm