



Borough of Tamworth

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CORPORATE SCRUTINY COMMITTEE

28 September 2022

Dear Councillor

A Meeting of the Corporate Scrutiny Committee will be held in **Town Hall, Market Street, Tamworth on Thursday, 6th October, 2022 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal line that tapers to a point.

Chief Executive

A G E N D A

NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 10)**
- 3 Declarations of Interest**

To receive any declarations of Members' interests (personal and/or personal and prejudicial) in any matters which are to be considered at this meeting.

When Members are declaring a personal interest or personal and prejudicial interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a personal and prejudicial interest in respect of which they do not have a dispensation.

- 4 Chair's Update**
- 5 Responses to Reports of the Corporate Scrutiny Committee**
- 6 Consideration of Matters referred to the Corporate Scrutiny Committee from Cabinet / Council**
- 7 Gungate Regeneration Programme Terms of Reference** (Pages 11 - 16)
(Report of the Portfolio Holder for Skills, Planning, Economy & Waste)
- 8 Street Market update**
(To receive a verbal update from the Head of Economic Development and Regeneration)
- 9 Forward Plan**
(Discussion item – link to Forward Plan is attached)

[Browse plans - Cabinet, 2022 :: Tamworth Borough Council](#)
- 10 Working Group Updates**
To provide any update on any working group
- 11 Corporate Scrutiny Committee Work Plan** (Pages 17 - 18)
(Discussion item)

Access arrangements

If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail democratic-services@tamworth.gov.uk. We can then endeavour to ensure that any particular requirements you may have are catered for.

Filming of Meetings

The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.

If a member of the public is particularly concerned about accidental filming, please contact a member of Democratic Services before selecting a seat.

FAQs

For further information about the Council's Committee arrangements please see the FAQ page [here](#)

To Councillors: T Jay, D Cook, M Cook, C Cooke, A Cooper, S Goodall, J Harper,
S Peaple and S Smith

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MINUTES OF A MEETING OF THE CORPORATE SCRUTINY COMMITTEE HELD ON 6th SEPTEMBER 2022

PRESENT: Councillor T Jay (Chair), Councillors D Cook, C Cooke, A Cooper, S Goodall and J Harper

CABINET Councillor Jeremy Oates

The following officers were present: Andrew Barratt (Chief Executive) and Jo Hutchison (Democratic Services, Scrutiny and Elections Officer)

23 APOLOGIES FOR ABSENCE

There were apologies from Councillors Samuel Smith, Jason Jones and Sheree People. Councillor Andrew Cooper attended as substitute for Councillor S Smith.

24 MINUTES OF THE PREVIOUS MEETING

Minutes from the meeting held on 16th August 2022 were approved as a correct record.

(Moved by Councillor C Cooke and seconded by Councillor J Harper)

The Chair confirmed that the Committee's Work Plan had been updated to include a Street Market update later this year.

25 DECLARATIONS OF INTEREST

There were no declarations of interest

26 CHAIR'S UPDATE

The Chair highlighted that this meeting had been scheduled as an additional meeting to focus on the Quarter 1 2022/23 Performance Report.

27 RESPONSES TO REPORTS OF THE CORPORATE SCRUTINY COMMITTEE

None.

28 CONSIDERATION OF MATTERS REFERRED TO THE CORPORATE SCRUTINY COMMITTEE FROM CABINET / COUNCIL

None.

29 FORWARD PLAN

The Committee considered the Forward Plan and noted that the Gungate Regeneration Programme Terms of Reference item due for a Cabinet decision on 10th November was scheduled for consideration by the Corporate Scrutiny Committee on 6 October 2022.

30 QUARTER ONE 2022/23 PERFORMANCE REPORT

Report of the Leader of the Council to provide the Committee with an overview of Council performance update, risk and financial health-check towards achieving the strategic priorities detailed within the Corporate Plan and Medium-Term Financial Strategy. The information contained within the report covered performance for the first quarter of the financial year i.e., April to June 2022. Cabinet would consider the report on 8th September 2022.

The Leader introduced the Report and highlighted to the Committee that:

1. the Recovery and Reset Programme showed some red and amber. The Leader reported that given the opportunities available through the Government announcement of the Levelling Up Fund (LUF), the programme had been paused in part whilst the outcome of the Levelling Up Fund bids which had been approved by Council were awaited. This was because the opportunities available from the Levelling Up Fund could solve some aspects of the Recovery and Reset project. However, this meant that some aspects of the programme were paused until the outcome of the Levelling up fund were known.
2. In terms of the Corporate Projects Summary there were none with a red project status currently.
3. The uncertainty on the impact on the Medium Term Financial Strategy (MTFS) continued.

The Committee commented and sought clarifications in the following areas:

1. The Committee requested that the report focussed on red and amber items, rather than recording green items, with deep dives undertaken by the Committee on red items. The Chair requested that this was fed into the working group on the QPR which was underway. It was further noted that the working group could consider where the content was included to avoid repetition, at differing levels of detail, and to focus on the key aspects.
2. Net Zero Carbon project and how the Council aimed to achieve its targets. It was reported that the Baseline Report would require close scrutiny and was due for consideration at the Infrastructure Safety & Growth Scrutiny Committee at the end of September, prior to Cabinet consideration in October. Through that process there would be opportunities to understand

- what the baseline positions was and what it would mean for the Council and to enable a focus on the costs which would be associated with achieving the targets.
3. Whether there had been increased contact from residents, due to the cost of living, which could have impacted on resources within the Council. It was reported that whilst the report focussed on Quarter 1, there had been an increase in universal claimants of 2.1% at July 2022.
 4. Whether the increased costs (including in terms of energy) had impacted on the Council's Budget, where it was reported that anticipated impacts and outturns (Allowance for Inflationary Cost pressures) on the General Fund and Housing Revenue Account were recorded of £250,000.
 5. Whether there was an update on the rationalisation of building requirements and utilisation of Marmion House in the Recovery & Reset Programme. It was reported that the agreement was to pause work until the outcome of the LUF bid was known, however, work continued to understand how we could reduce the occupation of Marmion House so areas could be shut off whilst we await the outcome of the LUF bid, which would deliver a saving in terms of costs and carbon footprint. Work to reinvest in alternative premises would be paused until the outcome of the LUF bid was understood.
 6. Clarification on the SMART working project (in the Recovery and Reset Programme) was sought where it was confirmed that this project was completed.
 7. An update on Corporate Project referred to as Solway, where it was confirmed that Cabinet had made a decision on the land, which was what this project related to, however there was a wider debate to be had over the future of the trading company.
 8. The Local Council Tax Reduction Banded Scheme project which had been under consideration for several years.
 9. Whether the graphs for the General Fund which showed by quarter the anticipated spend against budget provided the information in the best format to provide the information required by the Committee to scrutinise this area. The Chair reported that the data had been presented this way to help explain the quarterly fluctuations in data, however, further consideration could be given to these graphs, and their detail and scaling, in the working group.
 10. The Key Project - Assure, which was rated as amber. The Committee considered that it required further assurance as to whether work on this project was on track to ensure timely delivery. The Committee moved and seconded, but did not vote on, a Motion to request an update to the next meeting of this Committee, and instead agreed that a written update be provided by Officers and circulated to members, and if required the item be considered at a future Committee meeting.
 11. The Key Project – Corporation Street (Gateway Project), and its alignment to priorities within the Vision where the Leader reported that this was an area where a review could be considered.
 12. Discretionary Housing Payments where an explanation for the drop in approvals of these payments was requested as well as a request that the data be provided as a percentage in future reports. It was agreed that a written update would be provided to the Committee.

13. The Committee requested updated figures regarding the revenues billing position to assure members that the trend was in the right direction following the work which had been required to focus on energy rebates and the consequences this had on the team's resources.
14. Whether the Property Fund Investments were delivering the targeted revenues. The Chief Executive reported that this remained the most prudent way of investing the Council's available capital and the fund value had shown capital growth as well as a revenue return. It was also reported that treasury would be before Council later in September.
15. Rent arrears and the reasons for the increase in this figure, and whether these arrears were of a short or longer term nature. It was also requested that this data be provided as a percentage in future reports.
16. Review of Swimming Subsidy and Future Options, where the Committee requested a more detailed update.

RESOLVED that the Committee endorsed the Report.

(Moved by Councillor C Cooke and seconded by Councillor A Cooper)

31 CORPORATE SCRUTINY COMMITTEE WORK PLAN

The Committee considered its Work Plan and updated it as follows:

Corporate Scrutiny Work Plan

Work Plan		
TARGET MEETING DATE	SUBJECT	MEETING WHEN ITEM ADDED TO WORK PLAN
6 October 2022	Draft Asset Management Strategy	June 2022
6 October 2022	Gungate Regeneration Programme Terms of Reference	
6 October 2022 (to be confirmed if required)	Update on Assure Project (Environmental Health)	September 2022
17 November 2022	Quarter 2 2022/23 Performance Report	
17 November 2022	Joint Waste contract update	June 2021
17 November 2022	Street Market update	August 2022
8 February 2022	Quarter 3 2022/23 Performance Report	
Dates to be agreed		
TBC	Update on corporate prioritisation	August 2020
Bi-annual updates (March & September)	Solway Trading Company Update	December 2019
TBC	Gungate Masterplan	January 2020
TBC	Reset & Recovery Workstreams	November 2021
TBC	Staffordshire Leaders Board	February 2022
TBC	Corporation Street (Gateway project) – review	September 2022

Working Groups		
TBC – which meeting Working Group to report back to	Review of Quarterly Performance Report to align with new Corporate Plan 2022-2025 Members: Cllr T Jay, S Goodall, C Cooke	June 2022

Upcoming Corporate Scrutiny Committee Meetings

Meeting dates:

6 October 2022

17 November 2022

8 December 2022

8 February 2023

9 March 2023

Chair

Thursday, 6 October 2022

Report of the Portfolio Holder for Skills, Planning, Economy & Waste

Gungate Regeneration Programme Terms of Reference

Exempt Information

None

Purpose

To provide Corporate Scrutiny with an update on proposed governance for the Gungate Regeneration programme and an early draft of the terms of reference for any programme governance board prior to consideration by Cabinet.

Recommendations

It is recommended that:

1. Corporate Scrutiny Committee reviews and considers the draft terms of reference for the Gungate Regeneration programme
2. Corporate Scrutiny Committee makes any comments and recommendations on how the draft terms of reference might be amended or changed prior to submission to Cabinet for approval.

Executive Summary

As a result of comprehensive development work over the past 3 years on the site known as Gungate and the recent Levelling Up Fund round 2 submission to government, the Council is now able to start the creation of a formal governance structure to oversee emerging projects. It is important to start this process in advance of knowing if the Borough Council has been successful with its bid to Government, so that the LUF project can be mobilised as quickly as possible to meet the set timescales should the Council be successful, and an award be made.

The governance approach to the Gungate regeneration programme is still in the process of being finalised. Whilst exact details have not been finalised at this point, the intention will be for the Council, through Cabinet approval, to adopt a term of reference, almost identical in nature to that of the Future High Street Fund (FHSF). These terms of reference will give the agreed governance structure, most likely a Board with a similar function to the FHSF Programme Board, relevant delegated powers of decision making and a framework for financial controls to ensure the programme can progress within its set parameters and detailing the necessary scrutiny arrangements.

This paper is therefore a briefing note on the current position regarding governance rather than the draft Cabinet report planned for November.

Options Considered

For ease, the text below is an early draft of a terms of reference, which is almost identical to the one approved by Cabinet for the FHSF programme board. Changes already made or points of further consideration for review, have been marked in yellow.

