

4 April 2016

Committee	Overview and Scrutiny
Date	Tuesday, 12 April 2016
Time of Meeting	4:30 pm
Venue	Committee Room 1

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND



**for Sara J Freckleton
Borough Solicitor**

Agenda

1. ANNOUNCEMENTS

When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (staff should proceed to their usual assembly point). Please do not re-enter the building unless instructed to do so.

In the event of a fire any person with a disability should be assisted in leaving the building.

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.



Item	Page(s)
3. DECLARATIONS OF INTEREST	
Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.	
4. MINUTES	1 - 13
To approve the Minutes of the meeting held on 23 February 2016.	
5. CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN	14 - 16
To determine whether there are any questions for the relevant Lead Members and what support the Overview and Scrutiny Committee can give to work contained within the Plan.	
6. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17	17 - 28
To approve the Overview and Scrutiny Committee Work Programme for the forthcoming year.	
7. GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE	
To receive an update from the Council's representative on matters considered at the last meeting.	
8. GLOUCESTERSHIRE FAMILIES FIRST UPDATE	
To receive a presentation on the progress made in delivering the Families First Programme.	
9. REVIEW OF UBICO	29 - 37
To consider the 12 month update following the transfer of the Council's waste services to Ubico in April 2015.	
10. REVENUES AND BENEFITS IMPROVEMENT PROJECT	38 - 42
To consider the 12 month update on improvements made as a result of the systems thinking review in Revenues and Benefits.	
11. SCHEME FOR PUBLIC PARTICIPATION AT PLANNING COMMITTEE REVIEW REPORT	43 - 73
To adopt the report shown at Annex A as the Committee's report to Council proposing the continuation of the Scheme for Public Participation at Planning Committee.	

Item	Page(s)
<p>12. FLOOD RISK MANAGEMENT GROUP MONITORING REPORT AND TERMS OF REFERENCE</p> <p>To consider progress against the Flood Risk Management Group Action Plan and to recommend to the Executive Committee that the Terms of Reference and Action Plan be adopted for the next 12 months and that progress be monitored by the Overview and Scrutiny Committee on an annual basis.</p>	74 - 95
<p>13. REVIEW OF COMPLAINTS</p> <p>To consider the complaints received by Tewkesbury Borough Council and the Local Government Ombudsman and to determine whether any further action is required.</p>	96 - 101
<p>14. ANNUAL OVERVIEW AND SCRUTINY REPORT 2015/16</p> <p>To approve the annual report as required by the Council's Constitution to ensure that the activities of the Overview and Scrutiny Committee are promoted both internally and publicly to reinforce transparency and accountability in the democratic process.</p>	102 - 131

DATE OF NEXT MEETING

TUESDAY, 14 JUNE 2016

COUNCILLORS CONSTITUTING COMMITTEE

Councillors: P W Awford (Chair), Mrs G F Blackwell (Vice-Chair), G J Bocking, K J Cromwell, Mrs J E Day, R D East, D T Foyle, Mrs R M Hatton, Mrs H C McLain, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, H A E Turbyfield and M J Williams

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

Please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chairman will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held at the
Council Offices, Gloucester Road, Tewkesbury on Tuesday, 23 February 2016
commencing at 4:30 pm**

Present:

Chairman
Vice Chairman

Councillor P W Awford
Councillor Mrs G F Blackwell

and Councillors:

G J Bocking, K J Cromwell, Mrs J E Day, R D East, D T Foyle, Mrs R M Hatton,
Mrs H C McLain, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, H A E Turbyfield
and M J Williams

also present:

Councillors R E Allen and R E Garnham

OS.74 ANNOUNCEMENTS

- 74.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 74.2 The Chair indicated that this was the last meeting for the Environmental and Housing Services Group Manager, Val Garside, who was retiring. He thanked her, on behalf of the Committee, for the tremendous work that she had done over an extended period and, during times of great change, and wished her a happy retirement.

OS.75 DECLARATIONS OF INTEREST

- 75.1 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.
- 75.2 There were no declarations made on this occasion.

OS.76 MINUTES

- 76.1 The Minutes of the meeting held on 19 January 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

OS.77 CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN

- 77.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 10-12. 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.

- 77.2 The Corporate Services Group Manager drew attention to the Council Plan Update which was due to be considered by the Executive Committee at its meeting on 6 April 2016 and he indicated that all Members had been invited to a Council Plan workshop on 9 March 2016. A Member referred to the seminar which had recently been held in relation to waste and vehicle procurement and he questioned what the benefit of the seminar had been given that the Executive Committee had already approved the findings of the waste service review and made a recommendation to Council. The Deputy Chief Executive explained that this work in respect of the waste review had been conducted with a small group of Members who had been able to look carefully at the details and a report had then been taken to the Executive Committee and on to Council. Whilst it may have been beneficial to gain insight from the Overview and Scrutiny Committee, Members would appreciate that there had been a very tight timescale to ensure that the vehicles were procured by the end of the financial year.
- 77.3 A Member noted that several items due to be considered at the Executive Committee meeting on 6 April 2016 had previously been deferred and he sought clarification as to the reason for this. The Deputy Chief Executive advised that some items had been impacted by the long term absence of the Human Resources Manager who had been involved in a skiing accident and the property purchase had been subject to negotiations which had prevented it from being considered at an earlier meeting. She accepted that Officers were often optimistic about how quickly they could get an item on the Agenda which meant that the Forward Plan was subject to change.
- 77.4 It was
RESOLVED That the Executive Committee Forward Plan be **NOTED**.

OS.78 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2015/16

- 78.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2015/16, circulated at Pages No. 13-15, which Members were asked to consider.
- 78.2 The Corporate Services Group Manager explained that, during the workshop on the review of the effectiveness of the Overview and Scrutiny Committee, Members had indicated that they would wish to invite representatives from Severn Vale Housing and Gloucestershire Fire and Rescue Service to give presentations at future meetings of the Committee. The presentations would be added to the Work Programme under 'Pending Items' which currently included a presentation from Healthwise Gloucestershire. A Member indicated that this was incorrect and should actually read 'Healthwatch Gloucestershire' and the Corporate Services Group Manager undertook to amend the Work Programme accordingly.
- 78.3 It was
RESOLVED That the Overview and Scrutiny Committee Work Programme 2015/16 be **NOTED**.

OS.79 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

- 79.1 Members received an update from Councillor R E Garnham, the Council's representative on the Gloucestershire Police and Crime Panel, on matters discussed at the last meeting of the Panel held on 5 February 2016.

- 79.2 Councillor Garnham advised that the majority of the meeting had been devoted to the Police budget and the setting of the Police precept for 2016/17. The Chief Executive's report had covered Freedom of Information requests; complaints; forthcoming Police and Crime Commissioner elections; an update on estates; potential collaboration; and the government consultation on giving greater powers to Police and Crime Panels. It was noted that the office of the Police and Crime Commissioner would be hosting a familiarisation event on 11 April 2016 at the Police Headquarters in Waterwells. There had been some discussion about the estates strategy and one Member had questioned why the original plan to move Coleford Police Station into shared accommodation with the Forest of Dean District Council had not been followed through. In response, the Police and Crime Commissioner had explained that he had made a manifesto commitment to keep the Coleford Police Station on the existing site. It was noted that the Chief Constable of Wiltshire had spoken of his desire for a regional service for the whole of the south west but this was not a view shared by Gloucestershire's Police and Crime Commissioner. A joint response would be prepared to the ongoing government consultation regarding the powers of Police and Crime Panels; those proposed powers involved giving greater responsibility to the Police and Crime Panel to investigate complaints about the Police and Crime Commissioner.
- 79.3 It was noted that Safer Cyber was one of the Police and Crime Commissioner's priorities and the Constabulary had set up the UK's first Safer Cyber Forum which included membership from local businesses and academia. A comprehensive report had been provided on the Police and Crime Plan priorities; of particular note were the examples of diverting youth away from crime and reference was made to two young people whose attendance at school had been less than 60% but was now up to 98% as a result of their involvement in the Aston Project. A lengthy debate had taken place regarding the Commissioner's proposed 1.2% precept. The Chief Constable had asked for an increase of 1.99% and reference had been made by various members of the Panel to the government guidelines that the Police precept could be increased by 2% as, in future years, the grant settlement would be reduced by that amount. It was noted that, due to tax bases and increases elsewhere, the Police and Crime Commissioner felt that an increase of 1.2% would reflect the government's wishes. All political parties had suggested a veto of the Commissioner's budget proposals but, when being put to the vote, this had not been carried due to there not being a two-thirds majority of all Members of the Panel, not just two-thirds of those present. The Panel therefore decided to support the precept and to make a recommendation that the Commissioner provide greater clarity on the use of ongoing reserves. Members noted that the date of the next meeting of the Police and Crime Panel had been changed to 11 March 2016.
- 79.4 A Member noted that, when presenting at a recent Overview and Scrutiny Committee meeting, Inspector Goga had informed the Overview and Scrutiny Committee that organised crime was reducing so it was worrying to see that it was now on the increase. A Member indicated that there had been a lot of concern amongst the public regarding rural crime and he queried whether there was any movement in that area. Councillor Garnham confirmed that this had been mentioned at the last meeting and reassurance was consistently provided that the challenges of policing a county which was both rural and urban were recognised and the Police still had their 'eyes on the ball'. A Member questioned whether any decision had been made in relation to the land which had been purchased in Bishop's Cleeve to build a new Police Station and Councillor Garnham explained that there was likely to be some movement on that before the next meeting as the land was now surplus to requirements.

79.5 A Member raised concern at the lack of Members in attendance at the Police and Crime Panel meeting. Given the importance of the meeting, he would have expected full attendance and he was disappointed to hear that veto of the budget proposals had not been able to go ahead. In response, Councillor Garnham provided assurance that the meetings were normally well attended.

79.6 The Chairman thanked the Council's representative for his presentation and indicated that the update would be circulated to Members via email following the meeting. It was

RESOLVED That the feedback from the last meeting of the Gloucestershire Police and Crime Panel be **NOTED**.

OS.80 GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE

80.1 Members received an update from Councillor Mrs J E Day, the Council's representative on the Gloucestershire Health and Care Overview and Scrutiny Committee, on matters discussed at the last meeting of the Committee held on 12 January 2016.

80.2 Councillor Day explained that the meeting had been attended by CareUK, the provider of NHS111 in Gloucestershire. There had been concern regarding NHS111 performance against targets since its implementation in February 2013 and CareUK had given a detailed presentation which demonstrated the actions that had been taken to address those issues. Workforce factors were a significant issue and CareUK was undertaking a large amount of activity to improve recruitment and retention of Clinical Advisers. This was a national issue cutting across all aspects of the NHS and it had been suggested that the Health and Care Overview and Scrutiny Committee may wish to write to the Secretary of State for Health to ascertain what plans were in place to address workforce planning in order to 'fill the gap'.

80.3 The Gloucestershire Clinical Commissioning Group report demonstrated that there was a lot of good performance against targets, however, there were still concerns with performance against some targets including cancer wait times and the four hour accident and emergency target at both Acute Hospitals. The Adult Social Care and Public Health Performance Report had showed that the number of people being admitted to residential care was reducing in line with the intention to support more people to live independently and the good work being done to support people with learning disabilities into employment continued. Members had raised concern with performance against drug and alcohol targets, however, it was noted that the service was in the process of being recommissioned.

80.4 The Healthwatch Gloucestershire Process Task Group Report looked at the impact on the patient and their family/carer. The Committee had been pleased to note the positive responses to the recommendations in the report and it was clear from the responses that a lot of activity to improve the discharge experience had already been identified and actioned. Healthwatch Gloucestershire would review action against their recommendations in three months. It was also noted that, in terms of delayed transfers of care, Gloucestershire's performance was better than the England average and the best in the south west.

80.5 The Chairman thanked the Council's representative for her presentation and indicated that the update would be circulated to Members via email following the meeting. It was

RESOLVED That the feedback from the Gloucestershire Health and Care Overview and Scrutiny Committee be **NOTED**.

OS.81 ANNUAL REVIEW OF THE EFFECTIVENESS OF THE COUNCIL'S INVOLVEMENT IN THE GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE

81.1 The report of the Corporate Services Group Manager, circulated at Pages No. 16-20, asked Members to consider the effectiveness of the Council's continued involvement in the Gloucestershire Health and Care Overview and Scrutiny Committee and, subject to the Committee being satisfied that value for money was being achieved, Officers be authorised to make the payment for £2,500 from the Council's base budget as its 2016/17 contribution to the Gloucestershire Health and Care Overview and Scrutiny Committee.

81.2 It was

RESOLVED That Officers be authorised to make the payment of £2,500 from the Council's base budget as its 2016/17 contribution to the Gloucestershire Health and Care Overview and Scrutiny Committee.

OS.82 PERFORMANCE MANAGEMENT - QUARTER 3 2015/16

82.1 The report of the Corporate Services Group Manager, circulated at Pages No. 21-77, attached performance management information for quarter 3 of 2015/16. The Overview and Scrutiny Committee was asked to review and scrutinise performance information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.

82.2 The performance management report comprised the Council Plan Performance Tracker, the Key Performance Indicator (KPI) set, the Revenue Budget Summary Statement, the Capital Monitoring Statement and the Reserves Position Summary. With regard to the Performance Tracker, attached at Appendix 1 to the report, Members were informed that the majority of actions were progressing well and Paragraph 2.3 of the report highlighted a number of achievements since the last update including: the approval of an Asset Management Strategy by the Executive Committee in November 2015; completion of the Planning and Environmental Health service review; launch of the new Tewkesbury tourism website using the Government's flood support grant money; and the Executive Committee's approval of the borough-wide roll out of the place approach following its success in the east area. A Member sought clarification as to what was meant by LEADER and the Economic and Community Development Manager advised that this was a Defra funded project to encourage growth in rural areas and the scheme that had been launched in Tewkesbury Borough and the Forest of Dean had been awarded £1.4M of funding to put towards the generation of jobs in the area. Organisations and businesses could submit applications setting out how they intended to generate growth which would then be assessed and money potentially awarded. It was noted that LEADER itself was an acronym for a French term which was the reason it had not been written in full in the Committee report. A Member went on to question whether the Tewkesbury tourism website was borough-wide and was informed that it had been established in response to flood affected businesses within Tewkesbury town centre and along the river and therefore did not cover the whole borough. It was a specific piece of work and the grant allocated had been based on the number of businesses in the affected areas. The Communications and Policy Manager went on to advise that some of the actions were not progressing as smoothly or as quickly as envisaged. Those actions were highlighted at Page No. 24, Paragraph 2.4 of the report and included Council Tax setting; development of a new workforce strategy; and street cleansing.

82.3 Members raised the following queries in respect of the Performance Tracker:

Priority: Use Resources Effectively and Efficiently

P31 – Objective 2 – Action a) Rationalise office accommodation through new ways of working and to increase rental income – A Member questioned why it was taking such a long time to rent out the office space which was available within the Public Services Centre.

The Deputy Chief Executive explained that negotiations were ongoing with a group of partners but they were confidential at this stage. Ideally the space would be occupied by public service partners in order to grow the public service hub for Tewkesbury Borough. In terms of timescales, there were some set milestones but these were dependent on the other organisations and their consultation processes. Other factors also needed to be taken into consideration, for instance, if the expansion of One Legal went ahead the additional staff would need to be accommodated within the building. It was anticipated that a clearer steer would be gained over the next couple of months and Members would be kept informed as things progressed.

Priority: Promote Economic Development

P37 – Objective 3 – Action a) Work with the Local Enterprise Partnership (LEP) to initiate projects identified in the Strategic Economic Plan and the Structural and Investment Fund Strategy – A Member sought clarification regarding the update on environment and resources efficiency.

The Economic and Community Development Manager explained that the LEP had been awarded European funding and there were now opportunities for organisations to bid for projects of an environmental nature.

Priority: Improve Recycling and Care for the Environment

P43-44 – Objectives In respect of enviro-crimes – A Member raised concern that reports of enviro-crimes, particularly fly-tipping, seemed to be increasing and she questioned whether there was a need for the Overview and Scrutiny Committee Review Working Group to be resurrected.

The Environmental and Housing Services Group Manager advised that fly-tipping had been raised as an issue at the Joint Waste Committee and she explained that it was a national problem. Work had been carried out over the previous summer with one particular Officer and they had now been brought back to do a pilot scheme on work around fly-tipping. It was hoped that this would generate information to help to make a decision as to whether additional resources were required to tackle the problem.

82.4 Attention was drawn to the KPIs, attached in full at Appendix 2 to the report, and Members were informed that the status of each indicator was set out at Paragraph 3.2 of the report. Key areas of interest included KPI 4 and 5 which demonstrated that overall crime was increasing; KPIs 12-14 which related to planning processing times and confirmed that all three targets were unlikely to be achieved by the end of the year and that processing times were down compared to the previous year; and KPI 30 which estimated that 205 new affordable homes would be delivered by the end of the year, the largest number delivered since 2007/08.

82.5 During the debate which ensued, Members raised the following queries in relation to the KPIs:

P65-66 – KPI No's. 12-14 – Planning processing times – A Member noted that the planning systems review was now complete but he had not seen any changes to the service provided, particularly in respect of communications and customer care, and he questioned when Members would be presented with the review report.

The Deputy Chief Executive clarified that the systems review had been led by the Planning team itself with external support from ICE Creates which had helped to capture the data and identify where improvements could be made. Whilst that part of the project was complete, changes to the way work was carried out within the department would be ongoing, as they had been within Revenues and Benefits which had just recorded its best ever performance in terms of housing benefit applications a year after the systems review had finished. It was important to recognise that the number of planning applications being received was at a record high which inevitably had an impact upon the performance figures, however, Officers had been making improvements and would continue to do so. One of the interesting things which had been identified in both Planning and Environmental Health was the amount of time Officers spent 'feeding' a computer system. This was not unusual in old, inefficient systems and part of the second phase would be to reduce reliance upon the computer system to allow Officers to spend more time dealing directly with customers. The review report itself would be presented to the Transform Working Group at its meeting the following day but it could also be brought to a future meeting of the Overview and Scrutiny Committee if Members so wished.

The Communications and Policy Manager indicated that the introduction of the Customer Care Strategy, which included Customer Care Standards for communicating with customers, would help to address the concerns around answering telephone calls etc. This would be discussed in more detail under the next Agenda Item.

- 82.6 The Financial Budget Summary for quarter 3 showed a saving of £276,131 against the budgeted profile. Page No. 26, Paragraph 4.2, set out the summary of the Council's position split into the main types of expenditure. It was noted that £123,000 savings had been made in relation to employees which had been achieved through vacant posts and staff absences such as maternity leave. Furthermore, £786,000 additional income had been generated above budget projection; this was predominately from planning applications but also from garden and trade waste and the revised car parking tariff. Whilst treasury management was performing well against target, it continued to show an under-recovery against budget and was still impacted by the limited available cash balances as a result of the Virgin Media refund. Also detailed under corporate budgets was the retained income from the business rates scheme. This was showing a deficit of £350,000 against the quarter 3 budgeted position due to a series of revaluations on various properties within the borough and the write-off of several debts which had proven to be unrecoverable. A summary position for each Group Manager was set out at Appendix 3 to the report.
- 82.7 The capital budget position for quarter 3 was set out at Appendix 4 to the report and was currently showing an underspend against the profiled budget which was principally due to the capital asset fund of £1.9M that had not been spent in quarter 3 as predicted. The leisure centre was progressing more quickly than had been anticipated but remained within budget. Appendix 5 contained a summary of the current usage of available reserves.
- 82.8 It was
- RESOLVED**
1. That the performance management information for quarter 3 2015/16 be **NOTED**.
 2. That a presentation on the Planning systems review be brought to a future meeting of the Overview and Scrutiny Committee.

OS.83 REVIEW OF CUSTOMER CARE STRATEGY

- 83.1 The report of the Communications and Policy Manager, circulated at Pages No. 78-92, attached the Customer Care Strategy which Members were asked to recommend to the Executive Committee for approval.
- 83.2 The Communications and Policy Manager explained that the Council Plan included a promise that the Council would put the needs of customers at the heart of what it did and would listen to what they said, treating people fairly and without bias. The Customer Care Strategy detailed how the Council planned to deliver customer care and outlined the organisational commitments it would make to customers. The strategy also included a set of customer care standards which detailed what customers could expect from the Council and they would be adopted by all services across the authority. The draft strategy had been considered at an Overview and Scrutiny Committee workshop on 11 January 2016 where Members had endorsed the proposals. If the strategy was approved by the Executive Committee, Officers would work with staff to ensure that the standards were effectively embedded and they would also be presented at a staff briefing. The Communications and Policy Manager felt that it should be borne in mind that this would be a cultural change for some services, however, she was confident that the standards could be rolled out successfully.

83.3 A Member noted that there were several references to letters and online queries receiving a response within 10 working days and she questioned how this would be monitored. The Communications and Policy Manager explained that the onus would be on Managers to ensure that the standards were being implemented within their own teams. It was noted that Officers were already working to a 10 working day response rate so this should not represent a major change. If Members did experience any problems with particular areas, she encouraged them to report this to her so she could work with that particular Manager to address any problems. A Member indicated that he often experienced problems with the Planning department failing to pick up telephone calls and he queried whether this was due to workload. He went on to advise that the main problem was not necessarily that a particular Officer was not available but rather that there was no response whatsoever and, therefore, no indication as to when a response might be received. The Deputy Chief Executive explained that, although the volume of planning applications being received was significant, there was a wider issue around re-educating staff. It had also been identified that a more effective case management system could help to free up Officers and work was being done with the Customer Services team to identify possible solutions. The Member felt that it would be useful for the Lead Member for Customer Focus to attend a future meeting of the Overview and Scrutiny Committee in order to answer questions once the strategy had embedded and he explained that, as a relatively new Member of the Council, he did not feel that he was aware of what was included in the various Lead Member Portfolios. The Democratic Services Group Manager advised that this point had been raised during the workshop on the review of the effectiveness of the Overview and Scrutiny Committee. She explained that it was intended to reintroduce Lead Member presentations to Council in order to familiarise Members with the work which was carried out in each Portfolio and she would be putting together a programme for consideration by the Executive Committee and Corporate Leadership Team. If the Overview and Scrutiny Committee had a number of questions on a particular issue then, under those circumstances, it may be appropriate to invite the responsible Lead Member to attend a meeting.

83.4 A Member suggested that it might be beneficial to add an automated message at the end of telephone calls inviting customers to rate the service they had received. The Communications and Policy Manager advised that there was an action around monitoring satisfaction and an automated message would be considered amongst a range of options. A Member congratulated Officers on the strategy which she felt was a really good piece of work and it was subsequently

RESOLVED That it be **RECOMMENDED TO THE EXECUTIVE COMMITTEE** that the Customer Care Strategy be **APPROVED** as set out at Appendix 1 to the report.

OS.84 ENVIRONMENT MANAGEMENT ACTION PLAN

84.1 At the Overview and Scrutiny Committee meeting on 21 October 2015, Members had raised a query in relation to why the Climate Change Strategy had been removed from the Executive Committee Forward Plan. Members had been advised that the most recent Climate Change Strategy was a five year strategy ending in 2015. When the Council Plan was developed in 2012, climate change issues were not seen as a priority, therefore it had not been planned for renewal. Although the Council did not currently have a dedicated resource around monitoring climate change response, this work has been distributed to the appropriate services and much of the work associated with the Climate Change Strategy was continuing. The Environmental and Housing Services Group Manager had undertaken to report back to the Overview and Scrutiny Committee to provide an overview of the Council's work in this area.

- 84.2 Members received a presentation which covered the following key points:
- Causes of climate change – Carbon dioxide levels had increased by more than 40% since before the industrial revolution; other greenhouse gases had increased by similarly large amounts; all of the evidence showed that these increases were almost entirely due to human activity; the increase was mainly caused by: burning fossil fuels for energy, agriculture/deforestation and the manufacture of cement, chemical and metals.
 - Definition of carbon footprint – “The total amount of greenhouse gases produced to directly and indirectly support human activities, usually expressed in equivalent tonnes of carbon dioxide”.
 - How does your carbon footprint impact climate change? – There were several ways to combat climate change by reducing carbon footprint: recycle (at work and home); use less fuel (car and heating); print less/double sided print; only use the lights needed.
 - Direct contribution – Recycling waste collection from every household – a recent food campaign had resulted in a 20% increase in food waste being taken to the anaerobic digestion plant; new windows – keeping the heat in and reducing the amount of energy used; roof insulation – keeping the heat in; installation of a 90kwh solar panel system on the Council Offices roof; Thin Client boxes which used 8watts of electricity compared to 90watts for the older style computer towers; Council car park and public car park lighting being replaced with LED lights; installation of a combined heat and power generator in the new leisure centre; and new insulation on the roof of the Roses Theatre.
 - Indirect contributions – Ask for contractors to have environmental policies in place which included the reduction of carbon dioxide; bulk stationery orders; contractors having recycling policies; Code 4 homes.
 - Future opportunities – Green travel plan for staff and tenants of the building; becoming paperless with the use of technology e.g. using tablets on site; education.

84.3 A Member indicated that he was aware that there had been plans in the past to introduce textile bins in various locations and he suggested that this may help to increase recycling rates. The Environmental and Housing Services Group Manager explained that there had previously been a number of bins at bring sites around the Borough but the company which had provided the service had unfortunately gone into liquidation. The Council was currently in the process of agreeing a contract with a new company to install textile bins across the Borough. She explained that the main difficulty was that the price of textiles had decreased and, at the last Joint Waste Committee meeting, it had been suggested that it might be better to take these items to a charity shop than recycle them at bring banks. It was hoped that the introduction of the new bins, combined with encouraging people to take unwanted textiles to charity shops, would help to improve the situation but the Council was governed by commodity prices at this point in time. A Member felt that education was essential in the fight against climate change and the Deputy Chief Executive agreed that the Borough Council had a part to play in terms of providing information.

84.4 The Chair thanked the Environmental and Housing Services Group Manager for her presentation and it was

RESOLVED That the presentation on the Environment Management Action Plan be **NOTED**.

OS.85 DISABLED FACILITIES GRANTS REVIEW REPORT

85.1 Attention was drawn to the report of the Environmental and Housing Services Group Manager, circulated at Pages No. 93- 114 which set out the report of the Disabled Facilities Grants Review Working Group. Members were asked to adopt the report and to refer it for consideration by the Executive Committee.

85.2 At its meeting on 21 July 2015, the Overview and Scrutiny Committee resolved to establish a Working Group to review the Council's approach to Disabled Facilities Grants and the Terms of Reference for the Group were attached at Appendix 1 to the report. At the first meeting, Councillor Spencer was appointed as Chair of the Working Group. The Working Group met on three occasions and had focused on three main areas of potential improvement: better and earlier information being provided to those with a disability regarding their options, including assistance to move to a more suitable property when that was their wish, or to one that could be more easily adapted; streamlining the application process and the correspondence sent once the grant had been approved; and possible amendments to the procurement of contractors and equipment, including the benefits of using a schedule of rates and alternatives to fixed equipment currently being provided. The Disabled Facilities Grant Review Working Group report and action plan was attached at Appendix 2 to the report and included an outline of the review findings; an update on current performance of the service; and progress of the service improvements being undertaken. The Chair of the Working Group indicated that, since the publication of the report, the government had significantly increased the amount of money available for disabled facilities grants and the Council could now expect £944,000 as opposed to £497,000 for the forthcoming year.

85.3 A Member queried whether the action plan would be monitored and was informed that progress would be reported to the Overview and Scrutiny Committee on a biannual basis. It was subsequently

RESOLVED That the Disabled Facilities Grants Review Report be **ADOPTED** and referred to the Executive Committee for consideration.

OS.86 REVIEW OF THE EFFECTIVENESS OF THE OVERVIEW AND SCRUTINY COMMITTEE

86.1 The report of the Corporate Services Group Manager, circulated at Pages No. 116-122, asked Members to consider the findings of the review of the effectiveness of the Overview and Scrutiny Committee and to approve the action plan set out at Appendix 1 to the report.

86.2 The Corporate Services Group Manager explained that the corporate peer challenge completed in November 2014 had recognised how the Overview and Scrutiny Committee made an impact and contributed to policy development and had suggested that the Committee's contribution could be maximised to add even greater value. In February 2015, the views and experiences of the previous Overview and Scrutiny Committee had been obtained to assist with this and an action plan had been developed to aid this effectiveness. Following the Borough Council elections in May 2015, several new Members had been appointed to the Overview and Scrutiny Committee and a similar workshop had been held on 9 February 2016 to obtain the views of the new Committee. At the workshop, Members were asked for their opinions on a number of areas including: the Committee's Work Programme; the Committee's review of performance management information; choosing areas for review; the challenge role currently provided by the Committee; its role as a 'community' Committee; and training and development. An action plan had been produced based on the comments made,

attached at Appendix 1 to the report, and this would be taken forward during 2016/17 once approved by the Committee.

86.3 It was

RESOLVED That the Overview and Scrutiny Committee Review of Effectiveness Action Plan be **APPROVED** as set out at Appendix 1 to the report.

OS.87 SCHEME OF PUBLIC PARTICIPATION AT PLANNING COMMITTEE REVIEW

87.1 Attention was drawn to the report of the Democratic Services Group Manager, circulated at Pages No. 123-127, which asked Members to establish an Overview and Scrutiny Committee Working Group to review the Scheme for Public Participation at Planning Committee; to approve the proposed Terms of Reference for the Working Group; and to name seven Members to serve on the Working Group.

87.2 The Democratic Services Group Manager advised that, at its meeting on 14 April 2015, the Council had resolved that a Scheme for Public Participation at Planning Committee be introduced for a one year trial period starting with the new term of the Council in May 2015 and it had therefore commenced with the Planning Committee in June. As the one year trial period would shortly be coming to an end, it was necessary to undertake an assessment of how the scheme had worked since its introduction in order to inform the Council as to whether the scheme should continue and, if so, whether any amendments should be made. It was proposed that an Overview and Scrutiny Working Group comprising seven Members be established to work with Officers to review the scheme and the proposed Terms of Reference for the review were attached at Appendix 1 to the report.

87.3 She explained that it would be a fairly challenging programme as a report would need to be taken to the Council meeting on 17 May 2016. The timetable for the review was included within the Terms of Reference and it was noted that the first two meetings would be used to obtain views from people who had used the scheme, including Parish/Town Councils and members of the public speaking in support or objection of an application, either via written representations or in person at the meetings. At the third meeting, Members would review other schemes, identify best practice and undertake a comparison with the Council's scheme. The final meeting would be to finalise the Working Group's report which would be brought to the next meeting of the Overview and Scrutiny Committee for approval. The report would then be taken to the Planning Committee to obtain its views before the Council meeting on 17 May 2016.

87.4 A Member questioned why the meetings had been set at those particular times and he was advised that a letter had already been sent out to users and administrators of the scheme inviting them to participate in the review so it had been necessary to pick the most suitable times for them to attend and to advise them accordingly. The tight timetable had also played a part in dictating when the meetings could be held. It was noted that the review would only deal with the Scheme for Public Participation at Planning Committee and not any other aspect of the planning process.

87.5 It was subsequently

RESOLVED

1. That an Overview and Scrutiny Working Group be established to review the Scheme for Public Participation at Planning Committee.
2. That the Terms of Reference for the Working Group be **APPROVED** as set out at Appendix 1 to the report.
3. That the Membership of the Working Group be as follows:

Councillors: Mrs G F Blackwell, R D East, D T Foyle,
Mrs M A Gore, T A Spencer, Mrs P E Stokes and
P D Surman.

The meeting closed at 6:15 pm

EXECUTIVE COMMITTEE FORWARD PLAN

APRIL 2016 TO AUGUST 2016 (No Meeting in May)

REGULAR ITEM:

- **Forward Plan – to note the forthcoming items.**

<p>Addition to 6 April 2016</p> <ul style="list-style-type: none"> • Revisions to the Redundancy and Redeployment Policy. • Formal Complaints Policy. • Digital Strategy. • Disabled Facilities Grants Review. • Severn Vale Housing – Asset Disposal. • Housing and Planning Bill – Consultation. • Review of the Revenues and Benefits Write Off Policy.
--

Committee Date: 8 June 2016

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Appointment of Portfolio Holders and Support Members (Annual).	To approve the Portfolio Holders and Support Members for the forthcoming Municipal Year.	Lin O'Brien, Democratic Services Group Manager.	No.
Cemetery Provision in Tewkesbury Town.	To review the options for the provision of cemetery facilities within Tewkesbury Town.	Simon Dix, Finance and Asset Management Group Manager.	Yes – deferred from 13 January 2016.
Land at Canterbury Leys, Tewkesbury.	To accept the surrender of leased land at Canterbury Leys, Tewkesbury.	Simon Dix, Finance and Asset Management Group Manager.	Yes – deferred from 6 April 2016 due to ongoing discussions.
Transfer of Land at The Hangings, Tewkesbury.	To approve the transfer of land at The Hangings, Tewkesbury to Tewkesbury Town Council.	Simon Dix, Finance and Asset Management Group Manager.	Yes – deferred from 6 April 2016 due to ongoing discussions.

14

Agenda Item 5

Committee Date: 8 June 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Flood Risk Management Group Terms of Reference and Action Plan (Annual Review).	To undertake an annual review of the Terms of Reference of the Flood Risk Management Group and action plan.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	Yes – deferred from April 2016 to allow consideration by the Overview and Scrutiny Committee.
Revisions to the Redundancy and Redeployment Policy.	To approve amendments to the Redundancy and Redeployment Policy.	Graeme Simpson, Corporate Services Group Manager.	Yes - deferred from 6 April 2016.

Committee Date: 13 July 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Management Report – Quarter Four 2015/16 (Annual).	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter four performance management information.	Graeme Simpson, Corporate Services Group Manager.	No.
Financial Outturn Report incl capital financing and earmarked reserves (Annual).	To consider.	Simon Dix, Finance and Asset Management Group Manager.	No.
Financial Inclusion Policy.	To approve a Financial Inclusion Policy.	Richard Horton, Revenues and Benefits Group Manager.	No.

Committee Date: 31 August 2016

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Overview and Scrutiny Committee Work Programme 2016/17
Report of:	Graeme Simpson, Corporate Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor Mrs E J MacTiernan, Lead Member for Organisational Development
Number of Appendices:	One

Executive Summary:

The work programme detailed in Appendix 1 provides the core work activities of the Committee. The programme as it stands is a combination of standing Agenda Items such as performance management information, complaints, policy and strategy updates and new areas of review that have emerged and have been built into the programme. The programme remains flexible, allowing new areas of activity that will emerge during 2016/17 to be built in.

Recommendation:

To APPROVE the Overview and Scrutiny Work Programme 2016/17.

Reasons for Recommendation:

The Overview and Scrutiny Committee must deliver the work required of it as set out in the Council's constitution. This must be set within the context of the Council's priority areas and the resources available to undertake the review.

Resource Implications:

The Overview and Scrutiny Committee has an annual budget of £1,000 to support delivery of its work programme.

Legal Implications:

None directly arising from this report.

Risk Management Implications:

Effective Overview and Scrutiny supports delivery of the Council's vision, values and priorities.

Performance Management Follow-up:

The work programme is a standing item on the agenda of each Overview and Scrutiny Committee.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 The work programme detailed in Appendix 1 provides the core work activities of the Committee for 2016/17. The programme as it stands is a combination of standing agenda items such as performance management information, complaints, six monthly policy and strategy updates and new areas of review that have emerged and have been built into the programme.

2.0 2016/17 WORK PROGRAMME

2.1 Some of the Committee's work cannot be planned, for example, any new areas of review that may emerge during the year; referral of issues from Council; call-in decisions etc. The programme is therefore based upon what is known at this point in time but remains flexible, to allow changes to be made where appropriate.

2.2 Attention should be drawn to the Committee's agenda for 14 June 2016 – 'policies and strategies'. On an annual basis, a list of policies and strategies is brought before the Committee. This will further help inform the Committee's work programme.

2.3 Another area that traditionally generates additional work activity for the Committee is presentational reviews. The most common source for these types of presentations is when the Committee reviews the performance management information and asks for further, specific information on a Council Plan activity. Members also requested more presentations from outside bodies and at a recent workshop made specific reference to certain bodies they would like to hear from. These have been included in the programme as pending items and will be scheduled once they have been confirmed.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 None.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Council Plan 2012-16.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 None.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 Possible use of the £1,000 budget to support any scrutiny reviews that may arise.

- 8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 8.1** The Committee will consider these implications when undertaking reviews and in making its recommendations.
- 10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 10.1** The Committee will consider these implications when undertaking reviews and in making its recommendations.
- 11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 11.1** None.

Background Papers: None

Contact Officer: Graeme Simpson, Corporate Services Group Manager
01684 272002 graeme.simpson@teWKesbury.gov.uk

Appendices: Appendix 1 – Overview and Scrutiny Work Programme 2016/17

APPENDIX 1 - OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17

Committee Date: 14 June 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Citizens' Advice Bureau Presentation.	To provide an update on CAB activity in the borough.	Andy Sanders, Economic and Community Development Manager	Yes – moved from February 2016 due to the size of the Agenda for the meeting.
Performance Management – Quarter 4 and full year 2015/16.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Corporate Policies and Strategies.	For potential review by the Overview and Scrutiny Committee during 2016/17.	Graeme Simpson, Corporate Services Group Manager	No.
Review of Communications Strategy 2014-16.	To consider – annual review.	Graeme Simpson, Corporate Services Group Manager	No.
Health and Wellbeing Strategy Monitoring Report.	To consider – six month update.	Andy Sanders, Economic and Community Development Manager	Yes – originally deferred from 19 January on the basis that the current strategy came to an end in March 2016. Deferred from 12 April to allow more time for Officers to collate year-end figures.
Housing, Renewal and Homelessness Strategy Review Monitoring Report	To consider - six month update.	Paula Baker, Housing Services Manager	No.

Committee Date: 14 June 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 19 July 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Planning Systems Thinking Review Presentation	To receive a presentation on the review of Planning.	Paul Skelton, Development Manager	No.
Peer Review Action Plan	To consider - six month update	Graeme Simpson, Corporate Services Group Manager	No.
Scrutiny of Community Safety Partnership	To consider – six month update.	Rachel North, Deputy Chief Executive	Yes – deferred from 12 April 2016 as it is part of a wider countywide review.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date:6 September 2016

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 1 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Complaints Report	To consider – six month update.	Graeme Simpson, Corporate Services Group Manager	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 18 October 2016

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Review of Ubico	To consider – six month update.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.
Update from Joint Waste Team	To receive an update from the Joint Waste Team on the business plan.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.
Gloucestershire Families First Update	To consider – six month update.	Adrian Goode, Community Development Officer	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 29 November 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 2 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Disabled Facilities Grants Review Monitoring Report	To consider – six month update.	David Steels, Environmental Health Manager	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 10 January 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Scrutiny of Community Safety Partnership	To consider – six month update.	Rachel North, Deputy Chief Executive	No.
Housing, Renewal and Homelessness Strategy Review Monitoring Report	To consider – six month update.	Paula Baker, Housing Services Manager	No.

Committee Date: 7 February 2017

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Peer Review Action Plan	To consider - six month update	Graeme Simpson, Corporate Services Group Manager	No.
Review of the Effectiveness of the Overview and Scrutiny Committee.	To consider progress against the action plan.	Graeme Simpson, Corporate Services Group Manager	No.
Annual review of the effectiveness of the Council's involvement in the Gloucestershire Health, Community and Care Overview and Scrutiny Committee	In order to authorise payment of the Council's contribution to the running costs for the forthcoming year.	Graeme Simpson, Corporate Services Group Manager	No.

Committee Date: 21 March 2017

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 3 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Complaints Report	To consider - six monthly update.	Graeme Simpson, Corporate Services Group Manager	No.
Flood Risk Management Group Report	To receive an annual report on the progress against the Flood Risk Management Action Plan and to recommend to the Executive Committee that the Flood Risk Management Group Terms of Reference be adopted for the next 12 months.	David Steels, Environmental Health Manager	No.

Committee Date: 2 May 2017

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Overview and Scrutiny Committee Work Programme 2017/18.	To approve the Overview and Scrutiny Committee Work Programme for the forthcoming year.	Graeme Simpson, Corporate Services Group Manager	No.
Annual Overview and Scrutiny Report 2016/17.	To approve the annual report as required by the Council's Constitution to ensure that the activities of the Overview and Scrutiny Committee are promoted both internally and publicly to reinforce transparency and accountability in the democratic process.	Graeme Simpson, Corporate Services Group Manager	No.
Review of Ubico	To consider – six month update.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.
Gloucestershire Families First Update	To consider - six monthly update.	Adrian Goode, Community Development Officer	No.
Customer Care Strategy	To consider- annual update.	Clare Evans, Communications and Policy Manager	No.
Disabled Facilities Grants Review Monitoring Report	To consider - six monthly update.	David Steels, Environmental Health Manager	No.

PENDING ITEMS

Agenda Item	Overview of Agenda Item
Healthwatch Gloucestershire Presentation	Requested following the Gloucestershire Health and Care Overview and Scrutiny Committee Update on 20 October 2015.
Severn Vale Housing Presentation	Requested during the Review of the Effectiveness of Overview and Scrutiny Committee.
Gloucestershire Fire and Rescue Service Presentation	Requested during the Review of the Effectiveness of Overview and Scrutiny Committee.
Review of Economic Development and Tourism Strategy	To adopt the review report.

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Review of Ubico
Report of:	Rachel Capon, Environmental Contracts Team Leader Joint Waste Team
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor J R Mason, Lead Member for Clean and Green Environment
Number of Appendices:	None

<p>Executive Summary:</p> <p>The report provides an update of key indicators and trends for the waste and recycling service following transfer of the recycling, refuse, street cleaning, grounds maintenance and ancillary services to Ubico on 1 April 2015. The period of review is July 2015 - December 2015.</p>
<p>Recommendation:</p> <p>To CONSIDER a 12 month update following the transfer of the Council's waste services to Ubico in April 2015.</p>
<p>Reasons for Recommendation:</p> <p>At a meeting of the Overview and Scrutiny Committee in June, 2015 it was agreed that the performance of the waste services contract be monitored by the Committee on a six monthly basis.</p>

<p>Resource Implications:</p> <p>None for this report</p>
<p>Legal Implications:</p> <p>None for this report</p>
<p>Risk Management Implications:</p> <p>There are no significant new risks or opportunities arising within the period under review.</p>
<p>Performance Management Follow-up:</p> <p>Regular performance meetings are included within the contract to ensure effective monitoring of the contract.</p>

Environmental Implications:

The reported increase in food waste is particularly welcome as this is at no additional cost to the Borough but reduces disposal costs considerably to the benefit of Gloucestershire County Council's budget and council tax payers overall. Food waste is digested through anaerobic digestion facility at Bishop's Cleeve, producing clean, green energy and avoiding landfill.

1.0 INTRODUCTION

- 1.1** At a meeting of the Overview and Scrutiny Committee in June 2015 it was agreed that a review of the performance of the recently transferred waste services contract be monitored by the Committee on a half yearly basis.

2.0 BACKGROUND

- 2.1** The transfer of the Council's waste service from the in house DSO to Ubico Limited took place on 1 April, 2015. The service includes waste and recycling, street cleaning, grounds maintenance and other services.
- 2.2** Ubico is a local authority owned company and has been set up as a separate legal entity wholly owned and controlled by the shareholders. The current shareholders are Cheltenham Borough Council, Cotswold District Council, West Oxfordshire District Council, Forest of Dean District Council, and Tewkesbury Borough Council. Stroud District Council will become a shareholder in July 2016.
- 2.3** Former DSO staff were transferred under TUPE rules and regulations.
- 2.4** The service uses a number of vehicles leased from CP Davidson and the lease was novated to Ubico Limited.
- 2.5** At the point of transfer there was no change to service delivery to residents; residual waste is collected every fortnight, alongside the garden waste collections, with recycling being collected every alternate week. Food waste is collected weekly. The Tewkesbury service is still managed locally by the same management team, reporting now to the Managing Director of Ubico

3.0 PERFORMANCE MANAGEMENT

- 3.1** The contract incorporates various performance monitoring procedures which are running effectively.
- 3.2** A customer service liaison meeting between Ubico's Operational Support Officer and the Tewkesbury Customer Services Manager takes place fortnightly. This is to resolve day to day issues and make continual improvements to the Achieve System (Report it online) which is used to log service requests. This helps to improve customer service and communication with residents.
- 3.3** The Joint Waste Team carry out monthly contract meetings with Ubico on behalf of the Council to monitor performance indicators, service delivery issues, customer service interface, communications opportunities and health & safety.
- 3.4** The Joint Waste Team also carries out health and safety monitoring of Ubico crews on a monthly basis. Any issues identified are fed back to the Ubico supervisors and actions recorded to ensure a closed loop process is in place. Health and safety information is then reported quarterly to the Council's 'Keep Safe, Stay Healthy' meeting.

3.5 Grounds maintenance is monitored by the Licensing Team Leader within the Environmental Health service and meetings are taking place on a monthly basis.

3.6 The Environmental Services Partnership Board meets on a quarterly basis. The purpose of the meeting is to review the previous quarter's performance, consider trends, strategic planning, receive service updates and an operational review of health and safety. Details of which are included within this report.

4.0 PERFORMANCE INDICATORS

4.1 Health and Safety

4.1.1 The table below shows the health and safety statistics for Quarter 2 to 3.

Indicator title	Jul 15	Aug 15	Sep 15	Q2	Oct 15	Nov 15	Dec 15	Q3
Number of reported RIDDOR incidents within period	0	1	1	2	0	0	0	0
Number of reported lost time incidents within period	0	0	0	0	0	0	0	0
Number of reported non lost time incidents within period	0	0	0	0	0	0	0	0
Number of reported near misses within period	1	0	0	1	1	0	2	3
Number of crew inspections within period	20	19	21	60	20	20	20	60
Number of reported vehicle related accidents within period	2	1	1	4	3	3	0	6

4.1.2 Quarter 2 Summary:

- There were two reportable accidents under the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) in Quarter 2 both involving relatively minor and unrelated slips and trips by members of the Waste and Recycling team while moving receptacles during collection operations.
- There was one reported "near miss" which related to a vehicle stuck on the verge.

4.1.3 Quarter 3 Summary:

- There were no work-related incidents
- There were two reported "near misses" which related to third party vehicles in close proximity to a stationary collection vehicle. In one case a loader had to avoid a car which mounted the pavement.

4.1.4 General:

- 60 crew inspections were carried out during each period. Ubico monitor the reports from crew checks to identify trends and ensure issues identified are actioned.
- Ubico regularly communicate with crews on health and safety matters. Over this period topics included cab access and egress, hand hygiene, Giant Hogweed, manual handling, near miss reporting, the risks of coming to work under the influence of alcohol or drugs (prescribed and non-prescribed), employee responsibility under Section 7 of the Health & Safety at Work Act 1974, risk from used needles in bags, safe reversing, risk of slips and trips in cold weather and safety in the Depot.

4.2 Percentage of Household Collections Completed on Schedule

4.2.1 The contract sets a target of 99%. The type of issues that can impact on this include adverse weather, vehicle breakdowns, shortage of crews due to sickness etc.

4.2.2 The table below shows the percentage of collections completed on schedule each month and demonstrates that a very high level of performance is being achieved.

Month	2015/16
April	99.90%
May	99.95%
June	99.93%
July	99.95%
August	99.95%
September	99.94%
October	99.94%
November	99.93%
December	99.97%

4.3 Service Requests

4.3.1 As shown in the table below, during the first three Quarters of operation by Ubico the number of service requests in most categories remained fairly constant. Variations and trends are explained below:

Service Request	Q1	Q2	Q3	Q4
Missed collections	801	559	564	
No of green bins requested	334	365	331	
No of blue bins requested	290	293	306	
No of brown bins requested	56	51	45	
No of other bins requests	55	39	28	
No of kerbside caddies requests	387	2003	707	
No of kitchen caddies requests	258	1663	548	
Litter/ Street cleaning reports	53	120	97	
Flytipping reports	216	215	144	
Grafitti reports	4	15	1	
Dead animal reports	19	26	27	
Dog / litter bin overflowing	0	9	16	
Dog fouling reports	18	24	15	
Grounds maintenance reports	119	245	111	

4.3.2 Missed Collections

- Missed collections must be considered in relation to the 36,000 collections made each week; approaching half a million points of contact with customers per quarter.
- On investigation the higher level of missed collection in Quarter 1 was due to the way the Achieve Reporting system was set up and Ubico not being able to see data. This meant that residents were reporting missed collection on more than one occasion. The situation improved markedly in Quarter 2 and Quarter 3.
- The number of bin requests across the period reflects the number of new households in the Borough.
- The sharp increase in the number of food receptacles in Quarter 2 and Quarter 3 was largely due to the waste intervention campaign in September where “No Food Waste” stickers were put on all refuse bins. Ubico responded extremely well to the challenge of delivering these quickly.
- Fly-tipping reports have decreased in Quarter 3 which may be seasonal and/or a reflection of the enforcement work being carried out by the Environmental Health team.
- There is ongoing work on the system to report grounds maintenance issues. This is to ensure that requests are being directed to the correct area e.g. the Highways Authority, Ubico or private land owners.

4.4 Residual household waste per household (kg/month)

4.4.1

Month		
	2014/15	2015/16
April	35	39
May	38	37
June	36	37
July	37	39
August	33	33
September	37	39
October	37	35
November	33	35
December	33	33
January	40	
February	33	
March	36	

4.4.2 A degree of variation from one month to another, and from the same month year to year, can be expected for a number of reasons; the number of collection days in any month can vary depending on when weekends fall and there are seasonal variations (as illustrated most markedly by the January 2015 figure). The average trend is slightly up which is a national trend which may be linked to consumer confidence.

4.5 Percentage Household waste reused, recycled and composted

- 4.5.1**
- The Joint Waste Committee Food Waste Intervention Project has helped to increase participation in food waste recycling during Quarter 3.
 - This has had a positive impact on the recycling rate at a time when there has been a general downturn in “dry” recycling rates across the county and elsewhere. The reasons for this are complex and difficult to isolate but there are a number of neutral or positive factors that have a negative impact on the recycling rate. These include year to year variations in the length of the growing season for garden waste, light-weighting of packaging and the long term decline in newspaper readership and print based advertising.
 - There are other trends which run in the opposite direction, most noticeably the growth in internet shopping, which has increased volumes of cardboard.
 - The Joint Waste Committee Business Plan contains a number of interventions and communication initiatives to boost recycling but the general trend across Gloucestershire and the rest of England is also a flattening out of recycling performance.

Month		
	2014/15	2015/16
April	54.47%	51.26%
May	53.83%	51.84%
June	54.47%	52.44%
July	52.04%	51.27%
August	53.49%	49.97%
September	52.89%	53.47%
October	51.32%	53.35%
November	48.99%	50.10%
December	47.43%	48.66%
January	45.37%	
February	43.11%	
March	47.92%	

4.6 Human Resources

4.6.1	Ref	Indicator title	Q1	Q2	Q3	Q4
	HR 1	Business Support average days lost per FTE	2.63	0.46		
	HR 2	Operations average days lost per FTE – TBC	1.12	1.28		

- 4.6.2
- The significant decrease in average days lost from Q1 to Q2 is largely due to targeted intervention and firmer management by Ubico.
 - Q3 data is not yet available due to a planned upgrade of the Ubico HR system.

4.7 Financial Performance

4.7.1 The budget monitoring report to 31 December 2015 showed that a net underspend of £40k is forecast at year end. The £40k underspend in Environmental Services is due to planned savings and a reduction in maintenance work to vehicles and plant pending their replacement.

4.7.2 It is anticipated that there will be a £15k overspend in waste and recycling which is due to growth/new properties/ and more garden waste customers, which will be offset by a £15k underspend in operations due to staff vacancies.

4.8 Projects/ Other Works

- 4.8.1
- Ubico supported 28 community events from April to December 2015, including Tewkesbury in Bloom, the Mop Fair and the Christmas lights turn on event and the Place Based Working Pilot.
 - During September Ubico carried out the stickering of refuse bins for the JWT as part of the food waste campaign. This project has received good results with a 24% increase on tonnage of food waste captured. So far this level of increase has been sustained.
 - During October Ubico delivered the annual waste collection calendars across the Borough.
 - Ubico have been integral in the service review project and are working with the team on the vehicle procurement project in readiness for the expiry of the CPD contract in April 2017.

5.0 OTHER OPTIONS CONSIDERED

5.1 None

6.0 CONSULTATION

6.1 None

7.0 RELEVANT COUNCIL POLICIES/STRATEGIES

7.1 Joint Waste Committee Business Plan 2015-18

- 8.0 RELEVANT GOVERNMENT POLICIES**
- 8.1 None
- 9.0 RESOURCE IMPLICATIONS (Human/Property)**
- 9.1 None
- 10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 10.1 None
- 11.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 11.1 None
- 12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 12.1 None

Background Papers: Future Management of Councils Operational Services – Council
30 September 2014 (Restricted Documents)

Contact Officer: Richard Kirk, Interim Environmental and Housing Services
Group Manager
01684 272259 Richard.Kirk@tewkesbury.gov.uk

David Steels, Environmental Health Manager
01684 272172 David.Steels@tewkesbury.gov.uk

Appendices: None

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Revenues And Benefits Improvement Project
Report of:	Richard Horton, Revenues and Benefits Group Manager
Chief Officer:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor D J Waters, Lead Member for Finance and Asset Management
Number of Appendices:	1

<p>Executive Summary:</p> <p>The Overview and Scrutiny Committee to receive a 12 month update on improvements made as a result of the systems thinking review in Revenues and Benefits.</p>
<p>Recommendation:</p> <p>To CONSIDER the 12 month update on improvements made as a result of the systems thinking review in Revenues and Benefits.</p>
<p>Reasons for Recommendation:</p> <p>No recommendations are included in the report.</p>

<p>Resource Implications:</p> <p>To ensure that the section is working efficiently and that resource in the section is freed up to carry out work on financial inclusion.</p>
<p>Legal Implications:</p> <p>None</p>
<p>Risk Management Implications:</p> <p>No major risks identified.</p>
<p>Performance Management Follow-up:</p> <p>The performance of the Revenues and Benefits section is being monitored constantly. Reported to Chief Officers, Overview and Scrutiny Committee and at Portfolio meetings.</p>
<p>Implications for Biodiversity:</p> <p>None directly affecting the policy</p>

1.0 INTRODUCTION/BACKGROUND

- 1.1 The transformation project had commenced in the summer of 2014 when 'Ice Creates' consultants had been appointed to facilitate a review of the Revenues and Benefits service. The main aim was to increase efficiency and cost savings within service in order to free up time to focus on outcomes by promoting financial inclusion and poverty reduction.
- 1.2 At its meeting on 7 April 2015, The Overview and Scrutiny Committee had received a presentation on the transformation project and had resolved that a further update be provided to the Committee in 12 months' time.

2.0 CURRENT POSITION

- 2.1 The project is successfully sustaining our performance and in most cases outperforming last year.

2.2 Benefits

- Processing new claims in 12.73 days (February 2016) - previously 19.39 days (February 2015).
- Processing changes in circumstances in 6.4 days (February 2016) - previously 13.42 days (February 2015)
- Appendix 1 compares our performance with other District Councils in Gloucestershire.
- The improved accuracy and timeous processing in benefits has meant an improved return within our subsidy claim. Currently we are eligible for £58k in additional subsidy; we have never achieved this level of performance before within our subsidy claim.
- The additional capacity and the improvement in data matching arrangements have meant that we have identified a high number of unreported changes in circumstances and claimant error overpayments. We receive 40% subsidy for finding the overpayments. However; we can recover and keep 100% of the overpayment on top of the 40% subsidy received.
- Whilst our claims caseload is falling the numbers are not significant:

Claims	December 2015	December 2014
Housing Benefit Claims	4,085	4,089
Council Tax Support	4,650	4,749

- We are still receiving the same numbers of claims in on a weekly basis - between 20 to 25 claims.
- Failure phone calls have dramatically fallen from customers enabling staff to concentrate fully on processing.
- Having two members of the Benefit team permanently in the booth ensures expert information is being given to our customers from first contact.

2.3 Revenues

In Revenues, our collection rate is as follows:

- Council Tax 96.83% (February 2016) previously 96.11% (February 2015). We should take into account that we have collected £1M more than we did this time last year.
- Over the last 12 months we have seen a growth in new properties. The Borough has 38,955 domestic properties as at December 2015; an increase of 634 on last year's figure of 38,321. The Revenues team has been able to absorb the increase and shed half a post.
- Business Rates 96.21% (February 2016) previously 95.05% (February 2015). We are gradually recovering from the major impact of the large reduction in rateable value and refund made to a major account business rates account. We are starting to see an improved collection rate.

2.4 An objective was to create additional capacity within the service to carry out important work on financial inclusion:

- Our objective is to provide a more joined-up service to assist those who are in need.
- To achieve the objective we are carrying out a detailed analysis of our housing benefit data and council tax support to identify key areas of need within our borough.
- The data will help us identify the future impacts of welfare reform and will enable us to better assist those households that are under financial pressure.
- We will be creating a framework for the delivery of a joined up range of services and this will build upon the work already achieved through the financial inclusion partnership.

3.0 MONITORING OF WORKLOAD

3.1 All workload is monitored monthly and reported internally. Quarterly performance data is reported to Overview and Scrutiny Committee.

4.0 OTHER OPTIONS CONSIDERED

4.1 None

5.0 CONSULTATION

5.1 None

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

6.1 The work being carried in the improvement project has been part of the Council's transformation strategy.

7.0 RELEVANT GOVERNMENT POLICIES

7.1 None

8.0 RESOURCE IMPLICATIONS

8.1 To ensure that the section is working efficiently and that resource in the section is freed up to carry out work on financial inclusion.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

9.1 None

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 The section has an obligation to work efficiently and to work on its own transformation arrangements within the Council's transformation strategy.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None

Background Papers: None

Contact Officer: Richard Horton, Revenues and Benefits Group Manager
01684 272119 Richard.Horton@tewkesbury.gov.uk

Appendices: Appendix 1 – County Benefits Performance

County Benefits Performance

		Quarter1		Quarter 2		All Quarters	
District Council		New Claims	Changes in circumstances	New Claims	Changes in circumstances	New Claims	Changes in circumstances
42 Gloucestershire		Average	Average	Average	Average	Average	Average
	Cheltenham	19	7	18	6	18.5	6.5
	Cotswold	16	6	15	9	15.5	7.5
	Forest of Dean	15	7	20	10	17.5	8.5
	Gloucester	21	7	22	8	21.5	7.5
	Stroud	20	10	19	6	19.5	8
	Tewkesbury	16	7	11	7	13.5	7

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Review of Scheme for Public Participation at Planning Committee
Report of:	Public Participation at Planning Committee Review Working Group
Corporate Lead:	Sara Freckleton, Borough Solicitor
Lead Member:	Councillor R D East, Chairman of the Public Participation at Planning Committee Review Working Group
Number of Appendices:	One

<p>Executive Summary:</p> <p>At its meeting on 14 April 2015, the Council resolved that a Scheme for Public Participation at Planning Committee be introduced for a one year trial period starting with the new term of the Council in May 2015 and so commenced with the Planning Committee in June. The Overview and Scrutiny Committee, at its meeting on 23 February 2016, established a Working Group to review the scheme in order to inform the Council as to whether the scheme should continue and, if so, whether any amendments needed to be made.</p>
<p>Recommendation:</p> <p>To ADOPT the report shown at Annex A as the Committee’s report to Council proposing the continuation of the Scheme for Public Participation at Planning Committee.</p>
<p>Reasons for Recommendation:</p> <p>To ensure that the Council has the opportunity to consider whether or not to confirm the arrangements for Public Participation at Planning Committee before the expiry of the trial period in June.</p>

<p>Resource Implications:</p> <p>None additional to those already in place.</p>
<p>Legal Implications:</p> <p>None directly arising from this report.</p>
<p>Risk Management Implications:</p> <p>Should the Council determine not to proceed with a scheme, there could be a reputational risk that will require careful management.</p>

Performance Management Follow-up:

Should the Council determine to introduce the scheme on a permanent basis, monitoring will continue and any issues/concerns will be reported to Members.

Environmental Implications:

None

1.0 INTRODUCTION/BACKGROUND

1.1 At its meeting on 14 April 2015, the Council resolved that a Scheme for Public Participation at Planning Committee be introduced for a one year trial period starting with the new term of the Council in May 2015 and so commenced with the Planning Committee in June.

1.2 At its meeting on 23 February 2016, the Overview and Scrutiny Committee resolved to establish a Working Group to review the scheme. The Working Group comprised the following Members:

Councillors: Mrs G F Blackwell, R D East (Chair), D T Foyle, Mrs M A Gore, T A Spencer, Mrs P E Stokes and P D Surman.

2.0 REPORT TO COUNCIL

2.1 The objective of the Working Group was to conduct an assessment of how the Scheme for Public Participation at Planning Committee had worked since its introduction at the Planning Committee meeting in June 2015 in order to inform the Council as to whether the scheme should continue and, if so, whether any amendments need to be made.

2.2 Annex A sets out the Working Group's draft report for consideration and adoption by the Overview and Scrutiny Committee for presentation to the Council on 19 April 2016.

2.3 The final report adopted by the Overview and Scrutiny Committee will be sent to the Planning Committee for comment and any such comments will be submitted to the Council alongside the report in order to assist the Council in making a final decision on this matter.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 The review has involved extensive consultation with stakeholders and, once adopted by the Overview and Scrutiny Committee, the Council report will be submitted to the Planning Committee for comments with the views of that Committee being reported verbally to Council.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Scheme for Public Participation at Planning Committee

6.0 RELEVANT GOVERNMENT POLICIES

6.1 The scheme supports the government's agenda for open, transparent and accountable local governance.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 Included within the report.

8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

8.1 None

9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

9.1 None directly arising from this report.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 Council – 14 April 2015
Overview and Scrutiny – 23 February 2016

Background Papers: Scheme of Public Participation at Planning Committee

Contact Officer: Lin O'Brien, Democratic Services Group Manager
01684 272020 Lin.OBrien@tewkesbury.gov.uk

Appendices: Annex A - Draft Report to Council

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	19 April 2016
Subject:	Review of Scheme for Public Participation at Planning Committee
Report of:	Overview and Scrutiny Committee
Corporate Lead:	Sara Freckleton, Borough Solicitor
Lead Members:	Councillor R D East, Chair of the Overview and Scrutiny Committee Working Group Councillor P W Awford, Chair of Overview and Scrutiny Committee
Number of Appendices:	5

Executive Summary:

At its meeting on 14 April 2015, the Council resolved that a Scheme for Public Participation at Planning Committee be introduced for a one year trial period starting with the new term of the Council in May 2015 and so commenced with the Planning Committee in June. The Overview and Scrutiny Committee, at its meeting on 23 February 2016, established a Working Group of seven Members to review the Scheme for Public Participation at Planning Committee and approved the Terms of Reference attached at Appendix 1. This report details the outcome of the Group's work, which was adopted by the Overview and Scrutiny Committee, and enables the Council to make a decision on the continuation of the scheme based on the findings of the Working Group.

Recommendation:

That the Scheme for Public Participation at Planning Committee be confirmed as a permanent arrangement with minor adjustments as set out at Paragraph 5.

Reasons for Recommendation:

To ensure that the Council has the opportunity to consider whether or not to confirm the arrangements for Public Participation at Planning Committee before the expiry of the trial period in June.

Resource Implications:

None additional to those already in place.

Legal Implications:

None arising directly from this report.

Risk Management Implications:

Should the Council determine not to proceed with a scheme, there could be a reputational risk that will require careful management.

Performance Management Follow-up:

Should the Council determine to introduce the scheme on a permanent basis, monitoring will continue and any issues/concerns will be reported to Members.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 At its meeting on 14 April 2015, the Council resolved that a Scheme for Public Participation at Planning Committee be introduced for a one year trial period starting with the new term of the Council in May 2015 and this commenced at Planning Committee in June.

1.2 As the one year trial period comes to an end, the Overview and Scrutiny Committee determined to undertake an assessment of how the Scheme for Public Participation at Planning Committee had worked since its introduction in order to inform the Council as to whether the scheme should continue and, if so, whether any amendments should be recommended.

1.3 Accordingly a Working Group comprising the following seven Members was established to work with Officers to review the scheme in accordance with the Terms of Reference attached at Appendix 1:

Councillors: Mrs G F Blackwell, R D East (Chair), D T Foyle, Mrs M A Gore, T A Spencer, Mrs P E Stokes and P D Surman.

2.0 BASIC PRINCIPLES OF THE SCHEME

2.1 Anyone wishing to speak on a particular planning application could register once the Agenda for the Planning Committee meeting at which it was due to be considered had been published. The only way to register a request to speak was by telephoning the Democratic Services department by 10.00am on the day before the meeting. There were four speaking slots: one for Parish/Town Councils, one for a representative on behalf of the objectors, one for a representative on behalf of the supporters (including the applicant or their agent) and one for Ward Councillors. Only one speaker was allowed in each slot (with the exception of Ward Councillors) and registration was on a first come, first served basis. Within each speaking slot, a maximum of three minutes per speaker was allowed. The existing scheme is set out in full at Appendix 2.

3.0 WORK OF THE GROUP

3.1 Letters were sent to those who had used the scheme or had an interest in the scheme inviting views/comments either in writing or in person to the Working Group.

- 3.2** At the first two meetings of the Working Group, Members heard from a variety of stakeholders including agents, members of the public, Parish Councillors and Officers involved with the administration of the scheme. 14 written representations were also received and considered by the Working Group.
- 3.3** At the third meeting of the Group, other schemes operating in the county and across the country were considered, together with a summary of all the representations which had been received.
- 3.4** At the fourth and final meeting of the Group, Members considered their report to be presented to the Overview and Scrutiny Committee and, subsequently, the Council. In addition, the Group received the information leaflet, which gave guidance to the public on how the scheme operated, proposing minor changes to aid clarity.

4.0 FINDINGS OF THE GROUP

4.1 Comments from users of the scheme

- 4.1.1** The vast majority of the representations received were supportive and very complimentary of the Council's scheme, including its administration both before the Planning Committee meetings and the organisation during the meetings.
- 4.1.2** Many of those making representations highlighted the value of the scheme and were strongly in favour of its continuance. Some suggestions/comments were made advocating changes to the scheme and are set out at Appendix 3, together with the response of the Working Group.
- 4.1.3** Appendix 4 provides a summary of the comments received where no response was required.

4.2 Officer comments

- 4.2.1** In terms of the Officer comments, again, it was generally felt that the scheme had worked, well. The following instances were highlighted where problems had occurred:
- A Parish Councillor was not allowed to speak in a situation where they had failed to register as required. The requirement is clear in the scheme but there is perhaps a need to remind Parish/Town Councillors of the registration requirements.
 - A Parish Councillor attended the Committee but with the intention of presenting their own views rather than those of the Parish Council. Registration had taken place as required but, in the circumstances, the Parish Councillor was not heard by the Committee. The scheme is absolutely clear, but on this occasion, the Parish Councillor was not familiar with its provisions and had assumed that a designated slot presented an opportunity for any Parish/Town Councillor to give their views on an application within their Parish. In an endeavour to prevent recurrence of such instances, the Member Services Officer has now introduced a screening system whereby any Parish/Town Councillor registering to speak is now asked to confirm that they will be attending to speak to the Parish Council's formal view on the application and not on any personal/contrary view.

The Group felt that additional publicity in the Borough News would be beneficial to assist with these misunderstandings. It was also felt that Parish Councils should be reminded that it is their responsibility to ensure that their representative puts forward the views of the Parish Council and it is highly recommended that Parish Councils put in place a process to ensure that this happens. The responsibility cannot rest with the Borough Council, although it would do what it could to help.

- 4.2.2** The scheme/leaflet had, so far, been interpreted that any Ward Councillors (that are not Planning Committee Members) wishing to speak, have to register in the same way as any other speakers, though this isn't explicitly set out as it is for Parish/Town Councillors; the introduction in the leaflet refers to supporters, objectors and Parish/Town Councils. So far no Ward Members have challenged this but they could possibly draw on Rule 48 in Section 1, Part II of the Constitution:

“48. Councillors Attending Committees

Council Procedure Rules 13 and 14 apply (Items/Motions from Councillors).

A Councillor who is not a Member of the Committee may speak at a meeting of the Committee (but not vote, move or second Motions):

- 1. during the consideration of any item of Motion brought by the Councillor direct to the Committee or referred by the Council in accordance with Council Procedure Rules 13 and 14*
- 2. with the agreement of the Chairman of the meeting; or*
- 3. during the consideration of any matter specifically affecting that Councillor's Ward.”*

The Group felt that it was important for Ward Councillors to register in the same way as all other speakers as this greatly assisted with the management of the meeting. It was agreed that the provision in the Constitution should be clarified on this basis whilst recognising that Ward Councillors have a democratic entitlement to represent the views of their electorate. It was also agreed that the scheme should be reworded to clarify this point.

- 4.2.3** The deadline for registration is 10.00am on the day before the meeting. In the scheme adopted on 14 April 2015, the wording is “the day” before the meeting, whereas the information leaflet refers to “working day” – the latter should be inserted into the scheme also (in the past some meetings have fallen immediately after a Bank Holiday so the deadline for registration would then be the Friday and not the Monday).

The Working Group was of the view that the scheme should be amended to make it clear that it is “working day”.

- 4.2.4** In general, the introduction of the scheme had increased the workload of Democratic Services which initially had been significant but had now settled down to a manageable level based on the scheme currently in place.

- 4.2.5** The Officer comments and the response of the Working Group are set out in full at Appendix 5.

4.3 Reviewing other Schemes

In reviewing other schemes both across the county and the country the following main differences were identified as set out below, together with the response of the Working Group:

- 4.3.1 Difference** - Prior registration by Parish Councils not required

Comment - This would provide for unfairness, impact upon the efficient management of the meeting and potentially be open to greater abuse with personal views, rather than those of the Parish Council, being put forward as identified above.

4.3.2 Difference – Speakers are not required to await the publication of the relevant Agenda before they can register their wish to speak on a particular application. This means that it could be months before the application is brought before Committee, or it may not even go to Committee. In these circumstances, there is normally a dedicated Planning Committee Co-ordinator who keeps the record and checks when the application is listed for Planning Committee.

Comment – This was not raised as an issue by any of the consultees and, apart from one instance where a prospective speaker wished to register in advance due to being on holiday on the publication date, this had not caused any problems at Tewkesbury Borough Council. This system would be too administratively burdensome for the Council to operate within its current Member Services resource and would put the onus and responsibility on the Council when it should properly rest with those who have an interest in the application.

4.3.3 Difference – Speakers are given a limit of five minutes to present their views.

Comment – The majority of consultees felt that three minutes was adequate to get across the salient points without losing emphasis and becoming repetitive. It was not felt that the extra two minutes would add to the process and could even disadvantage a speaker. There had been a few large, complex applications considered during the trial period where three minutes had proved more than adequate. The visual timing aid was also particularly helpful as speakers were aware of how much time remained without the need to be interrupted. Three minutes tended to focus the minds of speakers to write down the most important points that they wished to convey.

4.3.4 Difference – Councillors are permitted to question speakers and enter into an exchange of dialogue with them, almost akin to a minor hearing within the Planning Committee, on each application subject to public speaking.

Comment – Members of the Planning Committee receive a considerable amount of information prior to the meeting. The aim of the Scheme for Public Participation at Planning Committee is to provide the opportunity to get over the important points that the speakers want Members to have uppermost in their minds when drawing together all the information received and coming to a decision. A mini-hearing would, in the view of the Working Group, detract from this and be a barrier to the efficient and effective decision-making process of the Committee taking account of all the relevant information that had previously been provided. In the view of the Group, the process could significantly lengthen the meetings without providing any benefit to the decision-making process.

5.0 CONCLUSIONS OF THE WORKING GROUP

5.1 The opportunity to speak at Planning Committee is valued, it supports open, transparent and accountable local government and the scheme should be introduced on a permanent basis, largely unchanged other than to:

- i) clarify that the deadline for registration is 10.00am on the working day before the meeting;
- ii) clarify the requirements for Ward Councillors wishing to speak at the Committee;
- iii) amend the scheme to allow a Parish Clerk to read a statement setting out the views of the Parish Council in the circumstance where no Parish Councillor is available to attend the meeting of the Planning Committee, subject to the required registration procedure being complied with (see Appendix 3); and
- iv) grant authority to the Borough Solicitor to review the wording of the scheme to ensure clarity without changing the fundamental elements of the scheme.

- 5.2** The following matters should be addressed by Officers, taking account of the view expressed by the Working Group to enhance the administration of the scheme:
- i) review of information leaflet on the Scheme for Public Participation at Planning Committee, taking account of the suggestions put forward by the Working Group;
 - ii) review of information on the website about the scheme to ensure that it is helpful and consistent, including that supported by the Planning section which was currently being revised as a result of the Planning systems thinking review;
 - iii) the layout of the meeting room be configured slightly differently to ensure that no Members have their backs to the speakers, whilst ensuring that everyone is able to see the electronic clock, and a trial be undertaken of the Councillors' name labels being set out in advance of the meeting;
 - iv) the Constitution be re-worded to make it more compatible with the scheme for Ward Members to register in advance to speak at meetings of the Planning Committee;
 - v) the scheme to be more widely publicised, including an article in the Borough News;
 - vi) training to be provided for appropriate Officers to ensure that they are fully conversant with the scheme and its operation; and
 - vii) Parish Councils to be reminded that it is their responsibility to ensure that their representative puts forward the views of the Parish Council.

6.0 OTHER OPTIONS CONSIDERED

6.1 None

7.0 CONSULTATION

7.1 The review has involved extensive consultation with stakeholders and this report has been submitted to the Planning Committee for comments with the views of that Committee being reported verbally to Council.

8.0 RELEVANT COUNCIL POLICIES/STRATEGIES

8.1 Scheme for Public Participation at Planning Committee

9.0 RELEVANT GOVERNMENT POLICIES

9.1 The scheme supports the government's agenda for open, transparent and accountable local government.

10.0 RESOURCE IMPLICATIONS (Human/Property)

10.1 Included within the report.

11.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

11.1 None

12.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

12.1 None directly arising from this report.

13.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

13.1 Council – 14 April 2015

Overview and Scrutiny – 23 February 2016

Background Papers: Scheme of Public Participation at Planning Committee

Contact Officer: Lin O'Brien, Democratic Services Group Manager
01684 272020 Lin.OBrien@tewkesbury.gov.uk

Appendices: Appendix 1 – Working Group Terms of Reference
Appendix 2 – Existing Scheme for Public Participation at Planning Committee
Appendix 3 – Representations received and comments of Working Group
Appendix 4 – Representations where no comment was required
Appendix 5 – Officer representations and comments of Working Group

**Scheme for Public Participation at Planning Committee Review –
Terms of Reference**

Introduction

An Overview and Scrutiny Working Group comprising seven Members will be asked to work with Officers to review the Scheme for Public Participation at Planning Committee following the Council's decision to introduce a scheme for a one year trial period commencing in May 2015.

Purpose of the Review

- To undertake an assessment of how the Scheme for Public Participation at Planning Committee has worked since its introduction at the Planning Committee meeting in June 2015.
- To inform the Council as to whether the scheme should continue and, if so, whether any amendments need to be made.

Consultees

- a) Users of the scheme
 - i) Parish/Town Councils;
 - ii) members of the public speaking in support or objection of applications; and
 - iii) Ward Councillors who are not Members of the Planning Committee.
- b) Officers involved in the administration of the scheme
 - i) Planning
 - ii) One Legal
 - iii) Democratic Services
- c) Members of the Planning Committee

Process

- To receive and consider representations from the consultees listed above.
- To review other schemes, identify best practice and undertake a comparison with the Council's scheme.

Timetable

Working Group Meeting 1	Tuesday 1 March PM
Working Group Meeting 2	Monday 7 March PM
Working Group Meeting 3	Thursday 17 March 2.00pm
Working Group Meeting 4	Thursday 31 March 2.00pm
Overview and Scrutiny Committee	Tuesday 12 April 2016 4.30pm
Planning Committee	Tuesday 10 May 2016 9.00am
Council	Tuesday 17 May 2016 6.00pm

Outcome

A full review of the Scheme for Public Participation at Planning Committee and a report to Council recommending whether or not the scheme should continue and, if so, whether any amendments to the scheme should be made.

Scheme for Public Participation at Planning Committee Meetings

Members of the public have the right to attend most Committees arranged by the Council. In addition there is a Public Participation Scheme in place which allows the public to make submissions to meetings of the Council or its Executive Committee.

The majority of planning applications received by the Council are determined by Officers under the Council's delegation scheme; however, major or contentious proposals are dealt with by the Council's Planning Committee. The Committee usually meets every four weeks on a Tuesday morning at 9.00am in the Council Chamber at Tewkesbury Borough Council Offices and the Agenda is published on the Monday of the week prior to the meeting. It is a non-political meeting and all decisions are made strictly on planning grounds.

Everyone has the right to make written representations about a planning application and all are carefully considered before a decision is made. In addition to this provision, the public speaking facility was introduced in May 2015. It allows individuals to speak at the Planning Committee to state their views on specific proposals.

When is public speaking allowed?

Public speaking is allowed on any application contained within the Planning Schedule of applications considered by the Planning Committee. Public speaking is not allowed on items contained within the Agenda such as potential enforcement action, tree preservation orders etc.

If public speaking has taken place on an application and it is then deferred, for example, to enable Members to visit the site or to allow further negotiations, further public speaking will be permitted when the application is reconsidered by the Committee; the original speakers will be automatically re-registered unless notification is received to the contrary.

Who is allowed to speak?

The following individuals can speak and will be called in the following order:

1. A representative of the Town or Parish Council or Parish Meeting(s) within which the application is located – to put forward considered views of that Council/Meeting rather than their own independent views.
2. A representative on behalf of the objectors.
3. A representative on behalf of the supporters (this includes the applicant or their agent).
4. Ward Councillors.

No one is required to speak; it is an entirely voluntary opportunity.

Members of the Committee who have a Code of Conduct interest in an application within the Agenda which prevents them from participating in the debate will be able to speak for three minutes prior to leaving the meeting.¹

¹ Town and Parish Councillors are reminded of their responsibilities under the agreed Code of Conduct.

Procedure for Applying to Speak at Planning Committee Meetings

It is the responsibility of the person wishing to speak to check that an item is on the Schedule of Planning applications for the meeting. This can be done by calling the Planning Case Officer or the Democratic Services section. The Agenda for the meeting, including a copy of the Schedule, is published five clear working days before the meeting; this is usually the Monday of the week before the meeting. The Agenda and Schedule can be viewed at the Council Offices or on the Council's website www.tewkesbury.gov.uk

Members of the public wishing to speak at Planning Committee meetings will need to telephone Democratic Services on 01684 272021 – this is the only way to register a request to speak. The deadline for registration is 10.00am on the day before the meeting.

Registering to speak will not guarantee the opportunity to speak at the Committee. This is because there may be many requests to speak on certain applications. The Chairman of the Committee will only allow one speaker “for” and one speaker “against”. The onus is entirely on the parties concerned to communicate with each other and agree who should act as the spokesperson. If no agreement is reached the speaking slot will be given to the first registered speaker.

Public speakers are requested to submit a copy of their representations, either by email to democraticservices@tewkesbury.gov.uk in advance of the meeting or by handing a copy to the Committee Administrator at the meeting.

How long are public speakers allowed to speak?

Within each speaking slot, a maximum of three minutes per speaker per application will be allowed in which to speak. This time must be strictly adhered to and speakers are encouraged to practice their presentation in order to use the time constructively.

What is the procedure for consideration of applications at Planning Committee?

The Chairman will introduce the application and the Planning Officer may then provide a short presentation.

Speakers will be asked by the Chairman of the Committee to move to a designated seating area before they speak. The three minute limit will be strictly applied by the Chairman and speakers will be asked to return to their seats in the public area after that time.

When there are no further speakers, the Chairman will start the debate. Finally the Committee will be asked to take a decision on the application.

What are speakers allowed to say?

Speaking slots will be purely provided to enable views to be expressed. Speakers will not be permitted to enter into debate with Members or Officers, nor with each other, and the Chairman will not allow cross-examination of either the applicant or the objector by either party.

No new written material, documents, plans, photographs or other visual aids may be presented on the day of the meeting.

Planning Committee meetings are held in public and comments of a personal, slanderous, defamatory or otherwise offensive or abusive nature must not be made. The Chairman of the Committee has the right and duty to stop anyone speaking if such comments are made and the speaker may then forfeit their opportunity to continue to speak.

Advice for Public Speakers

- Keep observations brief and relevant.
- Speak clearly using the microphone.
- Please limit your views to relevant planning issues, for example:
 - impact of the development on the character of the area;
 - external design, appearance and layout;
 - impact of development on neighbouring properties;
 - highway safety; and
 - government guidance.
- Avoid referring to non-planning matters as these cannot be taken into account when the Committee determine the application e.g.:
 - “trade” objections such as competition issues;
 - boundary or property disputes;
 - the developer’s motives;
 - “moral” arguments;
 - matters covered by other laws;
 - loss of “view”;
 - personality issues; and
 - reduction in property values.
- Please remember that you are addressing Members of the Planning Committee and not the public gallery.

Key Points Raised	Working Group Comments (if any)
<ul style="list-style-type: none"> • Follows good practice and had worked satisfactorily for him as an objector. • Had found it a handicap that he had not been permitted to show any data directly to the Committee e.g. table of data, map, photograph – the ability to project a Word or Powerpoint slide would match the facility given to applicants whose plans and documents were published in the Agenda documents. • Is there a way for the Parish Council to accredit a non-Member to speak on its behalf? It can be a difficult for smaller Parish Councils to find an available Member at short notice. • Smaller Parish Councils and the general public are unaware of the existence of the scheme – need something similar to the useful information on the website about making written representations embedded in the “tree” that leads to the detailed application. 	<p>The Working Group recognised that exercising discretion left the Council open to arguments of unfairness and would add significantly to the amount of additional information they had to take into consideration if every speaker was able to introduce new material at the meeting. It was noted that there was an opportunity for additional representations to be submitted up until 5.00pm on the day before the meeting which provides the Officers with the opportunity to consider all new material and advise the Committee on any implications.</p> <p>In terms of accrediting a non-Member of a Parish Council to speak on its behalf, the Working Group felt that this would be extremely difficult to police. However, it was suggested that the Scheme could be amended to allow the Parish Council Clerk to attend on behalf of the Parish Council and read an agreed statement setting out the views of the Parish Council.</p> <p>With regard to the “tree” on the website, it was noted that the Planning department was currently revising its procedures as a result of the systems thinking review and appropriate advertising of the scheme was something which could be addressed as part of that.</p>
<ul style="list-style-type: none"> • In favour of being able to speak. • Would have been helpful if Members had been able to question her. • Would be helpful to have formal statement of the motion passed as she left the meeting with a different understanding to what was published in the Minutes. 	<p>More than one of the consultees had suggested that they would like Members to have the opportunity to ask questions of the speakers. The general feeling amongst the Working Group was that there would be no real benefit and that it could considerably extend the length of meetings. (See also Paragraph 4.3.4 of the report).</p> <p>Members did not feel that it would be appropriate to issue a formal statement of the motion which had been passed and it was noted that the Minutes of the meeting were the definitive record.</p>

Key Points Raised	Working Group Comments (if any)
<ul style="list-style-type: none"> • Fully agrees with the initiative to invite members of the public to speak at Planning Committee and hopes it will become permanent. • 3 minute period is not long enough, suggest extending to 5 minutes. • No contribution from Committee Members made it seem as if the decision had already been made and the Members were condescendingly going through the motions of listening to the speakers but not taking on board what was being said. • If time slots are extended, it should allow time for Members to question the speaker. • A firm Chair is necessary to control proceedings. 	<p>A Member indicated that some high profile applications had been determined at the Planning Committee meeting earlier that week and 3 minutes had been more than adequate for the speakers to get their points across.</p>
<ul style="list-style-type: none"> • Opportunity to speak at Planning Committee is positive. • Chance to get their voice heard, present a counter argument and allay fears about the application. • The position of the public speaker needs to be relocated – currently there are Members with their backs to the speaker which gives the impression that they are not really listening. • 3 minute slots are long enough. • Well looked after when attending the meeting. • If they had not been invited to attend the meeting would not have known about the scheme. • Information contained within the leaflet was sufficient. 	<p>It was noted that the Working Group had considered alternative room layouts following the Planning Committee meeting on 15 March. In future the room would be set out in a slightly different configuration to ensure that there were no Members with their backs to the speakers whilst ensuring that everyone was able to see the electronic clock. It was also agreed that it would be beneficial for the Councillors' name labels to be set out in advance and this would be trialled at the next meeting.</p>

Key Points Raised	Working Group Comments (if any)
<ul style="list-style-type: none"> • Background in estate management, 33 years of experience in planning and development. • Whole process needs to be as clear and transparent as possible. • Needs to be an appropriate balance between expediency and propriety and the opportunity for a full discussion and open debate on planning issues. • Information leaflet is very clear, concise and informative. Comments as follows: <ul style="list-style-type: none"> - Who is allowed to speak at Planning Committee? Refers to a need to register in advance, first come-first served basis. There should be a degree of flexibility for higher profile, strategic applications where there are a variety of views. - 3 minute slots – should be the ‘norm’ but not necessarily long enough in every instance so there should be a degree of discretion. - Guidance on use of visual aids is confusing – states that no new written materials are permitted but it mentions that you can submit them by 5pm on the day before the meeting. Question mark over what is ‘new’ material. He would suggest that discretion be applied in terms of use of visual aids e.g. Powerpoint, photographs. - What speakers are allowed to say – long list of examples, he did not necessarily agree with what should and should not be taken into account. 	<p>The Working Group had considered the information leaflet and made suggestions for minor revisions.</p>

Appendix 3 – Representations and Comments of Working Group

61

Key Points Raised	Working Group Comments (if any)
<ul style="list-style-type: none"> When a Parish Councillor attends the Planning Committee on behalf of a Parish Council they should be reminded before they are allowed to speak that they should only give the formal view of the Parish Council and that no other view should be stated. 	<p>Whilst speakers were advised when registering that the Parish Council slot was to represent the formal view of the Parish Council, Members agreed that the onus should not be on Member Services to determine whether the representation correctly reflected the Parish Council's consultation response.</p>
<ul style="list-style-type: none"> Welcomed the opportunity to present representations. The time restriction of 3 minutes dominated the process to a point where time management was more critical than what residents had to say. Suggestion to offer an additional 3 minutes to the objector if the applicant does not turn up to the meeting. Imagined that the Committee would have time to read through the presentation as it was delivered to the meeting. Concern that the remit for consideration of a planning application is not met if there is no debate or questioning. To restrict the Parish Council in this process is patronising and discriminatory and they deserve a better hearing than the opportunity offered by this process. For any input to influence the decision-making process, surely it would have to be registered and considered prior to the meeting or it would be classed as 'too late' i.e. beyond the closing date for objections. With the appropriate objective, remit, shared purpose and commitment from participants to manage it professionally, it must be a positive addition to the planning process – a good but timely decision will always be better than a quick decision. 	<p>3 minutes was generally considered sufficient by the majority of participants (see also Paragraph 4.3.3 of the report). If additional time was allowed for the objector this would create unfairness and bias.</p> <p>It was not the intention of, or relevant to, a scheme for public speaking. Written materials would detract from the points being made by the speaker.</p> <p>A scheme of public speaking was not a requirement for the consideration of a planning application with or without questioning.</p> <p>The Parish Council was a statutory consultee and as such has other opportunities to make representations on an application.</p> <p>Not relevant to the scheme – the planning process involved extensive consultation.</p> <p>The scheme was the last part of a long consultative and consideration process; it was the final opportunity to summarise the important points before a decision was made.</p>

Appendix 4 – Representations received where no comment was needed

62

<ul style="list-style-type: none"> • Scheme is very good – archaic not to have one. • All other Councils within Gloucestershire allow public speaking and some even webcast their meetings – this facilitates important engagement from local residents and can only be positive for the Council’s reputation. • Committee Members had discussed his points after he had spoken. • The process had helped him to gain information on reasons for decisions and allowed some items of the application to be improved via planning conditions.
<ul style="list-style-type: none"> • Opportunity to speak is a good one – process can be sterile without it. • Allows balanced and diverse review of potential planning conditions. • Similar schemes have been implemented in other authorities across the county – Tewkesbury Borough could be seen to be refusing to engage with the community if the scheme was removed. • Administration of the scheme has been effective.
<ul style="list-style-type: none"> • Although a representative of the Parish Council has been unable to attend the meetings, the Parish Council is supportive of the scheme.
<ul style="list-style-type: none"> • Scheme worked well and gave interested parties the opportunity to have direct impact into the planning process. • Wish the scheme to remain in place.
<ul style="list-style-type: none"> • Firmly believes in allowing public speaking at Planning Committee. • Experience as a Councillor who introduced public speaking to Cheltenham Borough Council as Planning Committee Chairman and from a business involved in making presentations to Planning Committees. • For many residents the consideration of a planning application may be the only interaction they have ever had with the Council and it is essential they have the opportunity to address the Committee rather than be limited to writing a letter – it is their “one day in court”. • Reputation of the Council – very few Councils do not allow public speaking at Planning Committee. • Listening to an individual, as opposed to reading letters, helps to concentrate the mind. • Allows a final opportunity to provide last minute clarification and confirmation of points raised since the publication of the Committee papers. • Provides a balance to the Committee - without public speaking the only voice heard and physical presence is the Case Officer.

Appendix 4 – Representations received where no comment was needed

- | |
|---|
| <ul style="list-style-type: none">• Has not participated in the scheme but support it and will make use of it when the need arises.• Supports any measure to enhance the democratic accountability of the Borough Council. |
| <ul style="list-style-type: none">• Chairman has observed one Planning Committee meeting.• Felt that public participation worked well.• System operates successfully elsewhere and contributes to transparency and the idea that all parties get a fair hearing.• In favour of the scheme continuing. |
| <ul style="list-style-type: none">• Administration side was straightforward – communications from Democratic Services about what would happen on the day were to a high standard and very helpful.• Ability to have one last say to the people whose decision would have an important impact on the local community was critical – gave true democratic participation in a complicated process.• Hopes that the practice of allowing the public to speak will continue. |
| <ul style="list-style-type: none">• Background – planning consultant for 8 years, Planning Officer at Cotswold District and Cheltenham Borough Councils.• Organisation of public speaking is very good and letters go out in good time.• Display with 3 minute countdown clock is preferable to alternatives such as Officer interrupting the speaker to advise when 1 minute is left.• Different from Cotswold District Council where it appears the speakers are not being listened to as no debate or comment comes from the item after they have spoken.• 3 minutes is long enough for each speaker and is consistent with other schemes across Gloucestershire.• Some London authorities have a scheme where people can just turn up on the day but the applicant can only speak if there is an objector speaking which is incredibly unfair.• Has been waiting for Tewkesbury Borough Council to bring in a scheme for a very long time.• Useful in situations where there may be something missing from the Officer report.• Before the scheme was brought in the only way to get additional points across was by putting them in writing – would expect that correspondence to Members has reduced as a result of the scheme. |

Appendix 4 – Representations received where no comment was needed

64

<ul style="list-style-type: none">• Main objective was to ensure a fair hearing and it was important from his point of view to ensure all relevant facts were presented to the Committee.• With the best will in the world he would not expect Members to take in all the details of every application on the schedule, particularly smaller applications which were not in their Wards.• All of the attention is focused on the speaker for that 3 minute period.• In his case, once he had spoken he felt that all of the relevant facts had been presented to the Committee and was confident that the final decision would be fair and democratic.• Very pleased that the scheme was brought in and hopes that it will continue.• 3 minute slots are long enough.
<ul style="list-style-type: none">• The opportunity to show how they felt and to point out factual inaccuracies in the Officer report was extremely valuable.• They had also been able to suggest conditions for incorporation into the planning permission.• Councillors had listened to their views and were sympathetic to their requests.• 3 minutes is quite a short amount of time but not inconsistent with what they wanted to do.• Vital that members of the public are able to continue to come and speak at Planning Committee.
<ul style="list-style-type: none">• Had not attended a Planning Committee meeting or used the scheme but certainly would if it was felt necessary.• Any involvement in the planning process was to be welcomed.• Parish Councillors were aware of the scheme and if they wanted to speak they would go to him as the Chair.
<ul style="list-style-type: none">• Winchcombe Town Council had used the scheme on a number of occasions and felt it was working well.• The scheme introduced democracy to the planning process and it was important that it continued.• 3 minutes was plenty of time for each speaker.

Appendix 4 – Representations received where no comment was needed

- Critical that public speaking was introduced – there had always been an expectation that there would be an opportunity to speak at Committee.
- Even if the result is not what they were hoping, speakers feel they have had a fair hearing.
- 3 minutes is the optimum time for speaking, any less and speakers would not be able to get their points across, any more and they risked losing the audience. If the slots were for 5 minutes people would feel they needed to speak for the full amount of time.
- Electronic clock works well and the beep is necessary to let speakers know when there is only one minute left.
- Sitting at eye level with Members and Officers is important – does not have the same effect when sat at the back of the room or in the gallery.
- Does not feel there is a problem with the current position of the speaker; although a couple of Members were sat with their backs to the speaker, they gestured to show that they were listening.
- A strong Chair is vital. If people are allowed to speak beyond 3 minutes there could be a perception that the process is unfair.
- Other authorities have an opportunity for Members to ask questions of the speakers but he recognised that it would be easy to lose control of the meeting if this was introduced.

65

- Had never attended a Planning Committee meeting and favoured written comments but understood others did like the opportunity to speak at meetings.
- Comments about information leaflet:
 - Who is allowed to speak? Reference to 'Ward' Councillor could be confusing, would suggest using 'Borough' Councillor.
 - 3 minutes per speaker – this should be at the discretion of the Committee as there would be certain cases where more time was required.
 - Saw potential difficulties with the first come –first served registration process. If someone had more knowledge and would do a better job, they should be the one to speak.
 - Whilst he realised that a 'Councillor' and a 'Member' were the same thing, other people might not so he suggested that this should be consistent throughout the document.
 - How are Parish/Town Councils involved? Not all Parish/Town Councils had offices where plans could be viewed.

Appendix 4 – Representations received where no comment was needed

- Had used the planning process around 6 times in the last 4 years; once with the scheme in place.
 - Very much in favour of being able to speak for 3 minutes.
 - Opportunity to rectify any errors in the Officer's report and focus Members' minds on a particular application which is especially important when schedules are so large.
 - Makes Planning Officers more accountable.
 - Hopes that the scheme continues.
 - 3 minute slot was long enough to be able to get his points across.
-
- Has served on Planning Committee for a total of 12 years in two different authorities both of which had public participation.
 - Found the involvement of Parish Councils invaluable.
 - Only Stratford-Upon-Avon allowed Members to ask questions of speakers. Slots were 3 minutes and were allocated to the Parish Council, an opponent and a supporter. Ward Members who were not Members of the Committee could also speak.
 - Ability to ask questions of speakers was extremely useful in terms of gaining clarification on points.
 - Members need to be warned not to ask leading questions and the Chair may need to intervene to stop this – believes that the benefit far outweighs the risk.
 - Public participation should lead to decisions on the best information available. May not be in line with the central government's wish for quick decisions but the interests of the residents and their communities demand the best information and the best decisions for the long term that can be achieved.

Consultee	Key Points Raised	Working Group Comments (if any)
<p>Borough Solicitor</p>	<ul style="list-style-type: none"> • Scheme appears to be working well – speakers keep to their time, keep to planning issues and don't try to become part of the debate. • Visual timing aid has enabled efficient time-keeping. • Appears to have been generally welcomed by Parish Councils and most have registered in advance as required. • Transparent forum for Parish Council to make verbal representations to the Committee. • Instances where problems occurred: <ul style="list-style-type: none"> - Parish Councillor not allowed to speak when they had failed to register as required – need to remind Parish/Town Councillors of the requirements? - Parish Councillor attended with the intention of presenting their own views, rather than those of the Parish Council. Registration had taken place as required but the Parish Councillor had assumed that the designated slot was an opportunity for any Parish/Town Councillor to give their views on an application within their Parish. In the circumstances, the Parish Councillor was not heard by the Committee. • Possible areas of clarification: <ul style="list-style-type: none"> - Public speaking scheme/leaflet has been interpreted that any Ward Councillors (that are not Planning Committee Members) wishing to speak have to register in the same way as any other speakers. So far this has not been challenged but they could possibly draw on Rule 48 in Section 1 Part I of Part 4 of the Constitution. - Deadline for registration is 10.00am on the day before the 	<p>Members felt that Ward Councillors that were not Planning Committee Members should be required to register to speak in the same way as other speakers. It was noted that the Constitution set out that a Councillor who was not a Member of the Committee may speak at a meeting of the Committee during the consideration of any item or Motion brought by the Councillor direct to the Committee or referred by the Council in accordance with Council Procedure Rules 13 and 14; with the agreement of the Chair of the meeting; or during the consideration of any matter specifically affecting that Councillor's Ward. Whilst this right could not be withdrawn completely, it could be reworded to make the Constitution more compatible with the scheme.</p> <p>It was considered that the issue in relation to the Parish Councillor not being allowed to speak could be avoided in future by ensuring that the scheme was more widely publicised.</p> <p>It was agreed that the scheme itself should be amended to refer to the deadline for registration being 10.00am on the "working day" before the meeting.</p> <p>It was noted that a number of people had commented on how well managed the Committee meetings had been and Members felt that this was largely due to the relevant information being available in advance so that a detailed briefing note could be produced for the Chair and Vice-Chair. This would not be possible if Tewkesbury Borough Council adopted the same procedure as Malvern District Council whereby the Parish Council did not have to register in advance.</p> <p>The Working Group felt that it would be considerably</p>

Consultee	Key Points Raised	Working Group Comments (if any)
	<p>meeting – the scheme refers to “the day” before the meeting whereas the information leaflet refers to “working day” – the latter should be inserted into the scheme also.</p> <ul style="list-style-type: none"> • Differences in known schemes operating in the area: <ul style="list-style-type: none"> - Malvern District Council – does not require any registration by Parish Councils. - Cheltenham Borough Council – does not require speakers to await the publication of the relevant Agenda before they can register their wish to speak on a particular application. They do have a dedicated Planning Committee Co-ordinator. Potentially too administratively burdensome for TBC to operate within its current Member Services resource. To date there have been no issues regarding this element of the procedure at TBC, apart from one instance when a prospective speaker had wished to register in advance due to being on holiday. - Locum Planning Solicitor experience elsewhere is that some authorities have a limit of 5 minutes speaking. This would potentially lengthen the process significantly without any obvious benefit to the decision making process or experience of the participants. • If more than one speaker wishes to register in a slot, we try to avoid encouraging sharing the slot, i.e. 1.5 minutes each, but if they cannot come to an agreement about one person taking on the views we would have difficulty refusing. If the situation arose we would manage it by having the speakers sat side by side with one immediately carrying on from the other once 1.5 minutes had passed. 	<p>more onerous for Member Services if registration could take place at any time, as was the case at Cheltenham Borough Council, and additional resources would be required if an amendment was made along those lines. It was noted that the onus was currently on the individual themselves to ensure that they registered to speak at the appropriate time and that was not something which Members wished to change.</p> <p>The issue of sharing slots had not arisen to date but sharing slots was not something which would be encouraged and no reference was made to it within the current scheme.</p>

Appendix 5 – Officer comments and Working Group response

69

Consultee	Key Points Raised	Working Group Comments (if any)
Development Manager	<ul style="list-style-type: none"> • Officers had originally been wary of the introduction of public speaking from an operational perspective but it had actually worked very well in practice. • A strong Chair is essential for the scheme to work properly. • Does raise a question about Parish/Town Council attendance on the Committee Site Visits but that would be considered under a separate review. • 3 minute slots are long enough. • Public speaking had not noticeably slowed the Planning Committee process. • Adds to the sense of openness and transparency. • Being able to engage in the planning process is particularly important to Parish/Town Councils. • Has led to a noticeable reduction in the amount of late paperwork received. • General feedback is that people are happy with the process and grateful for the opportunity. • No adverse comments from Planning Officers. 	<p>A separate review of the Protocol for Councillors and Officers Involved in the Planning Process, which included the Committee Site Visit procedure, would be undertaken in due course.</p>

Consultee	Key Points Raised	Working Group Comments (if any)
<p>Support Services Team Leader</p>	<ul style="list-style-type: none"> • Involved in the process from a customer point of view – advising that public speaking is available for use, explaining the process and pointing them in the direction of Democratic Services to register. • Scheme is promoted at the point of receipt of an application – applicants/agents are informed that if the application goes to Committee they will have a chance to register to speak. When the Schedule is published online, a letter is sent to the applicant/agent advising that it will be going to Committee and pointing them to the information leaflet on the website. • If someone sends in a letter of support or objection they would be advised that there was an opportunity to register to speak if the application went to Committee. • Very positive reaction - had previously been an expectation that TBC should have a scheme in place. • Good idea to advertise the scheme more widely e.g. in the Borough News. • Planning had recently gone through a systems review and part of that had involved changes to the acknowledgement letters for applicants/agents. Bullet points were being introduced to show the next steps of the application process and the scheme was something which could be included within that. • Some confusion over deadlines – deadline for registering to speak is 10.00am on the day before the meeting whereas the deadline for written representations is 5.00pm on the day before the meeting. 	<p>With regard to the confusion over the different deadlines for registering to speak and the submission of additional representations, it was noted that, as a matter of law, anything which was received before the start Planning Committee meeting needed to be put to Members; any representations received after 5.00pm on the day before the meeting were reported verbally at the meeting. Consideration was given as to whether the deadline for additional representations should be aligned with the deadline for registering to speak, however, there was currently some benefit in being able to advise people who had missed the deadline for registering to speak that there was still an opportunity to submit written representations. Extending the deadline for registering to speak beyond 10.00am would have an impact on the ability of Member Services to produce an up-to-date briefing note for the Chair in time for the meeting. Members understood the points which had been raised and felt that the deadlines should remain the same but that the distinction between the two needed to be made clearer.</p>

Appendix 5 – Officer comments and Working Group response

Consultee	Key Points Raised	Working Group Comments (if any)
Senior Planning Officer	<ul style="list-style-type: none"> • Public speaking does lengthen Committee meetings but not significantly. • Most people are well-prepared. • It had not resulted in unfair criticism of Officers which was a concern before the scheme was introduced. • 3 minutes is long enough for each speaker to get their points across, does not need to be longer, • Useful for speakers to raise any salient points arising from the Committee reports and not worry about them being lost amongst the late papers. • The fact that there are usually a number of speakers at each Committee suggests that the scheme is of value but it was not something which he was often asked about by applicants/agents. • There were sometimes situations where there were 2/3 applications for the same site and he did not see the value in speakers repeating the same points for each application. • Training for Officers would be useful. Not everyone understood the scheme in place or how it was administered. 	<p>Members felt that some training for Planning Officers would be beneficial. The key point was for Officers to recognise that the only way to register was by telephoning Democratic Services.</p> <p>In terms of having separate speaking slots for applications on the same site, it was recognised that there might be a legal issue if speakers were allowed for one site but not the other. It was possible that there could be a scenario where the applications had different recommendations or where there the salient points for each application were different.</p>

Appendix 5 – Officer comments and Working Group response

72

Consultee	Key Points Raised	Working Group Comments (if any)
<p>Member Services Officer</p>	<ul style="list-style-type: none"> • A few teething problems but now working well. • Speakers arrive in advance of the meeting and are ticked in and shown where to sit etc. If people are late and the meeting has commenced this can be a problem, particularly when the schedule is large as some people are unwilling to sit through the whole meeting if their item is towards the end. • Registration only starts once the Agenda for the meeting has been published and is by telephone call to Democratic Services only – we considered email but that could be a problem if it is not picked up e.g. if someone is on holiday or an email is received over the weekend etc. • Only one slot for Parish/Town Councils, one for objectors and one for supporters. If a second person calls to register in a slot which is already taken we would look to put them in touch with the registered speaker to see if they would incorporate the points the second person wished to make into their speech. This has not happened to date – tend to find that local residents have already spoken about it and nominated a speaker. • Have to obtain consent to pass on telephone numbers and that speakers are happy to be recorded at meetings. A few people have expressed concern about this but it is not something which we can control. • Once the deadline for registration has passed a briefing note is prepared for the Chair setting out the speakers for each application. 	<p>There was discussion as to whether it would be appropriate for Ward Councillors who were not Members of Planning Committee to be timed by the electronic clock. Rule of Procedure 16.7 states that, other than the mover of a motion or amendment, all other speeches may not exceed three minutes. However, the Rules of Procedure also allow the Chair a discretion to allow the speaker to continue for a specified time. Therefore, whilst it would not be inappropriate to sue the electronic clock as an aid to the Members, there would be an opportunity for a Member to be allowed to continue beyond this time.</p>

Appendix 5 – Officer comments and Working Group response

Consultee	Key Points Raised	Working Group Comments (if any)
	<ul style="list-style-type: none"> • The administration of the scheme has created additional work (approximately 1hr extra from point of publication of the Agenda and the meeting and an additional 30mins on the day of the meeting). In addition, full Minutes are now written for every application. • It would be significantly more work if we allowed people to register on any application as soon as it was valid, rather than waiting for the Agenda to be published. • It is helpful to know in advance if any Ward Councillors who are not Members of the Planning Committee would like to speak so they can be included on the Chair’s briefing note. • Concern that Planning Officers do not know the process for registration. 	

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Flood Risk Management Group Monitoring Report and Action Plan
Report of:	Richard Kirk, Interim Environmental and Housing Services Group Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor J R Mason, Lead Member for Clean and Green Environment
Number of Appendices:	2

Executive Summary:

This report reviews the Terms of Reference of the Flood Risk Management Group and action plan, and contains an update on progress of the Flood Risk Management Group Action Plan. The Committee may wish to continue monitoring the progress of the action plan.

Recommendations:

1. To **CONSIDER** progress against the Flood Risk Management Group Action Plan
2. To **RECOMMENDED TO THE EXECUTIVE COMMITTEE:**
 - a) that the Terms of Reference and Flood Risk Management Group Action Plan be **ADOPTED** for the next 12 months; and
 - b) that progress against the Flood Risk Management Group Action Plan be monitored by the Overview and Scrutiny Committee on an annual basis.

Reasons for Recommendation:

The Flood Risk Management Group Terms of Reference are due for review. At a meeting of the Executive Committee on 25 March 2015, it was agreed that the Flood Risk Management Group Action Plan progress be monitored by the Overview and Scrutiny Committee on a quarterly basis and reviewed annually.

Resource Implications:

Included in the report; met from existing allocated resources (the Council employs a Flood Risk Management Officer).

Legal Implications:

The Council has powers under Section 14A of the Land Drainage Act 1991 to undertake flood risk management work where it considers that the work is desirable, having regard to the local flood risk management strategy for its area, and where the purpose of the work is to manage a flood risk in the Council's area from an ordinary watercourse. The works that the Council is permitted to do under this section is wide-ranging and includes the construction or maintenance of existing works (which include buildings, structures, watercourses, drainage works and machinery).

Where the works are to be carried out on land not owned by the Council, agreements should be put in place to cover consent of the owner for the works to be carried out and responsibilities for maintenance.

The Council's contract rules will need to be followed when appointing contractors.

Where there are joint projects, such as with the Environment Agency, the Council should enter into agreements which set out each party's obligations and responsibilities in relation to these projects, including ongoing maintenance of the works.

Gloucestershire County Council has made funding available to the District Councils to give grants to residents affected by flooding. An agreement between Gloucestershire County Council and the Borough Council is being progressed.

Risk Management Implications:

Care must be exercised to ensure that no ongoing liability is attached to the Council for work on watercourses for which the Council has no direct responsibility through making a financial contribution or carrying out of works on a one-off basis. This will be achieved as part of the project management process.

Performance Management Follow-up:

The recommendation is that performance will be monitored through regular reports to the Flood Risk Management Group and the Overview and Scrutiny Committee

Environmental Implications:

Any work involving natural watercourses or the cutting back of trees or hedges will be carried out at the time of year that has least impact on wildlife and habitat (e.g. bird nesting season). Where necessary the appropriate licences will be applied for.

1.0 INTRODUCTION/BACKGROUND

- 1.1 At a meeting of the Executive Committee on 25th March 2015, it was agreed that the Flood Risk Management Group Action Plan progress be monitored by the Overview and Scrutiny Committee on a quarterly basis.
- 1.2 That meeting also agreed a 12 month action plan and Terms of Reference for the group; therefore both are due for review.

2.0 FLOOD RISK MANAGEMENT GROUP ACTION PLAN

- 2.1 The action plan at Appendix 1 is based on land drainage projects monitored by the Flood Risk Management Group. The action plan is 'living' document to which funding or partnership opportunities can be added as and when they arise.

- 2.2** Tewkesbury Borough Council owns various parcels of land across the Borough and some of these have watercourses either running through them or adjacent to them. This means that Tewkesbury Borough Council is a 'riparian owner' with responsibilities to maintain these watercourses in good condition. In 2010, Tewkesbury Borough Council agreed to increase the land drainage revenue budget in order to allow for routine maintenance work to be carried out.
- 2.3** The Flood Risk Management Group last met on 15 March 2016. The action plan represents the report that was presented at that meeting albeit updated to reflect work carried out since then. The next meeting of the Working Group Group is scheduled for 27 June 2016.

3.0 FLOOD RISK MANAGEMENT - 12 MONTH UPDATE

- 3.1** Tewkesbury Borough Council continues to be successful in drawing in money from various sources, including the Lead Local Flood Authority (Gloucestershire County Council) and Flood Defence Grant in Aid monies to help fund further major capital projects. Officers continue to identify and apply for funding in the future, so there will be a constant, continuing process of working with local communities to identify land drainage and flood alleviation projects, applications for funding where appropriate and overseeing the progress and completion of the work on such schemes. The Flood Risk Management Group Action Plan that has been quarterly reported to Overview and Scrutiny has been a 'living' document, with funding opportunities added when appropriate and completed schemes removed after they have been reported. Members may wish to consider further relevant projects, identified by Officers for possible funding bids.
- 3.2** At the meeting of the Flood Risk Management Group on 15 March 2016, the Working Group considered the Terms of Reference and thought them still to be relevant and necessary but asked that a recommendation be put to the Overview and Scrutiny Committee that the Committee consider the progress against the Flood Risk Management Group Action Plan on an annual basis instead of quarterly as at present. The Group thought the current arrangement inefficient as it meets quarterly; therefore, each of the meetings forms the basis of a report to the Overview and Scrutiny Committee. The draft revised Terms of Reference shown at Appendix 2 highlights the recommendation (see Section 3 (7)). If the draft revised Terms of Reference were adopted, they would be considered annually at the same time as the Action Plan.
- 3.3** The draft revised Terms of Reference also contains three small changes to clarify terminology (highlighted at Section 3 (1), 3 (2) and 3 (7)).

4.0 OTHER OPTIONS CONSIDERED

- 4.1** The Flood Risk Management Group could be disbanded and scrutiny of the Council's statutory responsibilities and work programme monitored directly by the Overview and Scrutiny Committee. However, the recommendations made by the Land Drainage Review Working Group in 2009 and the reasoning for forming the Flood Risk Management Group to oversee the Flood Response Action Plan are still relevant, albeit with a different list of projects. In addition, Members of the Flood Risk Management Group find that the Group is useful and productive.
- 4.2** The Overview and Scrutiny Committee could continue to receive quarterly reports; however, this would mean each of the meetings of the Flood Risk Management Group is considered by the Committee.

5.0 CONSULTATION

- 5.1** Funding opportunities are applied for and realised with the agreement of local communities, partners such as Gloucestershire County Council and the Environment Agency, and the Flood Risk Management Group.

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 6.1** The Council Plan 2012-16 contains the following priority within the section “Improve recycling and care for the environment”;

5. Continued work with partners to provide flood resilience measures;
- a) Work with partners to deliver flood alleviation projects funded by Gloucestershire County Council
 - b) Advise and signpost local communities when applying for external funding for flood resilience measures.

7.0 RELEVANT GOVERNMENT POLICIES

- 7.1** National Flood and Coastal Erosion Risk Management Strategy for England (available from <https://www.gov.uk/government/publications/national-flood-and-coastal-erosion-risk-management-strategy-for-england>).

Gloucestershire Local Flood Risk Management Strategy (available from <http://www.gloucestershire.gov.uk/LFRMS>).

8.0 RESOURCE IMPLICATIONS (Human/Property)

- 8.1** Tewkesbury Borough Council employs a Flood Risk Management Engineer. Part of the post holder’s responsibilities is to identify flood risk management funding opportunities and submit bids, as well as to monitor progress on the action plan.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

- 9.1** Flood risk management reduces the likelihood that local residents and businesses will have flood water entering their properties and the consequential impact that such an event would have on the health, welfare and finances of those affected.

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

- 10.1** None

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 Flood Risk Management Group Terms of Reference and Action Plan (Meeting of Overview and Scrutiny, Tuesday, 24 February 2015)

Flood Risk Management Group - Terms of Reference and Action Plan (Meeting of Executive, Wednesday, 25 March 2015)

Background Papers: None

Contact Officer: David Steels, Environmental Health Manager
01684 272172 david.steels@teWKesbury.gov.uk

Appendices: Appendix 1 - Flood Risk Management Group Action Plan
Appendix 2 – Flood Risk Management Group Proposed Terms of Reference

Flood Risk Management Group Action Plan

i) “Live” capital projects

Table 1: Live Capital Projects

Location	Scheme / Works Description	Funding Source	Funding Allocated	Progress	Target Completion Date
Tirley	Flood attenuation measures	Gloucestershire County Council	£135,000	Separate update to be given at meeting on progress and discussions with Parish Council.	Spring 2016
Chaceley	Diversion of drainage channel & opening outfalls	Gloucestershire County Council	£45,000	Preliminary confirmation of EA consent. Preferred option being developed is to create a twin outlet utilising an existing field drain network which will ease pressure on the existing EA outlet at Chaceley Stock. Clearance work has been completed in readiness. Public right of way is complicating implementation.	Autumn 2016

ii) Tewkesbury Borough Council Programme of Watercourse Maintenance

Tewkesbury Borough Council (TBC) owns various parcels of land across the Borough and some of these have watercourses either running through them or adjacent to them. This means that Tewkesbury Borough Council is a 'riparian owner' with responsibilities to maintain these watercourses in good condition.

In early 2010 TBC agreed to increase the land drainage revenue budget; in order to allow for routine maintenance work to be carried out.

Table 2: Completed Tewkesbury Borough Council owned watercourse maintenance works 2015 – 2016

	Location	Parish	Works	Estimated Length (m)	Cost
1	Kings Gate	Ashchurch Rural	Flail cutting of banks	181	£175.00
2	Bramble Chase	Bishops Cleeve	Flail cutting of banks	330	£202.00
3	Bramble Chase	Bishops Cleeve	Flail cutting of banks (adjacent Gabions)	50	£170.00
4	Finlay Way	Bishops Cleeve	Flail cutting of banks	420	£202.00
5	Hayfield Way	Bishops Cleeve	Flail cutting of banks	512	£252.00
6	Hayfield Way	Bishops Cleeve	Unblock outfall and ditch	sum	£1,019.75
7	Oldacre Drive	Bishops Cleeve	Flail cutting of banks	250	£162.50
8	Oldacre Drive	Bishops Cleeve	Flail cutting of banks (Second cut due to growth)	250	£158.00
9	Oldacre Drive (By pass ditch)	Bishops Cleeve	De silt	50	£1,000.00
10	Oldacre Dr/Millham Rd	Bishops Cleeve	Fallen Trees (Blocking watercourse)	sum	£550.00
11	Stoke Road	Bishops Cleeve	Flail cutting & de silt	55	£231.00
12	Tobyfield Close	Bishops Cleeve	Flail cutting of banks (walk through cut)	20	£126.00
13	The Grange	Bishops Cleeve	Flail cutting of vegetation (to allow survey)	50	£580.00
14	The Grange	Bishops Cleeve	Clear Blockage and trees (Abigail storm)	Sum	£450.00
15	Voxwell Lane	Bishops Cleeve	Flail cutting of banks	100	£446.00
16	Coopers View	Brockworth	Flail cutting of banks (walk through cut)	406	£407.00
17	Ermin Park	Brockworth	Clearance of fallen trees (Abigail storm)	Sum	£1,000.00

18	Green Way Road	Brockworth	Flail cutting of banks (Balancing pond)	50	£121.00
19	Green Way Road/ Abbotswood Road	Brockworth	Flail cutting of banks	20	£65.00
20	Horsbere Brook	Brockworth	Rope Swing removal blockages cleared	Sum	£140.00
21	Horsbere Brook	Brockworth	Flail cutting of banks (walk through cut)	500	£2,500.00
22	Horsbere Brook	Brockworth	Fallen Trees	Sum	£1,450.00
23	Horsbere Brook	Brockworth	Trees cut back affecting light at Tamar Road	Sum	£880.00
24	Horsbere Brook	Brockworth	Flytipping	Sum	£87.50
25	Grenville Close	Churchdown	Clear Blockages and fallen trees (Abigail storm)	Sum	£750.00
26	Grenville Close	Churchdown	Flail Cutting and De silt (Walk through cut)	600	£3,124.72
27	Parkside Close	Churchdown	Flail cutting of bank	66	£231.00
28	Pineholt	Hucclecote	De silt & flail cutting of bank (A lot of fly tipped material)	325	£3,459.40
29	Pineholt	Hucclecote	Flial cutting of banks (second cut due to growth)	325	£451.00
30	Rookery Road	Innsworth	Flail cutting of banks	8	£100.00
31	Fircoft Road	Longford	Flail cutting of banks	115	£165.00
32	Chargrove Lane	Shurdington	Blockage & vegetation removal (Nature Reserve)	180	£1,000.00
33	Tip Road	Stoke Orchard	Flail cutting of banks and de silt	100	£412.00
34	Bloody Meadow	Tewkesbury	Flail cutting of banks	440	£212.00
35	Carrant Brook	Tewkesbury	Flail cutting of banks	500	£230.00
36	Carrant Brook, Mitton	Tewkesbury	Split tree on watercourse	sum	£73.02
37	Cricket ground	Tewkesbury	Flail cutting of banks	265	£294.00
38	Lankett Lane	Tewkesbury	De silt & flail cutting of bank (A lot of fly tipped material)	180	£418.70
39	Lincoln Green Lane	Tewkesbury	Flail cutting of banks	550	£533.00
40	Lower Lode Lane	Tewkesbury	Fallen tree removals (from river Avon)	sum	£1,740.00
41	Lower Lode La/Bloody	Tewkesbury	Fallen tree removals	sum	£550.00

	Meadow		(Blocking watercourse)		
42	Mill Avon	Tewkesbury	Vegetation and tree clearance (Access difficult - by Glos Road)	sum	£7,020.00
43	Rails Meadow	Tewkesbury	Flail cutting	395	£230.00
44	Rails Meadow	Tewkesbury	De Silt	395	£3,950.00
45	St Marys Lane	Tewkesbury	Flail cutting of bank & trees (Access difficult)	50	£800.00
46	The Vineyards	Tewkesbury	Flail cutting of banks	446	£289.90
47	The Vineyards	Tewkesbury	Flail cutting of banks (second cut due to growth)	446	£276.00
48	Honeybourne Meadow	Woodmancote	Blockage removal + tree clearance	sum	£700.00
49	Honeybourne Meadow	Woodmancote	De silt concrete channel	sum	£448.00
	-	-			£39,832.49

Table 3: Tewkesbury Borough Council owned watercourse maintenance works proposed 2016/17

	Location	Parish	Works	Estimated Length (m)	Estimated Costs
1	As above Table 2	Various	Flail cutting of banks	6000	£4,500.00
2	Bramble Chase	Bishops Cleeve	Flail cutting of banks (adjacent Gabions)	50	£170.00
3	Finlay Way	Bishops Cleeve	De silt & flail cutting of bank	420	£4,200.00
4	Hayfield Way	Bishops Cleeve	De silt & flail cutting of bank	512	£5,120.00
5	The Grange	Bishops Cleeve	Flail cutting & tree work (Walk through cut)	sum	£3,000.00
6	Tobyfield Close	Bishops Cleeve	Flail cutting of banks (walk through cut)	20	£126.00
7	Coopers View	Brockworth	Flail cutting of banks (walk through cut)	406	£407.00
8	Horsbere Brook	Brockworth	Flail cutting of banks (walk through cut)	500	£2,500.00
9	Grenville Close	Churchdown	Flail Cutting and De silt (Walk through cut)	600	£3,124.72
10	Bloody Meadow	Tewkesbury	De silt & flail cutting of bank	440	£4,400.00
11	Lincoln Green Lane	Tewkesbury	De silt & flail cutting of bank	550	£5,500.00

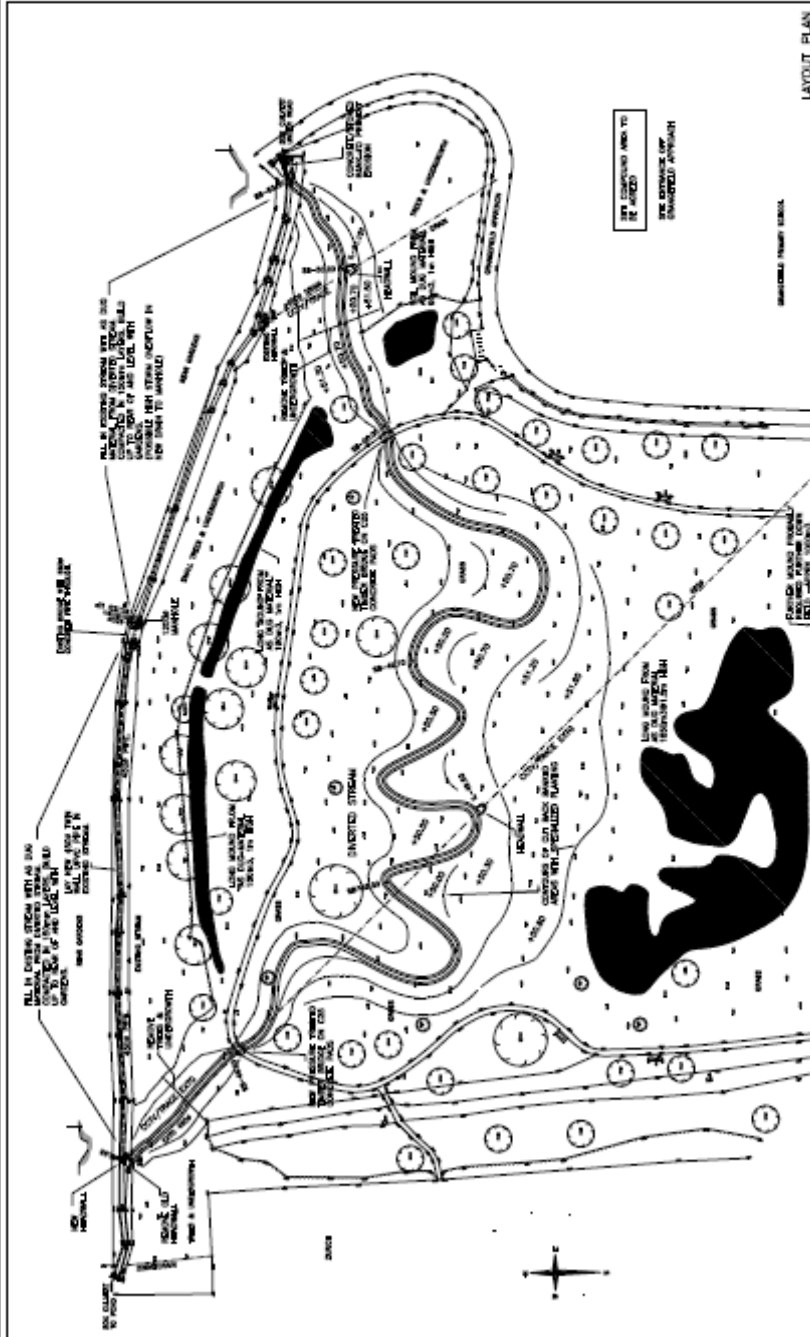
12	St Marys Lane	Tewkesbury	Flail cutting of bank & trees (Access difficult)	50	£800.00
13	Beauchamp Road	Walton Cardiff	Clearance of reeds	sum	£500.00
14	Crown Road	Walton Cardiff	Clearance of reeds	sum	£500.00
15	Various Sites	Various	Footbridges over watercourses inspection and repairs	sum	£1,000.00
					£35,847.72

All works are subject to current quoted costs. Flail cutting and vegetation clearance will not be able to start until after the bird nesting season (March 2016 – September 2016). Officers will now procure contractors in line with our procurement rules.

Table 4 – Insurance claim

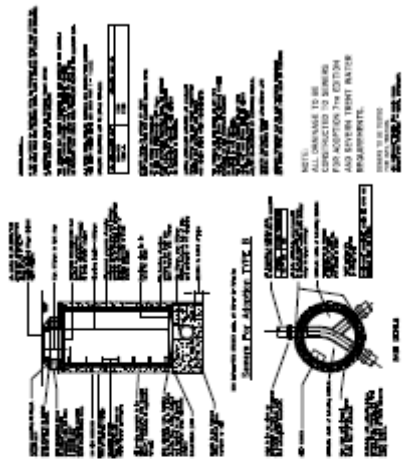
	Location	Parish	Works	Estimated Length (m)	Cost
1	9 The Highgrove (Structural Engineers - Employed to work out budget costs and alternative schemes)	Bishops Cleeve	Banks collapsing rear of garden adjoining The Grange Watercourse	N/A	£4,300.00

NOT FOR CONSTRUCTION



LAYOUT PLAN

PROJECT NO.	10230/0-10
DATE	10/23/09
PROJECT NAME	PUBLIC OPEN SPACE REAR THE GRANGE BISHOP'S CLEEVE
LOCATION	TENNESSEY B.C.
CLIENT	Chris Nichols Memorial Foundation
DESIGNER	PRELIMINARY
SCALE	AS SHOWN
DATE	10/23/09
PROJECT NO.	10230/0-10



WORK AND SPECIFICATIONS
 SHALL BE AS SHOWN ON THE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

NO.	DESCRIPTION	DATE
1	PRELIMINARY	10/23/01

PUBLIC OPEN SPACE
 REAR THE GRANGE
 BISHOPS CLEEVE

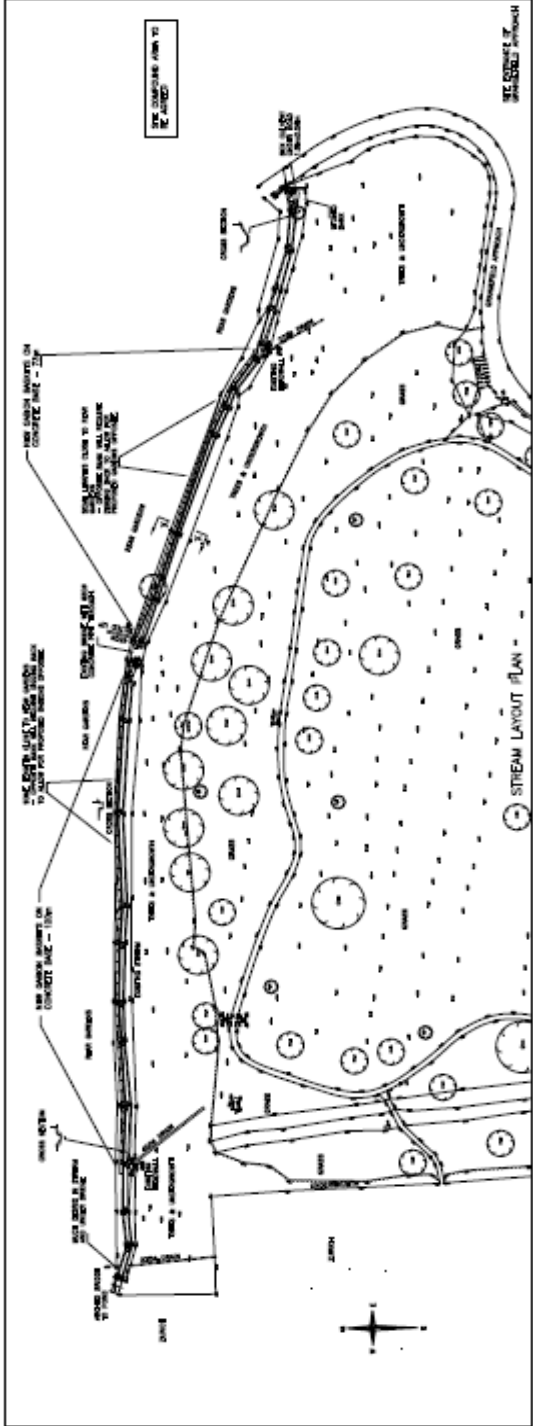
STREAM REPAIR
 WORKS

TENNESBURY B.C.

Clark Nichols Memorial
 TITLE & PRINTING

PRELIMINARY

10230/C-01



NOT FOR CONSTRUCTION

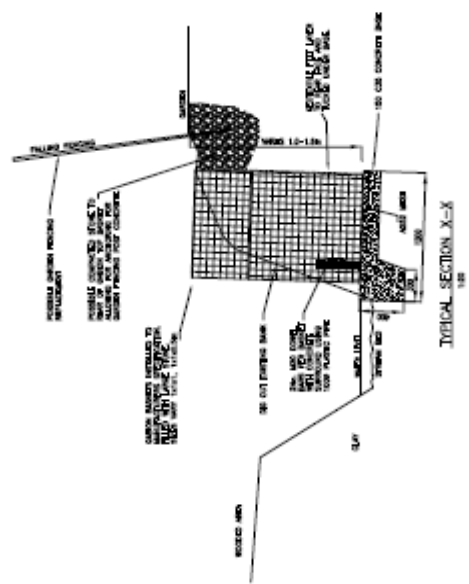
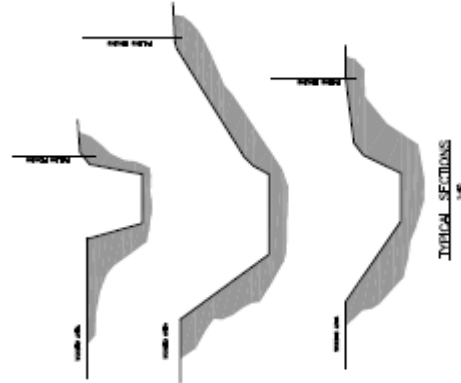


Table 5 – Forward Plan – Future Maintenance Issues

Table 5 shows potential future maintenance issues outside of the general maintenance on our owned watercourses. I.e. collapsing, slipping banks, substantial erosion etc.

Below shows the current known watercourses that potentially will cost substantial monies to fix in the future.

	Location	Parish	Problem	Risks - property / life	Comments
1	9 The Highgrove (Structural Engineers - Employed to work out budget costs and alternative schemes)	Bishops Cleeve	Banks collapsing rear of garden adjoining The Grange Watercourse	High	Two options have been put forward. 1. To repair as is with gabion baskets. 2. Do away with existing watercourse and divert new watercourse into the grange field. Both estimated by Engineers to be circa 200K. Officers looking to reduce this cost and go to committee for approval April 2016. Please note exact costs will not be realized until we test the market by tendering the works.
2	Finlay Way	Bishops Cleeve	Banks eroding (very sandy soil)	Low	Monitor. Big open space behind.
3	Abbotswood Road/Green Acre	Brockworth	Banks slipping adjoining neighboring properties	Medium	Monitor. On edge of rear garden boundary. Severn Vale Housing monitoring also.
4	Horsbere Brook	Brockworth	Collapsed gabion basket	Low	Monitor. Very deep and wide watercourse. Access issues.
5	Ermin Park	Brockworth	Steep bank with Trees	Low	Monitor. Very deep and wide watercourse. Access issues.
6	Pineholt	Hucclecote	Banks eroding	Low	Simple fix may be carried out here by using big stones to hold banks in place.
7	Mill Avon	Tewkesbury	Collapsed bank fenced off at Gloucester Road, Tewkesbury	Low	Monitor. Very deep and wide watercourse.

Table 6 – Land Adoptions/Transfers to Tewkesbury Borough Council

Table 6 shows areas of land (public open space) that has been transferred this financial year to Tewkesbury Borough Council. These areas contain or are adjacent land drainage elements that will come part of our ongoing maintenance.

	Location	Parish	Type	Estimated Length (m)	Transferred
1	Cold Pool Lane	Badgeworth	Watercourse and Pond	500?	January 2016
2	St Marys Lane	Tewkesbury	River Bank (Rear of Weatherspoons Garden)	50	August 2015

iii) Update on Grant Applications (including Flood Defence Grant in Aid)

Table 7: Update on Grant Applications (including Flood Defence Grant in Aid); Existing Schemes

Location	Scheme / Works Description	Funding Source	Funding Allocated	Progress	Target Completion Date
Bishop's Cleeve, Woodmancote and Southam	Surface Water Management Plan (SWMP) on-going. SWMP has identified range of measures including diversion, storage and property protection	FDGiA	Estimated at ~ £1M	GCC is the lead authority tasked with progressing. Initial package of works being approved in association with Parish Council. These options will then be worked up, with detailed design to follow.	2020
Borough wide	Natural solutions to water management	European Structural and Investment Fund (ESIF) Priority Axis 6: Preserving and Protecting the Environment and Promoting resource Efficiency	Estimated £70k	Consortium bid (SDC, TBC, FoDDC, CDC, GCC) documents have been submitted and awaiting outcome decision later this year.	2020



v) **Isbourne Catchment Group Update (31 January 2016)**

This is an update on progress made by the Isbourne Catchment Group since its launch in spring 2015. The group has been established to help reduce the severity and regularity of flooding events within the Isbourne catchment.

Progress reporting is divided into 3 activities:

1. Formulation and Governance of the group and communications outreach,
2. ICG Delivery Plan,
3. Funding and work undertaken so far.

1. Formulation and Governance.

a) The ICG launch meeting took place on 9 March 2015 with engagement from over 30 attendees representing a wide range of agencies including; the Environment Agency, Worcestershire County Council, Gloucestershire County Council, Tewkesbury Borough Council, Winchcombe Town Council, Dumbleton Parish Council, Representative of L Robertson MP, Cabinet Member for Highways & Flood, Gloucestershire Rural Community Council, Cotswold Conservation Board, National Flood Forum, Worcestershire Archive & Archaeology Service, Severn & Avon Flood Group and the Isbourne Industrial Estate.

b) There was widespread support for the catchment based approach and indications of likely funding for specific projects.

c) The formal ICG Constitution was finalised on 26 May 2015, with support from the Gloucestershire Rural Community Council, and signed by 7 members representing parishes in Cleeve, Winchcombe & Sedgeberrow.

d) It was agreed to employ University of Gloucestershire's Community and Countryside Research Institute to conduct a scoping exercise of what is known or needs to be known about the Isbourne.

e) Tewkesbury Borough Council has agreed to act as the accountable body and provide financial and audit oversight. They have appointed a nominee and bank account details for the group's funds and pledges.

f) Communications outreach efforts have included the establishment of a website (www.isbournecatchment.org.uk), presentations to Tewkesbury Borough Council's Flood Risk Management meeting, the EA Regional and Coastal Committee and Toddington Parish Council, and publicity through Gloucestershire Echo and Social Media (Facebook and Twitter). We continue to seek to widen our engagement with more Parish Councils in the catchment.

2. ICG Delivery Plan

a) The Isbourne flows about 15 miles from a source on Cleeve Common to its confluence with the Avon at Evesham. Its catchment comprises of 48 square miles, encompassing hillsides and valley bottoms from the Cotswold edge to the River Avon to floodplain. ICG is

working on an approach of flood mitigation across parish, district and county boundaries and other similar “artificial” lines not recognised by the River Isbourne. Whilst the main focus will be on reducing potential damage to homes and businesses, the overall approach will also increase the resilience of the catchment and benefit both agriculture and wildlife too. Better managed flows, with longer but lower peak flows in the Isbourne, could also contribute to flood mitigation in Evesham and Tewkesbury and other places along the River Avon.

b) Even a well-informed community-based group would find it hard to deliver comprehensive action across a catchment without formal engagement with the statutory and voluntary agencies, as well as cooperation with land and property owners. The Group therefore established a 5-stage delivery plan:

1. To secure tangible commitment from local authorities at county, district, town and parish level, as well as from the statutory bodies;
2. To review past records of floods and identify the flood risks across the catchment area;
3. To map the topography and flows through watercourses, along with the types of land cover and historic features that might influence how floodwater behaves in the peak and prolonged periods of rainfall;
4. Drawing on measures tried elsewhere (e.g. in areas of similar topography such as the Upper Thames, Stroud Valleys and Pickering), prepare a range of actions that will increase the resilience of the catchment and reduce peak flow, and explore whether landowners in appropriate locations would be willing to allow implementation on their holdings;
5. Recognising the importance of land management, water quality and the wider environment, explore how government sponsored measures such as Countryside Stewardship might be deployed to increase the natural resilience of the catchment, e.g. by reducing peak river flows at times of high and prolonged rainfall.

