

Overview & Scrutiny Committee

Monday, 30th October, 2017

6.00 - 9.05 pm

Attendees	
Councillors:	Tim Harman (Chair), Jon Walklett (Vice-Chair), Colin Hay, Alex Hegenbarth, Chris Mason, Helena McCloskey, John Payne, Paul Baker and Max Wilkinson
Also in attendance:	Gareth Edmondson (Ubico), Peter Hatch (CBH), Councillor Steve Jordan (Leader), David Neudegg (Publica), Bryan Parsons (CBC), Caroline Walker (CBH) and Scott Williams (Joint Waste Team)

Minutes

DISRUPTION OF WATER SUPPLY

The Chairman advised that he had asked the Corporate Governance, Risk and Compliance Officer to produce a briefing on the disruption to water supply which had affected approximately 7000 properties in the town including GCHQ, 12 schools, doctors surgeries and residential nursing homes. This briefing (Appendix 1) had been circulated to members at the start of the meeting.

The Corporate Governance, Risk and Compliance Officer explained that he had had a further conversation with Severn Trent at 5pm, at which point they had advised that the supply to the vast majority of properties would be reinstated by 7pm, with the remainder expected to be completed by 1am. He noted that this would be a temporary fix as engineering was required at a location alongside the motorway and this would take more work. He felt that the Council procedures had been effective and took the opportunity to apologise for any past or future test messages, but stressed the importance of this testing in ensuring that processes remained relevant and contact information was up to date.

The following responses were given to member questions:

- All affected schools and doctors surgeries were due to reopen as usual tomorrow.
- Communication from Severn Trent had been very good after the council had been informed of the issue but the fact that it was not reported to them by Severn Trent was a cause for concern and would be revisited once the issue had been fully resolved. Had Severn Trent been in contact with the council earlier, then initial communications by the council could have been better. DCLG had been in attendance at the Tactical Command Group meetings and commented that this was unacceptable. It was, unfortunately, his experience that utility companies tended to be slow to report issues to the council.

- The text alert that was received 'from the Comms Team' was not clear as to which Comms Team, CBC or GCC and there was a suggestion that it would be helpful to include this in future alerts.

Members, including the Cabinet Member for Corporate Services, commended officers for their handling of communications on behalf of the council.

1. APOLOGIES

No apologies had been received. Councillor Holliday has advised that she would be late and ultimately did not attend.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting and those of a sub-committee had been circulated with the agenda.

Upon a vote it was unanimously

RESOLVED that the minutes of the sub-committee meeting held on the 30 August 2017 and the minutes of the committee meeting held on the 11 September 2017, be agreed and signed as an accurate record.

4. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

None had been received.

5. MATTERS REFERRED TO COMMITTEE

No matters had been referred to the committee.

6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

There had been no meetings of the Police and Crime Panel since the last meeting of this committee and the meeting of the Gloucestershire Scrutiny Group (20 October) had been cancelled.

A written update on the 12 September meeting of the Health and Care Scrutiny Committee (H&CSC) had been circulated with the agenda. A member queried why the briefing from Councillor Harvey did not include any reference to A&E and reiterated concerns he had raised at a recent council meeting regarding the current chair of O&S having taken a position as Cabinet Member at the county council. This was particularly relative to the topic of A&E as Councillor Harman was the Executive member of the Health and Wellbeing Board. This was an important issue for Cheltenham and he hoped that representatives were raising this issue, which appeared to be progressing with no suggestion of consultation. Having been a member of the H&CSC at the time when Cheltenham A&E was downgraded from a 24hr service, the committee had, in his view, dismissed the issue as a Cheltenham issue and almost, he felt, treated him with contempt for having raised it. The Chairman reassured members that A&E had not been discussed at the 12 September meeting, which has instead focussed on the Forest of Dean and stressed that the H&CSC held the statutory role to scrutinise Health. The Chairman was aware that the Leader was going to be

raising this issue as part of the Cabinet Briefing and suggested that this discussion could continue under that item.

A written update on the 19 October meeting of the Gloucestershire Economic Growth Scrutiny Committee had been circulated separately to the agenda. Members commended the update that had been produced by Councillor McCloskey and a member who has also attended the Tewkesbury Borough presentation commented that Mike Dawson, the Chief Executive, had been particularly vocal about his support for modular houses, which as well as being of fantastic quality, also allowed for entire estates to be erected over the period of a weekend.

7. CABINET BRIEFING

The Chairman thanked the Leader for having produced a written briefing, which had been circulated with the agenda.

Further to the briefing on Devolution, the Leader updated that he would be attending a meeting with GCC the following day to discuss a local devolution deal. He suggested that public realm works to the High Street could be used as a test case for any such deal.

Following on from the discussion on A&E, he confirmed that Cabinet had planned to raise this very issue at their next meeting (7 November) at which point it was likely they would have asked O&S to decide how they felt this issue should be taken forward. He felt that the motion debate at Council had been useful in as much as it had resulted in an agreed position; with a letter having been sent calling on the Chair of the Trust to confirm that any proposals in relation to the future of Cheltenham's A&E would be discussed with the council and shared with the people of Cheltenham, but now members needed to decide how Cheltenham could be best represented as part of future discussions.

The Leader referred members to the briefing note on deprivation at the back of their agenda packs and suggested that the committee might want to consider how it could get a better understanding of the impact of this issue.

The Leader gave the following responses to member questions:

- All districts were consulted on what kind of local devolution deal they would be interested in and Cheltenham responded by asking for maximum involvement. However, other districts had different views. As stated in the written briefing, there had been no formal response to these proposals since May 2017, tomorrow represented the first opportunity to discuss the matter further. Informally, there had been a suggestion that the High Street could be used as a test case, but there were some finer details to resolve before this could be taken forward.
- The Leader did not feel that a devolution deal (for Gloucestershire) from central government was now likely. However, Gloucestershire had expressed an interest in the 100% Business rate Retention pilot since Government had agreed to the continuation of the 'no detriment clause' which guaranteed that selected areas would not be worse off as a result of having participated in the pilot. If accepted as a pilot, Council approval would be required. The local devolution deal was separate.

- He would feedback the outcome of the 2050 discussions as part of future Cabinet Briefings.
- His suggestion was that the Trust should be invited to present their plans to the committee, allowing members to ask questions.
- He confirmed that Alex Chalk, MP, had been included in communications about A&E.

A member felt that the committee should establish a task group to look at the issue of deprivation. A number of organisations had done a lot of work and spent a lot of money over the last 20 years and it was possible that the figures weren't improving as people were getting jobs and moving out of these areas and others were moving in. He felt that the group should reevaluate what worked and ultimately, the real measure of success. The lead members would discuss this further at a later date.

The Chairman accepted that the Health and Wellbeing Board (which leads on improving the co-ordination of commissioning across Health, Social Care and Public Health services and brings together elected members, leaders from the NHS, social care, Police and the voluntary and community sector to work together and support one another to improve the health and wellbeing of the local population and reduce health inequalities) was seen by some as little more than a sounding board rather than providing the level of challenge that it should. He reminded members that the Gloucestershire Health and Care O&S Committee, on which Cheltenham had an elected representative (Councillor Harvey), held the statutory responsibility for scrutinising the NHS Trust. In view of this, he suggested that at this stage, rather than establishing a task group, the NHS Trust instead, be invited to present their proposals to all CBC elected members as part of a member seminar. Members of the committee agreed with the proposal to arrange a member seminar. Officers would contact the relevant people at the NHS Trust and Gloucestershire Clinical Commissioning Group and extend an invitation accordingly.

8. CBH

Peter Hatch, the Executive Director of Property and Communities and Caroline Walker, Head of Community Services, from Cheltenham Borough Homes introduced themselves to the committee. They talked through a PowerPoint presentation (Appendix 3) and key points included:

- The organisation had recently adopted three new aims: Great Homes; Stronger Communities and; Inspired People and under each of these aims were delivery targets.
- CBH managed 4,460 and 600 leasehold homes and had handed over 3 new council owned homes this year alone, with another 6 planned before March 2018.
- With an annual rent and service charge income of nearly £20m and current arrears of only 1.34% (£259k), CBH were performing well in spite of the challenges being posed by welfare reforms.
- Satisfaction levels across a number of areas were high.
- On average there were only 35 properties at any one time that were empty and awaiting new tenants. Most homes were re-let within 17 days.

- CBH worked with the Police, CBC and were looking forward to working with Project Solace in the near future, to work to stop ASB, whilst supporting people to stay in their homes. As of the end of September there were 458 live ASB cases, though this included a broad range of issues and so far this year 98% of closed cases have been resolved by the safer estates team, with 100% of customers being satisfied with the outcome.
- To date in 2017, legal action had been taken in 30 cases, including possession, injunctions and tenancy demotion.
- CBH owned 16 Shared Ownership properties and oversaw 27 CBC Shared Ownership and sheltered properties, as well as 500 leaseholders.
- There had been 28 RTB sales in 2016/17.
- Shared ownership was a relatively new undertaking for CBH and their processes were evolving, which included the development of a Shared Ownership Handbook. 61% of those in leasehold and shared ownership properties were satisfied with the services provided by CBH. The sector average was 64%
- Universal Credit would pose a significant challenge to CBH when roll – out was completed. Their experience with the small number of customers for whom it had already been rolled out was that they required a high level of support and CBH would not have the resources to offer this same level of support to everyone that would ultimately be affected.
- CBH had historically and continued to find it difficult to recruit staff to their technical and compliance teams.
- Tight restrictions on the use of RTB receipts (including not being able to buy ex-authority properties) and a shortage of suitable land in Cheltenham posed a significant challenge to CBH and meant that they had to buy on the open market, which did not necessarily represent good value for money when compared to building new homes.
- The emerging issue of drugs, vulnerability and Dangerous Drug Networks paired with the resource issues being faced by the Police, did make aligning priorities and addressing issues quite challenging at times.

The following responses were given to member questions:

- Dangerous Drug Networks were an emerging issue and CBH and the Police worked together when a property was identified; whether by neighbours or CBH staff. Closure Orders allowed the tenant to be treated as a vulnerable person and moved to an alternative address for a period of 3 months and Tenant Liaison Officers would work with the individual on a 1-2-1 basis to help prevent it happening again. However, predicting where this might happen next was a challenge and CBH were working hard to identify vulnerable people through a risk assessment process.
- Shared ownership had placed different demands on CBH which admittedly they were not entirely prepared for, but having acknowledged this someone was now in place to manage issues. There is a market for shared ownership in Cheltenham and there would be an emphasis on

the customer service needs of those in shared ownership properties over the next 12 months.

- In terms of the damage caused to the HUB in St. Paul's there could have been no way to have pre-empted what happened that morning as all intelligence was focussed on another property in the area. CBH had worked closely with the Police and one culprit has been successfully identified. CBH were proud of their response to the vandalism, in as much as planned events were able to be held at alternative venues. The HUB had been used a lot during the recent half term and would soon have shutters which would prevent similar vandalism in the future.
- CBH promoted autonomy in their staff which it was felt inspired them to do the best job they could do for the organisation and its customers. All staff were subject to an annual appraisal, which resulted in a development plan, which had recently given a new emphasis to self-development.
- All staff received basic safeguarding training, with relevant staff, some of whom made thousands of visits to people's homes a year, subject to enhanced training. Staff would record any concerns and dedicated safeguarding resource would review concerns and refer all cases to Gloucestershire County Council. If the Council threshold was not met then the issue(s) would be managed locally and discussed as part of the safeguarding forum, which provided an opportunity for shared learning.
- CBH undertake a range of customer satisfaction surveys. Transactional surveys, taken on completion of every repair, were supplemented by bi-annual survey results. A third party company undertook the bi-annual survey.
- CBH were currently supporting approximately 50 people that were affected by Universal Credit, though they were predicting that once fully rolled-out, this would be approximately 1800 customers. Whilst some resource had been built up over the last 2 years, the level of support currently being provided to 50 would be difficult to replicate for 1800.
- No RTB receipts had been returned but this was not to say that adhering to strict government restrictions had not proved very challenging.
- In order to develop the new corporate aims, CBH had established a working group consisting of a cross section of staff; this working group had devised a number of values as well as innovative ways of conveying these values, including singing, poems, etc. There was then a company-wide vote on the values, which resulted in four new values being adopted that will underpin the aims.
- The number of properties which met the decent homes standard currently stood at over 99% and a programme was being put together to address the standard of prefabs in the town, though it was unlikely it would be possible to get these properties up to 100%. If a customer makes numerous refusals, the property would be removed from the Decent Homes list until the property became void.
- Again in terms of satisfaction figures on ASB, transactional surveys were undertaken with those that had reported ASB and 100% were happy with the outcome, the figure of 63% had been generated from the bi-annual survey of all customers.
- CBH were asked to explore taking on private tenancies, managing tenancies on behalf of others and establishing a building arm to the

company. The number of ASB cases was slowly rising but it was stressed that this figure covered a whole range of ASB reports

- Restorative justice represented a new approach to CBH and as such the organisation was currently developing its knowledge and skills in this area.

The Chairman thanked Peter and Caroline for having attended the meeting and asked that they pass on thanks for CBH staff for the job that they do.

9. UBICO

Gareth Edmundson, Managing Director of Ubico and Scott Williams, Client Officer from the Joint Waste Team, talked through a PowerPoint presentation (Appendix 4) and the key points included:

- The old waste and recycling service had been in place since 2011 and with the collection vehicles at the end of life and waste and recycling rounds inefficient due to additional properties, changes were required.
- An 18 month project (to implementation) was undertaken and 2 public consultations undertaken in 2016 helped to identify the improvements.
- Although collection frequencies had stayed the same, the new service launched on the 16 October included: an expansion of the recycling materials collected at the kerbside; collection days changing for the majority of residents; new refuse vehicles and; new reusable cardboard sacks.
- The service would take 6-8 weeks to bed-in but already a large proportion of residents had shown to be sorting their recycling appropriately.
- Additional benefits of the new scheme would include: built in resilience for breakdowns and less time waiting for missed collections, as well as less environmental impact as a result of reduced mileage.
- At present, Ubico had seven shareholding authorities, over 600 employees, they maintained and operated over 350 vehicles and projected turnover for 2017/18 was circa £30m.
- Ubico delivered a number of services for its clients which included grounds maintenance, trade waste and recycling, street cleaning and pest control amongst many others.
- A new management structure has resulted in there being two distinct aspects to the business: operational and commercial.
- 2017/18 milestones included, but were not limited to: implementing new terms and conditions, nurse led absence and Employee Assistance Program and recommissioning support services.
- After a period of growth it was felt that the existing corporate values required updating whilst ensuring that they were meaningful and helping staff across the partnerships feel part of Ubico. This would help embed the principles of: being safe; working together; improving communications and customer service and; renewing commitment to honesty and respect.
- The 2017/18 business plan commits Ubico to developing a strategy to achieve £1m turnover from external income thus resulting in greater returns to shareholders and a number of areas would be explored.

The following responses were given to member questions:

- Traditionally, the rebalancing of rounds was done every 7 years (based on vehicle renewal) and with the introduction of zoning this would be much easier in future. In actual fact some contingency had already been built in to accommodate for new developments.
- The new vehicles included cameras as well as trackers. As part of Gloucestershire wide Health & Safety forum, Ubico is supporting a scheme led by Biffa on reporting dangerous drivers, which Gareth had witnessed first-hand having accompanied some crews during their collections.
- During the first 6-8 weeks missed bins would not be reported until 3pm and collections made the next day but after this initial period had passed, supervisors would be able to simply radio the vehicle and the collection made the same day as far as possible.
- The new vehicles all had Euro 5 engines which was the most economical on the market at the moment and despite alternative options currently being considered for support vehicles, this would not be an option for the waste vehicles themselves given they weighed 26 tonnes.
- Once the bedding-in period was complete, the next step would be to look at the level of use of bring sites and see if improvements could be identified?
- Ubico offered a business recycling service for which there was a charge and as bring sites were not policed it was acknowledged that such sites were open to abuse by businesses.
- Staff had been given four separate briefings on the fact that cardboard bags and lids should be put into the recycling box after collection. It was felt that simplified values (i.e. taking pride in your work / take care) would allow for more effective debriefs of crews and it was noted that the better the standard to which a residents recycling had been sorted, the more beneficial this would be to crews and would minimise the time the vehicle/s spent blocking roads.
- A long and comprehensive communication campaign was undertaken ahead of the launch of the new scheme which aimed to make it clear to residents how the scheme would work. Despite some claims that it was complicated and would ultimately discourage people from recycling, a large number of people were presenting their recycling as was intended.
- It was envisaged that it would take another two months before it would be possible to get a real picture of whether the amount of waste going to landfill had reduced but it was noted that such data would need to be considered in the context of external factors which affected waste data on a year to year and even a season to season basis.
- Residents had been misinformed if they had been advised that they would lose any additional green bins that they had previously had, though the issue of side waste was one that would soon be reviewed.
- There were two targets, the Gloucestershire wide target which called for an increase in recycling of 60% across the county by 2020 and a Cheltenham self-imposed target of between 48-50% in recognition of the fact that urban areas could not achieve the same rates as rural areas. It was felt that the 60% target would be far more challenging to achieve given the measures that had already been put in place across the county.

- New compactors had been installed at the Swindon Road recycling centre. Ubico were aware of the issues that since arisen and were working to resolve them.
- A full review had been built into the service redesign project.
- Feedback from operatives in relation to the new vehicles had been very positive.

The Chairman allowed a member of the public to speak. The gentleman explained that he had recently moved from Pirton in Wiltshire which he felt had a model recycling centre. The site was clean and tidy and had two members of staff specifically charged with challenging the public to recycle anything that could be recycled rather than using general waste. He suggested that Swindon Road would benefit from staff doing the same.

The Chairman thanked Gareth and Scott for their attendance and suggested that it was too soon to judge how successful the new scheme was and the committee would instead wait to review the detail of the de-brief.

10. PUBLICA

David Neudegg, the Managing Director of Publica explained that he has been asked to attend the meeting to address two key points; any implications arising from the fact that CBC commissioned less services from Publica and future scrutiny arrangements. David talked through a PowerPoint presentation (Appendix 5) which covered the following key points:

- Publica would launch on the 1 November 2017.
- The company had 4 ambitions; to be a great provider; to be a great place to work; to be a growing and improving company and; to support our member councils deliver their ambitions.
- Service monitoring included: an Annual Service Plan which would be agreed with each Council in February/march and would set out service standards and any specific pieces of work; quarterly meetings with the Council's service commissioner and relevant portfolio holder; quarterly Client Officer Group meetings of Lead Commissioners and Publica to overall performance and strategic issues and; reports of the Client Officer Group would also be considered by the Member Liaison Group which would have representatives from each council.
- The formation of a Member Liaison Group had arisen from a suggestion by members at CBC as a means for back benchers to have an opportunity for informal involvement. The suggestion was that there would be 2-3 representatives from each council and the Terms of Reference for this group was being developed at the moment.
- Member Councils had a number of 'Reserved Powers' and these Reserved Powers required 75% approval by Member Councils. A procedure had been established with the aim of ensuring that any major decisions were reached unanimously.
- The Reserved Powers were exercised on behalf of each council by the Leader.
- It would be for each council to establish procedures to ensure transparency and scrutiny.

- The original structure of three companies had changed to just one, which would be simpler, cheaper and provided improved trading opportunities. All services had been moved to this company.
- CBC had equal voting rights on all reserved matters regardless of the value of business it had in the company.
- CBC would have the right, in the future and if it wished to, add services without requiring agreement from the other partners.

David Neudegg provided the following responses to member questions:

- Clients such as CBH, Ubico and the Trust would be treated the same as partner councils, simply without voting rights. Publica would be happy to attend Board meetings of any client, as required.
- The Annual Service Plan would match the Corporate Strategy and as such it was suggested that there would be merit in it being taken to O&S ahead of it being agreed, as was the case with the Corporate Strategy. However, this would be for each council to decide.
- Perhaps rather than having representatives from the Member Liaison Group attend O&S meetings to provide feedback it would be more sensible to circulate the minutes of those meetings.
- The Governance arrangements that had been put in place for Publica were based on those for Ubico, though the inclusion of the Member Liaison Group was an enhancement to those arrangements.

Some members voiced concerns that it was only at this late stage that the council was giving consideration to the kind of scrutiny arrangements that were required, feeling that this was something that should have been considered far earlier in the process. A member disagreed, stating that in simple terms, Publica was an evolution of GO Shared Services.

The committee were comfortable that opportunities for scrutiny, generally, would consist of an annual review of the draft Service Plan and sight of the minutes of the quarterly Member Liaison Group meetings. The lead members for the committee (Councillors Harman, Payne and Walklett) would give more thought to which decisions would be scrutinised and how.

On behalf of the committee, the Chairman thanked David Neudegg for this attendance.

11. REVIEW OF SCRUTINY WORKPLAN

The work plan had been circulated with the agenda.

Members were asked to review the items scheduled for consideration at the next meeting (27 November) given that two additional items had been added:

- Public realm planting and options for the Arle Nursery asset
- Gloucestershire Airport update

The committee agreed that the Solace and Cemetery and Crematorium items should be briefing notes given the limited progress that would be reported in November. This resulted in a far more manageable agenda for the November meeting.

There were no other changes to the work plan.

12. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION
Upon a vote it was unanimously

RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph(s) 3 and 7, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Paragraph 7; Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

13. EXEMPT MINUTES

The exempt minutes of the sub-committee had been circulated with the agenda.

Upon a vote, by those that had attended the sub-committee meeting, it was unanimously

RESOLVED that the exempt minutes of the sub-committee meeting held on the 30 August 2017, be agreed and signed as an accurate record.

14. DATE OF NEXT MEETING

The next meeting was scheduled for the 27 November 2017.

Tim Harman
Chairman