By the end of September, Officers are also attending an assurance briefing on Levelling Up Round 2, led by Government, to better understand what their requirements for governance and monitoring are going forward. A verbal update on any factors that have changed that may influence the governance and terms of reference since the writing of this brief, will be given by the Head of Economic Development and Regeneration at the meeting.

GUNGATE REGENERATION PROGRAMME – PROGRAMME BOARD AND DELIVERY TEAM TERMS OF REFERENCE

PROGRAMME BOARD TERMS OF REFERENCE

- 1.0** The Programme Board has a strategic role that includes several responsibilities and accountabilities:
 - 1.1** To provide overall strategic direction and guidance, ensuring that wider factors beyond the scope of the project (such as synergies with other council partners' projects/interventions) are taken into account including the engagement of any key council stakeholders not identified by the Programme Delivery Team
 - 1.2** Ensures appropriate programme and project management systems, processes and procedures are implemented
 - 1.3** Is responsible for the overall success of the programme (i.e. delivery of programme and project outputs and outcomes)
 - 1.4** Approves the scope of the overall programme and projects as prepared by the Programme Delivery Team
 - 1.5** Monitors the master programme and overall programme budget following approval from TBC Cabinet and Full Council respectively
 - 1.6** Approves the expenditure of project budgets at key milestones including:
 - 1.6.1** Appointment of consultant team to undertake the project design and planning process
 - 1.6.2** Expenditure of costs associated with purchase of premises required for the completion of the Programme
 - 1.6.3** To commence the tender for enabling new build projects in line with financial guidance
 - 1.6.4** To award contracts, in line with financial guidance, for the works related to enabling, and new build projects; so long as expenditure is within the overall Programme budget. Is responsible for the commitment of internal council personnel resources as required to successfully complete the projects
 - 1.7** Signs off project plans at the completion of key design and tender stages including:
 - 1.7.1** RIBA Stage 2 or ahead of planning application
 - 1.7.2** RIBA Stage 3 or ahead of main contract tender exercise
 - 1.7.3** Ahead of award of the main contract for the works
 - 1.8** Signs off the completion of each project stage (as detailed in item 1.7) and authorises the start of the next stage (milestone gateway approval)
 - 1.9** Resolves escalated issues from the Programme Delivery Team (i.e. which cannot be resolved by the Programme Manager)

- 1.10** Sets project change authority levels. It is proposed that the following authority levels apply for this programme of works once the main contract budget is set at the end of RIBA Stage 3;
- 1.10.1** Individual changes up to a cap of **£10,000 net cost**, but within the overall project budget can be authorised by the Programme Manager/Programme Delivery Team
 - 1.10.2** Individual Changes up to a cap of **£250,000** net cost, but within the overall project budget can be authorised by the Programme Delivery Team so long as the change is properly costed by the external cost manager and a record of the change particulars is kept along with its approval at the monthly Programme Delivery Team meeting
 - 1.10.3** Individual Changes over **£250,000** net cost but within the overall project budget, and which do not fundamentally change the scope of the programme/outcomes, require the authorisation of the Programme Board prior to the change being incorporated into the programme scope
 - 1.10.4** Any Change which would require expenditure beyond the approved budget would need approval from Council as there is no reserve budget for the Programme beyond the approved budget
 - 1.10.5** Expenditure of contingencies within the overall budget is deemed to be expenditure of the approved budget and therefore will be governed by the same authority levels as detailed in items 1.10.1-1.10.4
- 1.11** Monitors major changes to the project scope and duration, following Cabinet or Full Council approval, which require a revision of the approved planning application or will result in prolongation of the programme completion date beyond that date approved in the master programme at completion of RIBA Stage 2
- 1.12** Approves the key stakeholder and public engagement strategy and programme
- 1.13** Approves the Project End Reports

2. The Programme Board is composed of:

- Chair. Chief Executive Officer
- Executive Director Organisation
- Section 151 Officer
- Executive Director Communities
- Assistant Director Growth & Regeneration or Senior Responsible Officer (SRO) (if different from AD G&R)
- Chief Executive South Staffordshire College – To be agreed dependent upon final projects.
- Leader of the Council or allocated lead Councillor (if different from Leader)
- Appropriate Portfolio Holder(s) - To be agreed dependent upon final projects.
- A.N.OTHER – To be agreed dependent upon final projects.