3. Funding and work undertaken so far.

a) ICG has worked with local communities, landowners, parishes, town councils, district authorities, County Councils, the Environment Agency, FWAG and the University of Gloucestershire to help address early stages and, in particular, funding commitments. **Initial financial support of over £20k has now been achieved (see table below).**

b) The CCRI at University of Gloucestershire are making progress on Stages 2 and 3. This will inform a proper, evidence-based catchment plan for discussion with all stakeholders that will enable the Group to approach a few key landowners with properly justified, specific proposals for implementation on their land. In stage 4, the Group would then draw on their leadership (and further funds from the relevant agencies) to encourage other landowners to join in. Finally, in stage 5, a basic assessment of what the measures have contributed may help make the case for a more strategic approach using Countryside Stewardship or other funding mainstreams to deliver the longer term safeguards needed in the face of climate change.

Name of body approached	Sum offered	Proviso
University of Gloucestershire	£5,000	None - self-fund to kick start the project
Worcestershire County Council	£1,000	With the potential for a further sum at a later date
Sedgeberrow Parish Council	£1,000	Approved but can't send till after April
Winchcombe Town Council	£500	Only if all parishes commit to funding
Hinton Parish Council	£250	None
Toddington Parish Council	£250	ICG presented at January 2016 meeting
Environment Agency - Regional Flood & Coastal Committee	£10,000	Subject to business case January 2016
Liz Eyre – Worcestershire County Councillor	£2,500	To match parish donations
Evesham Town Council	£50 (D Raphael) – private donation.	Refused grant bid for £500 Councillors Raphael & Tucker support the group given impact on Hampton at confluence with River Avon.
Stanway Parish Council	0	Unable to offer financial support at present time
Stanton Parish Council	£?	Awaiting reply from clerk
Dumbleton Parish Council	£?	Awaiting reply from clerk
Gloucestershire County Council	£?	Pending further discussion with Councillor Vernon Smith
Tewkesbury Borough Council	£?	Supporting with officer time as no funds available until 2016
Total to date subject to proviso's/business case	£20,550	Subject to caveats and some bodies yet to confirm

vi) Watercourse Maintenance Programme in Tewkesbury

Aims

Currently watercourses in Tewkesbury are maintained by riparian owners; Tewkesbury Borough Council is a major landowner and has an annual clearance programme for watercourses under its ownership. All agencies attending have enforcement powers to require riparian owners to carry out works as well as permissive powers to carry out works they feel are necessary on watercourses (similar to other districts in the county, Tewkesbury Borough Council is contracted by Gloucestershire County Council to do this in their area).

The main aim of the programme is to create a programme of works which:

1. Clears watercourse 'pinch points' both in and serving the town.
2. Create a high profile focus to visitors and residents, of work being carried out on watercourses in highly visible areas of the town.
3. Request financial contributions from landowners.
4. Once cleared, to encourage all parties (both public and private sector) to work together on coordinating watercourse clearance in the future.

The attached plan (titled "Tewkesbury watercourse maintenance for maximum resilience) summarises the work planned. Planned watercourse maintenance programmes by Tewkesbury Borough Council and the Environment Agency means that large stretches in the town are already reasonably clear, and are nonetheless planned to be cleared again later in 2016 (marked in dark blue on the plan). Nevertheless, these areas will be surveyed to make sure that they are clear, especially as a result of the winter high waters. In addition, the following works are planned:

1. Cut back overgrowth and clean out the channels at:
 - a) Watercourses between Ashchurch Road and Northway Lane
 - b) Watercourses between Ashchurch Road and Walton Cardiff Lane
 - c) Watercourses from Ashchurch Road to Barton CourtThe above work will start when access to the sites is possible (i.e. current saturation subsides), preferably before the start of the bird nesting season at the end of March.
2. Clear silt bank "pinch points" around the town, the majority of which are close to bridges. This work will be carried out after (1) above.
3. Promote and encourage landowners to keep their watercourses clear. Gloucestershire Echo have already promoted this watercourse maintenance programme; media and promotion teams will use the work being carried out as way to encourage landowners to take responsibility and for people who know of blocked watercourses to report them to Tewkesbury Borough Council so they can consider the appropriate action to take. Also landowners where the programme is being delivered will be encouraged to enter into a regular maintenance programme, whether that be on their own initiative or recharged by Tewkesbury Borough Council. This work will be done when the work in (1) is done.
4. Work has already been carried out on the Little Fidd at Walton Cardiff (funded by Gloucestershire County Council, carried out by Tewkesbury Borough Council) but additional work has been identified to make sure all areas flow as they should, and this will be carried out as part of the programme. Again, landowners will be told of their future maintenance responsibilities to keep the watercourse they own clear and in the same condition as the council's contractor left them.

Finance

The Environment Agency and Gloucestershire County Council are allowing £20,000 for the delivery of the programme (£10,000 each). Tewkesbury Borough Council are contributing through officer time, with the programme being included in the council's Flood Risk Management Group Action Plan for progress monitoring. Landowners will be asked to make contributions to the cost of clearing the watercourses in their ownership for the purpose of this year's programme. In future years, it will be made clear (and followed up) that the responsibility and cost of maintenance will return to them.

Flood Risk Management Group Terms of Reference

1. AIMS AND OBJECTIVES

To oversee delivery of the Council's flood risk management projects and to contribute to the further development of flood risk management policies.

2. CONSTITUTION AND POWERS

- (i) On 26 May 2015, Council delegated composition of the Group to the Borough Solicitor in consultation with the Leader and Deputy Leader of the Council. The Group shall comprise:-
- Lead Member for Clean and Green Environment; and
 - 7 Members of the Council
- (ii) A review will be carried out by ~~mid-2016~~ **mid 2017** as to whether there is a continuing role for the Group.
- (iii) The quorum of the Group shall be 3 Members.
- (iv) Substitution arrangements will not apply.

3. TERMS OF REFERENCE

- (1) To review the programme for the delivery of the Council's Flood Response **Risk Management Group** Action Plan, having regard to prioritisation that takes account of issues such as flood risk, deliverability and geographical distribution.
- (2) To monitor the delivery of the Council's Flood Response Action Plan (**FRAP**).
- (3) To provide support for the development of flood risk management policies.
- (4) To identify the resource requirements for flood risk management projects and to liaise with external partners where appropriate to secure further funding for the delivery of flood risk management projects.
- (5) To oversee the development of a programme for maintenance of watercourses within the Council's ownership and to monitor delivery of the programme.
- (6) To review the Council's response to flooding events.
- (7) To report ~~quarterly~~ **annually** on the delivery of the **Flood Risk Management Group Action Plan and** FRAP to the Overview and Scrutiny Committee.

4. DELEGATED POWERS

All issues that require a Committee decision will be reported to the Executive Committee and/or Council.

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Review of Complaints
Report of:	Graeme Simpson, Corporate Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor M Dean , Lead Member for Customer Focus
Number of Appendices:	One

Executive Summary:

Tewkesbury Borough Council has a formal, published complaints procedure. This requires a report to be presented to Overview and Scrutiny every six months, with an update on complaints recorded and managed through corporate feedback management procedures. This report provides an update on the six months from July 2015 to December 2015

Recommendation:

To CONSIDER the information provided and determine whether any further action is required.

Reasons for Recommendation:

To ensure that Tewkesbury Borough Council's complaints procedure is followed.

To ensure that improvements in the quality and performance of the council and its services can be shown to be informed through learning from complaints.

To demonstrate that the findings of the Local Government Ombudsman are used to improve council services.

Resource Implications:

The outcome arising from complaints handling including the findings of the Local Government Ombudsman may impact upon the resources of the authority.

Legal Implications:

The Local Government Ombudsman has power to investigate complaints of maladministration against the Council (subject to certain exceptions) and may make recommendations as to how such complaints may be resolved. Where considered appropriate, the Ombudsman has the power to issue a formal report on any particular case for consideration by the Council. Although not legally bound to accept any recommendations from the Ombudsman it is important that the Council takes careful note of them and learns from any recommendations that he makes.

Risk Management Implications:

If complaints are not handled in accordance with the corporate complaints procedure and the Council does not learn from the complaints received then there is a potential reputational risk to the Council.

Performance Management Follow-up:

Customer complaints, including those made to the Ombudsman are considered every six months.

Environmental Implications:

None directly.

1.0 INTRODUCTION/BACKGROUND

1.1 The Council has a formal complaints procedure which is published on its website. Complaints may also be handled more informally, where the customer prefers this. Complaints are made to our Customer Services team or directly to the service area concerned. Complaints may go on to be reported to the Local Government Ombudsman if the complainant is not satisfied with action taken by the Council or with the complaint outcome.

1.2 Details of complaints included in this report are:

- Formal complaints logged and managed through the corporate complaints procedure.
- Other complaints received through the Council website.
- Complaints to the Local Government Ombudsman (LGO).

2.0 COMPLAINTS RECEIVED JULY 2015 TO DECEMBER 2015**2.1 Formal Complaints**

2.1.1 Nine formal complaints were recorded in the last six months of 2015.

Three complainants appealed against the Stage 1 response.

Table 1 provides a breakdown of complaints received.

Table 1 Formal complaints resolved within target times July to Dec 2015

Service area	Total complaints	Within target	Outside target	Upheld	Complaint appeals (stage 2)
Revenues and Benefits	1	0	1	0	0
Development Services	3	1	2	0	1
Environmental Health	1	0	1	0	1
Waste and Recycling	3	1	2	0	1
IT	1	1	0	0	0
Totals	9	3	6	0	3

2.2.2 See Appendix 1 for a further breakdown of the complaints and details on the complaints trend.

2.2 Complaints received online

2.2.1 Customers are able to log a complaint online through the Council's website at any time. These are not normally handled as a formal complaint as the customer is generally looking for a service failure to be rectified quickly. The complaint may be handled formally where this is requested, or appears to be warranted.

Table 2 Complaints received through the website

	July to Dec 2015	Jan to June 2015	July to Dec 2014	Jan to June 2014	July to Dec 2013
Total feedback	241	219	170	181	137
– complaints	159	143	99	132	98
– comments	74	69	59	35	34
– compliments	8	7	12	14	5

3.0 OMBUDSMAN COMPLAINTS (LGO)

3.1 The LGO deals with complaints against all local government authorities in England (except Parish and Town Councils) and certain other bodies.

- 3.2 To date for 2015/16, the LGO received five complaints relating to Tewkesbury Borough Council (11 were received in 2014/15)

Planning and Development	1	Not upheld
Benefits and tax	1	Premature complaint
Environmental Services and Public Protection and Regulation	2	1 - Closed after initial enquiries no further action 2 – Upheld: no further action
Highways and Transport	1	Closed after initial enquiries no further action

- 3.3 There is one complaint that was received in 2013, but the investigation and decision was not received until 9 December 2015. This complaint relates to benefits and tax and was upheld. The LGO considered there had been maladministration and injustice and awarded the complainant £500 compensation.

- 3.4 Where the LGO has investigated a complaint it publishes its final decisions, following a three month call in period, on its website. The LGO may decide not to publish a decision, for example where it would not be in the interests of the person complaining or where there is a reason in law not to. To view those relating to Tewkesbury Borough Council please go to their website <http://www.lgo.org.uk/decisions/search> and type in the search Tewkesbury Borough Council.

- 3.5 The LGO also sends local authorities an annual letter around July/August and this is reported to the nearest Overview and Scrutiny Committee following its receipt.

4.0 OTHER OPTIONS CONSIDERED

- 4.1 None

5.0 CONSULTATION

- 5.1 None

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 6.1 Corporate Complaints Policy

7.0 RELEVANT GOVERNMENT POLICIES

- 7.1 Local Government Act 1974

8.0 RESOURCE IMPLICATIONS (Human/Property)

- 8.1 Complaint findings and follow-up actions may impact on the resources of the authority.

9.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

- 9.1 None

10.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

10.1 Due regard is paid to the relevant policies and schemes during the investigation and resolution of complaints. Outcomes arising from improvement actions as a result of a complaints investigation may be beneficial in these areas.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

11.1 None.

Background Papers: None

Contact Officer: Helen Langley, Customer Services Team Leader
01684 272609 helen.langley@teWKesbury.gov.uk

Appendix: Appendix 1- Complaints Breakdown

Corporate Complaints

Table 1 – Summaries of complaint type July – December 2015

By type of complaint	Total
Quality unacceptable	6
Failed to do something	1
Delays receiving service	
Discourteous	
Challenge to unacceptable decision	2
Other	

By remedy	Total
Agreed solution with customer	1
Apology and put right	1
Explanation provided	7
Financial compensation	
Review of practice	
Not Listed	
Other	
Not Specified	

By parish	Total
Bishops Cleeve	2
Churchdown	2
Great Washbourne	1
Gretton	1
Little Witcombe	1
Worcester	1
Not specified	1

By channel	Total
Email / website	5
Letter	3
Phone	1
Blank	

Table 2 – Trend

Previous updates to this Committee on corporate complaints are listed below:

Reporting Period	Total complaints	Response within target time	Complaints upheld	Number of appeals	Appeals upheld
Jan – June 2014	28	18 (64%)	4 (14%)	3	0
July – Dec 2014	20	9 (45%)	1 (5%)	4	0
Jan –June 2015	15	7 (46%)	2 (13%)	0	0
July - Dec 2015	9	3 (33%)	0 (0%)	0	0

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 April 2016
Subject:	Annual Overview and Scrutiny Report 2015/16
Report of:	Graeme Simpson, Corporate Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor Mrs E J MacTiernan, Lead Member for Organisational Development
Number of Appendices:	One

<p>Executive Summary:</p> <p>The role of the Overview and Scrutiny Committee is to assure that the Council's work is transparent, that it is held accountable for its decision-making, and that the needs of the community are considered. Reporting the work of the Overview and Scrutiny Committee through an annual report provides an opportunity for both the Council and the public to view the work of the Committee.</p>
<p>Recommendation:</p> <p>To APPROVE the Overview and Scrutiny Annual Report 2015/16.</p>
<p>Reasons for Recommendation:</p> <p>It is important to ensure that the activities of the Overview and Scrutiny Committee are promoted both internally and publicly to reinforce transparency and accountability in the democratic process. It is also a requirement of the Council's constitution that the Overview and Scrutiny Committee must report annually to full Council on its workings.</p>

<p>Resource Implications:</p> <p>None.</p>
<p>Legal Implications:</p> <p>None.</p>
<p>Risk Management Implications:</p> <p>None.</p>
<p>Performance Management Follow-up:</p> <p>Annual review of the work of the Committee provides transparency and accountability and helps the Overview and Scrutiny Committee prepare its work programme.</p>

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 The Overview and Scrutiny function must deliver the work required of it as set out in the Council's constitution. The Committee has a formal work programme for the year and it ensures the volume of work does not compromise the depth of examination required, does not duplicate the work of other committees and adds value.

2.0 OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT

2.1 Not only is it a requirement of the Council's constitution to report the activities of the Committee on an annual basis but it is good practice. The annual report demonstrates the broad coverage of activities that the committee has scrutinised and reviewed during the year. This coverage has been undertaken through a combination of the following;

- Progress reports from officers on the delivery of key strategies and policies
- Quarterly performance management reporting
- Working groups to review specific areas of interest
- Presentations from officers and external organisations
- Scrutiny review of new strategies and policies

The 2015/16 annual report can be found at Appendix 1.

2.2 This is the first year of the new Committee. To support the new Committee, training has been provided and this will be continued. A workshop was also held with Committee Members to obtain views on how the first year had gone and to consider the effectiveness of the Committee. The outcome from the workshop can be found in pages 2014-16 of the annual report.

2.3 Following approval of the annual report it will be presented by the Chair of Overview and Scrutiny Committee at Council on 19 April 2015. This fulfils the reporting requirement within the Council's constitution.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 None.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 None.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 None.

- 7.0 RESOURCE IMPLICATIONS (Human/Property)**
- 7.1 None
- 8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 8.1 None
- 9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 9.1 None
- 10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 10.1 None.

Background Papers: None

Contact Officer: Graeme Simpson, Corporate Services Group Manager
01684 272002 graeme.simpson@teWKesbury.gov.uk

Appendices: Appendix 1 – Overview and Scrutiny Committee Annual Report
2015/16

Overview and Scrutiny Committee's annual report

2015-16



Message from the Chairman of Overview and Scrutiny Committee, Councillor Phil Awford



I am pleased to present the 2015-16 Annual Report of Tewkesbury Borough Council's Overview and Scrutiny Committee. This is my first year as chairman of Overview and Scrutiny Committee and have been supported by Councillor Gill Blackwell as vice chair, and by a very able and committed group of councillors.

This has been our first year working together as a committee following the elections in May 2015 and we have examined a variety of topics. The committee has once again been at the heart of the council's decision making process and acted as a critical friend to the Executive Committee in helping to shape and inform the council's decision making.

On a quarterly basis, the committee receives a wealth of performance information, which includes a performance tracker report monitoring the progress of actions within the Council Plan, and progress against a range of key performance indicators. A new Customer Care Strategy has been developed following a direct result of a committee member's concern relating to departments call handling procedures.

In February this year, a workshop was held to share the views and experiences of the current Overview and Scrutiny Committee to identify any areas where the committee could add more value. Opinions of members were sought on many areas including the work programme and a review of performance management. Members were very supportive of more training and welcomed the idea of some form of external assessment to give assurance the committee is effective.

Looking ahead, there is a great opportunity for overview and scrutiny to support the council through its future challenges. The development of a new Council Plan will set out new priorities and objectives within the performance tracker and local performance indicators, and the continuation of delivering the peer challenge action plan will all help strengthen the council's improvement journey.

We endeavour to have more external bodies attend the committee such as; Fire and Rescue Service and Healthwatch Gloucestershire. Programmed into the committee's work programme for 2016/17 is the monitoring of the delivery of the Disabled Facilities Grant Review, delivery of the new Council Plan and a review on the scheme of public participation at planning committee.

I would like to take this opportunity to thank all the committee members for their contributions and supporting me in my first year running as chairman for overview and scrutiny.

Best wishes

Councillor Phil Awford

contents

The role of overview and scrutiny	1
Formal work programme	1
Task and finish groups	2
Requests for additional information	2
Pre-scrutiny activity during 2015-16	2
Scrutiny reviews of policy and strategy	2
Presentations made to overview and scrutiny	3
Overview and scrutiny working groups	5
Other general areas for review	6
Looking forward to 2016-17	10
Members of the Overview and Scrutiny Committee	11
Appendix A- How to select a potential scrutiny review	12
Appendix B- 2016-17 Workplan	13
Appendix C- Outcomes following review of the effectiveness of Overview and Scrutiny Committee.	21



The role of overview and scrutiny- Formal work programme

Overview and scrutiny is a vital part of the role of the council. It must deliver work required of it as set out in the council’s constitution. This must be set within the context of the council’s priorities, emerging areas of interest and the resources available to the committee.

The committee has a formal work programme for the year and it ensures the volume of work does not compromise the depth of examination required, does not duplicate the work of other committees and adds value. The work programme recognises the council’s priorities and consists of a number of regular items, for example:

- Consideration of the Overview and Scrutiny Committee forward work plan – this ensures the programme remains relevant and activities are correctly timetabled.
- Consideration of the Executive Committee’s forward work plan- this highlights any emerging areas where the Overview and Scrutiny Committee could support the Executive Committee.
- Performance management – on a quarterly basis, the committee receives both financial and non-financial information on how well the council’s priorities are being delivered. This provides a wealth of information and opportunity for the committee to make a difference through the challenge and scrutiny of the performance data.
- Complaints – on a six monthly basis a report is received summarising customer complaints and Local Government Ombudsman complaints made in the period. This helps to identify trends and potential opportunities to learn from the complaints made.
- Policy and strategy monitoring – in addition to the formal review of new or updated policies and strategies during the year, a number of these are then formally monitored by overview and scrutiny to ensure their delivery.
- Feedback from the Gloucestershire Police and Crime Panel – the committee receives regular feedback from Councillor Rob Garnham on any issues arising and where the council can act as advocates for community safety.
- Feedback from the Gloucestershire County Council Health and Care Overview and Scrutiny Committee – the committee receives regular feedback from Councillor Janet Day on any issues arising and where the council can act as advocates for health and well-being.
- Progress of any scrutiny reviews that are being undertaken.
- Progress against actions following conclusion of a scrutiny review.

Task and finish groups

The committee can appoint task and finish groups to focus on specific reviews. These small scrutiny groups undertake research to fully understand the topic it is reviewing. This could involve inviting external people to attend meetings to provide information on the review topic; for example members of the public, specialists or other external bodies. These groups provide an excellent arena for the committee to consider ways to improve existing practices within the council and ultimately have a positive impact upon our residents. A flow chart on how to consider potential scrutiny reviews can be found at Appendix A.

Requests for additional information

The committee, whilst undertaking its review of the work programme activities, may challenge or request additional information to help increase their knowledge or understanding of a particular area. This is particularly relevant when reviewing the performance management information. When the committee has requested further information, this is normally provided in the form of a presentation. For example, a presentation of the Revenue and Benefits Improvement Project resulted in a follow-up presentation being held on Universal Credit to get an understanding of the scheme and its impact to the council.

Pre-scrutiny of key policies and strategies

The committee also provides support to the Executive Committee by undertaking pre-scrutiny of key policies and strategies. This gives the

committee the opportunity to feed its thoughts and recommendations into the decision making process. Previously members made an excellent suggestion of pulling together a list of policies and strategies and their review dates. This list now helps to inform the work programme. Reviews of a single policy or strategy have been shorter, sharper reviews and have enabled the whole committee to participate rather than a small working group of members, for example the Customer Care Strategy.

The committee is also responsible for any ‘call-in’ of decisions. This is an important part of scrutiny and allows the Overview and Scrutiny Committee to ensure decisions have been made within the council’s policy framework. No call-ins have been made during this year.

Overview and scrutiny activity during 2015-16

Scrutiny reviews of policy and strategy

Review of discretionary housing payment policy - 21 July 2015

The existing policy for discretionary housing payments needed to be reviewed following the impact of the welfare reform, the Chancellor’s budget of 8 July 2015, work carried out on financial inclusion and the completion of the revenue and benefits improvement project.