3. The Programme Board meets monthly unless agreed between attendees that the meeting is not required for any reason. The Programme Board will however meet at a minimum of quarterly intervals.

- 3.1 Should an urgent decision be needed which requires input from Programme Board an ad-hoc exceptional circumstances meeting will be arranged between the

Programme Manager, Chief Executive, Section 151 Officer, **SRO and lead Councillor** to table the urgent issue only, the outcome of which will then be raised for full ratification at the following Programme Board meeting.

PROGRAMME DELIVERY TEAM TERMS OF REFERENCE

4. The Programme Delivery Team manages the delivery at the operational level, which includes the following responsibilities:
 - 4.1 Develops and maintains relevant programme and project management documentation, including:
 - 4.1.1 Programme and project plans (tasks, milestones, and dependencies)
 - 4.1.2 Programme and project budgets and spend profiles / cashflows
 - 4.1.3 Action logs
 - 4.1.4 Instruction forms
 - 4.1.5 Risk logs
 - 4.1.6 Request for change forms
 - 4.1.7 Highlight Reports
 - 4.1.8 Procurement and Fund Monitoring Evaluation Reports
 - 4.1.9 Committee Reports
 - 4.2 Manages the delivery of the programme, projects according to the scope, programme and budget agreed by the Board
 - 4.3 Manages the expenditure of project budgets in line with approvals detailed at item 1.6 above and approves all other project expenditure within the overall approved budget.
 - 4.4 Monitors and controls any change to the scope, budget and time at programme and project level and submits requests for change accordingly to the Programme Board in line with the change authority levels set out in item 1.10
 - 4.5 Refers any issues to the Programme Board– an issue is a threat to the project objectives that has happened and cannot be resolved by the Programme Manager
 - 4.6 Ensures risks are being tracked and mitigated as effectively as possible
 - 4.7 Ensures effective communication between project leads, delivery partners and key stakeholders
 - 4.8 Submits Quarterly Programme Progress Reports to the Board
 - 4.9 Submits six-monthly progress reports to DLUHC or at any other such interval as required once the LUF reporting requirements become clear
- 5.0 The Programme Delivery Team is composed of:
 - Assistant Director: Growth and Regeneration
 - Assistant Director: Finance
 - Head of Economic Development and Regeneration
 - Programme Manager
 - Project Officer
 - **External Consultant - Project Manager**
 - **External Consultant - Commercial Manager**
 - **External Consultant - Property Advisor**
 - TBC – Communications
 - TBC – Administrative Support
 -

With sub-team members who will be included in all minute's distribution and invited to meetings as required including:

SCC – Highways

TBC – Legal

TBC - Planning
TBC – Assets
TBC - Street Scene
TBC – Procurement

The intention of the Programme Delivery Team composition is that the core team members meet on a regular basis to update on the project progress and any key deliverables which require attention, and the sub-team members will provide ad-hoc support as required and will be continually updated on progress to allow them to input with their area of expertise were appropriate.

The Programme Delivery Team meets monthly with agendas set by the Programme Manager and minutes recorded by the elected minute taker. Project specific meetings will take place more frequently as required.

Quarterly updates on programme performance will be taken to the Corporate Scrutiny Committee.

Report Author

Matthew Fletcher, Head of Economic Development and Regeneration

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Corporate Scrutiny Work Plan

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TBC – which meeting Working Group to report back to

Review of Quarterly Performance Report to align with new Corporate Plan 2022-2025

June 2022

Members: Cllr T Jay, S Goodall, C Cooke

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