The new policy set out that the local authorities may make payment awards towards other housing costs in order to better reflect the proposed changes to the policy. It was also necessary to set out that the level of discretionary housing

"Whilst **customer care is important to the council**, we have never had a customer care strategy before."

payments were made in writing, and with supporting evidence, and consideration was given to background information about levels of income and expenditure.

Members of Overview and Scrutiny Committee attended a workshop to conduct the review and resolved that the findings of the review of the Discretionary Housing Payments Policy be endorsed and was recommended to the Executive Committee to adopt the revised policy, the policy was adopted on 2 September 2015.

Review of customer services strategy 23 February 2016

Whilst customer care is important to the council, we have never had a Customer Care Strategy before. With this in mind a new strategy was created detailing how we plan to deliver the council's customer care and outlines the organisational commitments we will make to our customers.

Members of Overview and Scrutiny Committee attended a workshop on 11 January where the standards within the strategy were reviewed. Members were fully supportive of the strategy and subsequently it was reported to Overview and Scrutiny Committee on 23 February 2016. The strategy was subsequently approved at Executive Committee on 9 March 2016.

Presentations made to overview and scrutiny

Revenues and benefits improvements project presentation 7 April 2015

The committee received a presentation from the revenue and benefits group manager and benefits operations manager. The presentation covered the following areas:

- The council's aim- to improve the service delivered to customers.
- Background information on processing times, benefits and council tax collections.
- The review's response- regular meetings of the transformation group engaging with staff; mapping the processes to strip out bureaucracy and engaging with other organisations such as Severn Vale Housing Society, Citizen's' Advice Bureau and customers.
- The outcome- now top quartile nationally, which exceeded expectations with better performance in collections and processing; housing benefit subsidy, business rates, housing benefits new claims and council tax. This was carried out removing unnecessary software, processes and a culture change for staff.

Committee questioning included the following:

- How much of the improvement was due to the new way of working and how much could be attributed to simplifications at a national level.
- Performance would continue to be monitored against other authorities and confirmation was provided that this was the case.
- Whether the new ways of working were conducive to Universal Credit.

Joint Waste Committee presentation 21 July 2015

The contracts team leader for the Gloucestershire Joint Waste Team (JWT) carried out a presentation on the work of the JWT and Joint Waste Committee. The presentation covered the following areas:

- Background of the Gloucestershire JWT and committee, its key objectives, functions and the council's role as a member of the committee.
- Details of the Gloucestershire Joint Municipal Waste Management Strategy- showing the waste and recycling service design for each authority across the county.
- An update was given on the actions that took place from the business plan covering 2015-2018. This included details on waste minimisation by increasing the volume of food waste diverted to landfill.
- Information relating to legislative changes in collections of recycling and the impact of this.
- Changes to the funding availability for school and community education programmes.

Committee questioning included the following:

- Possible provisions of recycling banks be included as part of the planning permission for developments over a certain size.
- Options of the recycling collections following legislative changes.
- What happened to textile materials that are not being recycled and could they be placed in the residents blue recycling bins.

Community Safety Partnership 8 September 2015

The committee received a presentation from the environmental and housing services group manager and Tewkesbury Police Inspector Dave Goga on the borough's Community Safety Partnership (CSP). The presentation covered the following key points:

- Proposed changes to the CSP structure.
- Involving communities- help relaunch Neighbourhood Coordination Groups.
- Funding the priorities- bid submitted to Police Crime Commissioner which targeted six priorities (Accessibility and Accountability; Older but not Overlooked; Young People becoming Adults; Safe Days and Nights for All; Safe and Social Driving; and Safer Cyber).
- What's next- arrange a workshop to share the structure and receive feedback from partners and decide a launch date.
- The re-organisation of police shift patterns.
- Reintroduction of Street Safe and Pubwatch Scheme reinvigorated with local licensees.
- Crime performance indicators.
- Anti-social behavior group- understanding issues in the area.

Committee questioning included the following:

- Clarification of the Neighbourhood Watch.
- Updates on crimes within rural areas.
- Crime figures- did these include crimes investigated by the Military.
- Police Crime Commissioner's priorities and funding- how much could be used on anti-social behavior?
- Police involvement at parish meetings.

“Once adopted, the new Economic Development Tourism Strategy will help to drive the borough to be the **primary growth engine** of Gloucestershire’s economy.”

Update on Universal Credit 20 October 2015

The committee received a presentation from the revenues and benefits group manager giving members an update on a new government scheme Universal Credit. The presentation covered the following:

- Details of what universal credit is.
- Who the scheme would apply to.
- Implementation timescales.
- The council’s role in the scheme.

Committee questioning included the following:

- Raising awareness for residents who are not able to manage their own finances.
- Whether claimants would be allocated a particular person to offer help and advice.

Overview and scrutiny working groups

Review of Economic Development and Tourism Strategy

Terms of reference: approved 16 June 2015

The current Economic Development and Tourism Strategy ‘Regenerating and Growing the Economy’ 2012-2015, was successfully delivered and a new strategy is required. A working group of six members plus the lead member of economic development/ promotion, and finance and asset management was formed to consider the following:

- The key priorities for the borough to have a strong and prosperous economy.
- The council’s Small Business Grant Scheme and how it could be developed into a wider support programme.
- What actions the borough can undertake to help new-start businesses, support existing enterprises, attract new businesses, improve skills and support residents back to work.
- How the borough can develop within the M5 Growth Zone.
- How priorities can be aligned with wider growth opportunities emerging through the Gloucestershire Strategic Economic Plan, Growth Deal and EU Structure and Investment Funds Strategy.
- The partnerships the council will need to work with to enable and achieve sustainable economic growth.
- How policies and employment allocations in the Joint Core Strategy and Borough Plan can support jobs growth, sector development and inward investment.
- An assessment of the borough economy, including relevant policies and economic drivers.

The working group is meeting regularly, and is gathering, considering and reviewing a range of information including data, funding options, liaising with representatives from the Local Enterprise Partnership and ensuring the new strategy links into the new Council Plan.

Once adopted, the new Economic Development Tourism Strategy will help to drive the borough to be the primary growth engine of Gloucestershire’s economy.

Review of Disabled Facilities Grants (DFG)

Terms of reference: approved
21 July 2015

A working group of four members plus the lead member for clean and green environment was formed to consider the council’s approach to DFGs. The aim of the review was to gain a clear understanding of:

- The statutory and discretionary processes involved in allocating grants and how they are applied locally.
- How grants are funded (including comparisons with other local authorities).
- What agencies are involved in the processes and what role they fulfil (including the involvement of registered providers).
- The potential use of previously adapted properties.
- To consider the council’s current approach in administering grants, in particular how current practices impact on those who could or do benefit from applying.
- To look at good practice elsewhere, especially those that provide cost effectiveness and good customer satisfaction.
- To determine possible ways in which processes can be improved.

There were six recommendations around accommodation options, procurement, costings and looking at ways to digitalise processes to improve time and become more customer friendly. These, together with a full report, were considered by the committee on 23 February, which referred it for approval to Executive Committee on 6 April 2016.

Scheme for public participation at planning committee review

Terms of reference: approved
23 February 2016

A working group comprising of seven members has been formed to review the Scheme of Public Participation at Planning Committee following the Council’s decision to introduce the scheme for a one year trial period which commenced in May 2015. The terms of reference outlined the following:

- To undertake an assessment of how the scheme had worked since its introduction at the Planning Committee meeting in June 2015.
- To inform Council as to whether the scheme should continue and, if so, whether any amendments need to be made.

The working group and terms of reference was approved at Overview and Scrutiny Committee on 23 February 2016. The outcome of the review will be reported to the committee on 12 April 2016. This will be referred to Planning Committee for consideration on 10 May 2016 and then Council on 17 May 2016.

Other general areas of review

Annual review of Communication Strategy 16 June 2015

Communication has a vital role to play in helping the council deliver its vision, priorities and objectives to local people. Given that that the council delivers a wide range of complex services to more than 80,000 residents, we face a significant challenge to communicate well. The strategy and action plan details how we go about facing that challenge.

“A member raised concerns about **telephone protocols for officers**. This has led to a set of customer services standards being created to ensure these issues are addressed.”

The strategy was approved at Executive Committee on 30 April 2014, where members agreed it would be reviewed on an annual basis to ensure the actions identified in the strategy are monitored effectively. A report was presented at Overview and Scrutiny Committee on 16 June 2015 and members noted the progress made.

Enviro-Crimes review (six monthly)

Following the recommendation of the committee on 10 June 2014, an update on the progress of the working group was carried out on 21 July 2015 and 19 January 2016. Reports were created by the environmental health and housing service group manager giving a high level overview of the enviro-crimes review recommendations e.g. awareness, prevention and educate.

On 19 January 2016, members noted the progress against the recommendations arising from the Enviro-Crimes Review and approved the closure of the review.

Flood risk management (quarterly report)

The Flood Risk Management Group (FRMG) oversees delivery of the council's flood risk management projects and contributes to the future development of flood risk management policies and report their work to the Overview and Scrutiny Committee.

Various works have been carried out during 2015-16 which include; Tewkesbury Borough Council owned watercourse maintenance works in various locations across the borough, grant applications schemes such as property level protection in

Kenulf Road Winchcombe and flood attenuation and alleviation measures in Tirley and is planned for Chaceley.

Health and well-being Strategy monitoring report (six monthly)

The development services group manager brought a report to Overview and Scrutiny Committee on 21 July 2015, setting out the progress made in the first two years against the actions within the Health and Wellbeing Strategy 2013-16. The final update scheduled for 19 January was deferred until 12 April 2016 on the basis that the strategy comes to an end in March 2016.

Performance management (quarterly report)

On a quarterly basis, the committee receives the Council Plan Performance Tracker, local performance indicator report and financial summary. This provides a wealth of information in relation to the overall progress of the Council Plan's actions. The review of this information naturally prompts a range of individual questions but some key outcomes are detailed below:

- A member raised concerns about telephone protocols for officers. This has led to a set of Customer Services Standards being created to ensure these issues are addressed.
- Complaints framework- to ensure complaints handling is effective, a new complaints framework is being established.
- Planning review- committee has continually challenged planning performance, leading to a review of planning, which has recently been completed.

Review of complaints (six monthly)

A report is brought to committee by the corporate services group manager providing an update on formal complaints that have been recorded and managed through the corporate feedback management procedures and the Local Government Ombudsman.

Reports were brought to the committee on 7 April 2015 and 20 October 2015 which summarised the following:

- Number of formal complaints and compliments received
- Number of upheld complaints
- The total of which were resolved within the timescales
- Number of Ombudsman complaints including if any had progressed beyond the initial investigation.

Review of UBICO (six monthly)

20 October 2015

Following a request of the Overview and Scrutiny Committee on 16 June 2015, a six monthly report was added to the Committee's Work Programme. The first update was carried out on 20 October 2015, members were advised on performance, recycling figures, health and safety and the new reporting issues system- Achieve. A further update is scheduled to take place on 12 April 2016.

Gloucestershire Families First (six monthly)

The committee received two updates during 2015/16 on Gloucestershire Families First programme on 7 April 2015 and 20 October 2015. These updates were to consider the progress

made in delivering the Families First Programme.

On 20 October the council's community development officer, the Families First Plus programme manager and Gloucestershire Families First Plus team manager delivered a presentation which outline the first following key points:

- Background information of Families First.
- Aim of the programme
- Progress made to date
- The roles of Families First Plus Team
- Expanding the programme

Housing, renewal and homelessness strategy review monitoring report (six monthly)

1 December 2015

The Housing, Renewal and Homelessness Strategy 2015-16 was developed by an Overview and Scrutiny Working Group and adopted in September 2012.

As requested by the Working Group a review of the activities against the strategy action plan was to be undertaken. On 1 December 2015 a report from the environmental and housing services group manager identified the key activities that had been achieved over the last 12 months.

Peer challenge action plan monitoring report (six monthly)

1 December 2015

Following the Peer Challenge in November 2014, facilitated by the Local Government Association, Overview and Scrutiny Committee members were asked to consider the progress made so far in delivering the recommendations set out within the

Peer Challenge Action Plan. This action plan was approved by Council on 19 February 2015.

A report was brought to Overview and Scrutiny on 1 December 2015 by the corporate services group manager, which confirmed all actions are progressing well. The majority of actions are being progressed through the ongoing work around the development of the new Council Plan, individual service reviews, project management, financial management, overview and scrutiny, and member development.

County updates

The committee receives regular updates from Gloucestershire Health and Care Overview and Scrutiny Committee, and the Gloucestershire Police and Crime Panel. These updates provide the committee with any issues arising and where the council can act as advocates for both community safety and for health and well-being.

For further details on both, Gloucestershire Health and Care Overview and Scrutiny Committee and Gloucestershire Police and Crime Panel see link below:

- Gloucestershire Health and Care Overview and scrutiny
<http://glostext.gloucestershire.gov.uk/mgCommitteeDetails.aspx?ID=669>
- Gloucestershire Police and Crime Panel-
<http://glostext.gloucestershire.gov.uk/mgCommitteeDetails.aspx?ID=650>

Training and development

Three training and development sessions were carried out during 2015/16 these were:

- Members scrutiny induction - 28 May 2015
- Performance tracker and performance indicators- how to read the reports and how it is linked with the Council Plan – 7 September 2015
- Overview and Scrutiny Introduction- 14 September 2015. A tutor from South West Councils, Ann Reeder, gave a presentation which included:
 - Background information on Overview and Scrutiny the origins, principles and powers.
 - Ways of working
 - Discussions and feedback session
 - Key tasks of Overview and Scrutiny such as; work programming, project scoping, budget scrutiny, evidence gathering, questioning and listening and decision tracking and follow ups.

Review of the effectiveness of the Overview and Scrutiny Committee 23 February 2016

It is good practice to ensure the Overview and Scrutiny Committee is adding as much value as possible. A workshop was held and members of the Overview and Scrutiny Committee had the opportunity to share their views and experiences of the current committee and to identify any areas where the committee could add more value.

The opinion of members was sought on a number of areas including;

- The committee’s work programme
- Review of performance management information
- Choosing areas for review

- Challenge role currently provided by the committee
- Its role as a ‘community’ committee
- Training and development

Summary of suggestions raised were:

- To receive presentations from Healthwatch Gloucestershire, the Fire and Rescue Service and social housing.
- Include more external parties to the task and finish groups when required.
- Trial a 30 minutes briefing before a committee.
- Invite an external judicator to give feedback on an Overview and Scrutiny Committee to assess if the committee is effectively scrutinising agenda items and if there are any areas to improve.

A full list of review recommendations can be found at Appendix C and these will be taken forward in 2016-17.

Looking forward to 2016/17

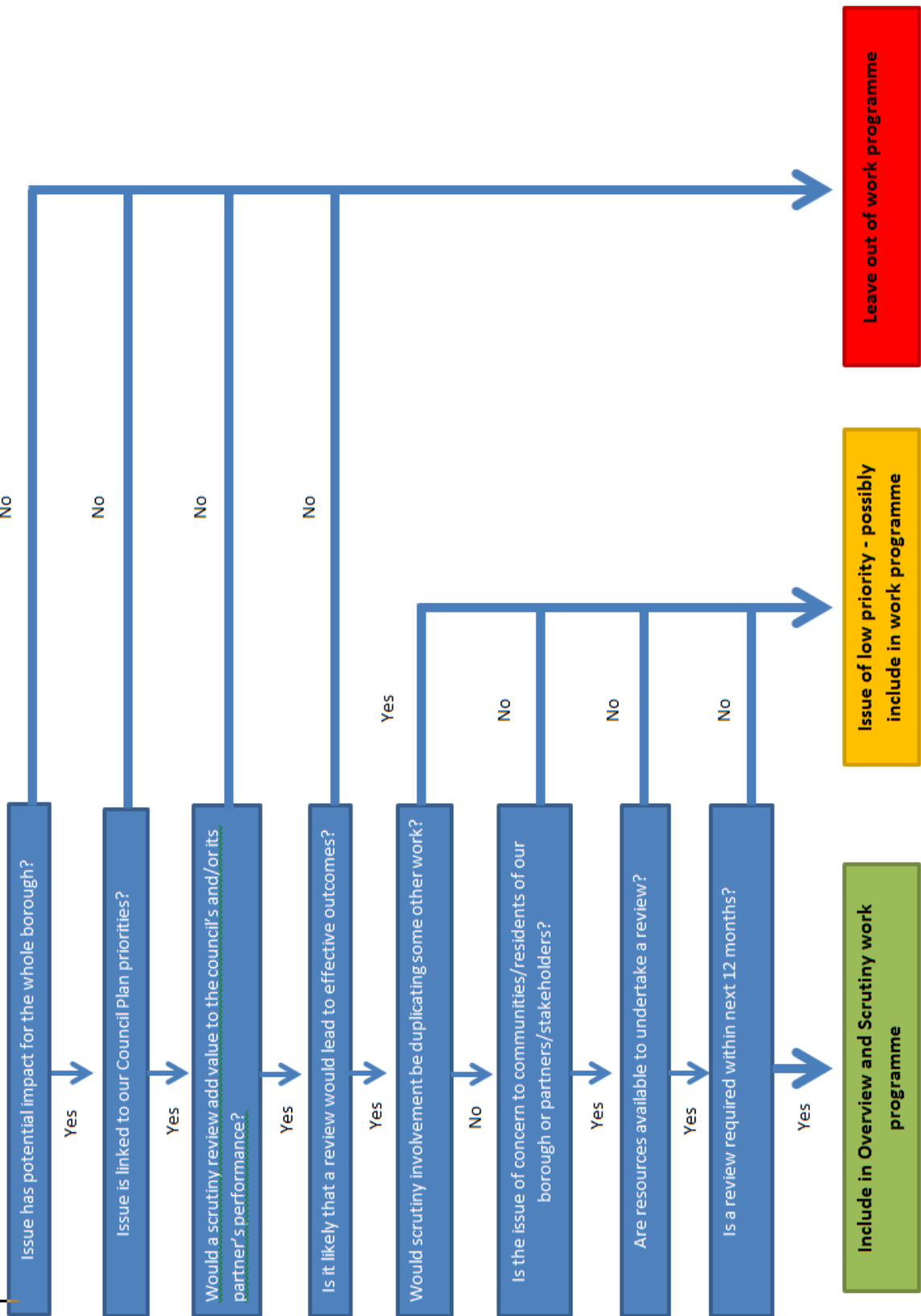
The committee has an indicative work programme for 2016-17. The programme as it stands is a combination of standing agenda items such as performance management and complaints information, six monthly policy and strategy updates, and new areas of review that have emerged. The programme is based upon what is known at this point in time but remains flexible, to allow changes to be made where appropriate. The 2016-17 work programme can be found in Appendix B.

Key areas of activity during the next financial year includes monitoring of the new council plan priorities, the continuation of the Scheme of Public Participation at Planning Committee review, and ensuring the remaining recommendations made from the November 2014 peer challenge are being delivered.

Members of the Overview and Scrutiny Committee 2015-2016

			
Chair Councillor Phil Awford Highnam with Haw Bridge	Vice Chair Councillor Gill Blackwell Hucclecote	Councillor Bob East Cleeve St Michael's	Councillor David Foyle Churchdown Brookfield
			
Councillor Graham Bocking Innsworth with Down Hatherley	Councillor Harry Turbyfield Brockworth	Councillor Heather McLain Ashchurch with Walton Cardiff	Councillor Janet Day Winchcombe
			
Councillor Kevin Cromwell Tewkesbury Priors Park	Councillor Mark Williams Coombe Hill	Councillor Mike Sztymiak Tewkesbury Town with Mitton	Councillor Pearl Stokes Churchdown St John's
			
Councillor Philip Surman Shurdington	Councillor Ruth Hatton Brockworth	Councillor Terence Spencer Twynning	

Flowchart on how to select a potential scrutiny review



Committee Date: 14 June 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Citizens' Advice Bureau Presentation.	To provide an update on CAB activity in the borough.	Andy Sanders, Economic and Community Development Manager	Yes – moved from February 2016 due to the size of the Agenda for the meeting.
Performance Management – Quarter 4 and full year 2015/16.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Corporate Policies and Strategies.	For potential review by the Overview and Scrutiny Committee during 2016/17.	Graeme Simpson, Corporate Services Group Manager	No.
Review of Communications Strategy 2014-16.	To consider – annual review.	Graeme Simpson, Corporate Services Group Manager	No.
Health and Wellbeing Strategy Monitoring Report.	To consider – six month update.	Andy Sanders, Economic and Community Development Manager	Yes – originally deferred from 19 January on the basis that the current strategy came to an end in March 2016. Deferred from 12 April to allow more time for Officers to collate year-end figures.
Housing, Renewal and Homelessness Strategy Review Monitoring Report	To consider - six month update.	Paula Baker, Housing Services Manager	No.

Committee Date: 14 June 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 19 July 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Planning Systems Thinking Review Presentation	To receive a presentation on the review of Planning.	Paul Skelton, Development Manager	No.
Peer Review Action Plan	To consider - six month update	Graeme Simpson, Corporate Services Group Manager	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 6 September 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 1 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Complaints Report	To consider – six month update.	Graeme Simpson, Corporate Services Group Manager	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 18 October 2016					
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required		
Review of Ubico	To consider – six month update.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.		
Update from Joint Waste Team	To receive an update from the Joint Waste Team on the business plan.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.		
Gloucestershire Families First Update	To consider – six month update.	Adrian Goode, Community Development Officer	No.		
Scrutiny of the Community Safety Partnership	To consider - six month update.	Paula Baker, Housing Services Manager	No.		
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.		

Committee Date: 29 November 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 2 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Disabled Facilities Grants Review Monitoring Report	To consider – six month update.	David Steels, Environmental Health Manager	No.
Gloucestershire Health and Care Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting.	N/A	No.

Committee Date: 10 January 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Housing, Renewal and Homelessness Strategy Review Monitoring Report	To consider – six month update.	Paula Baker, Housing Services Manager	No.

Committee Date: 7 February 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Peer Review Action Plan	To consider - six month update	Graeme Simpson, Corporate Services Group Manager	No.
Review of the Effectiveness of the Overview and Scrutiny Committee.	To consider progress against the action plan.	Graeme Simpson, Corporate Services Group Manager	No.
Annual review of the effectiveness of the Council's involvement in the Gloucestershire Health, Community and Care Overview and Scrutiny Committee	In order to authorise payment of the Council's contribution to the running costs for the forthcoming year.	Graeme Simpson, Corporate Services Group Manager	No.

Committee Date: 21 March 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Report – Quarter 3 2016/17.	To review and scrutinise the performance management information and, where appropriate, to require response or action from the Executive Committee	Graeme Simpson, Corporate Services Group Manager	No.
Complaints Report	To consider - six monthly update.	Graeme Simpson, Corporate Services Group Manager	No.
Flood Risk Management Group Report	To receive an annual report on the progress against the Flood Risk Management Action Plan and to recommend to the Executive Committee that the Flood Risk Management Group Terms of Reference be adopted for the next 12 months.	David Steels, Environmental Health Manager	No.

Committee Date: 2 May 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Overview and Scrutiny Committee Work Programme 2017/18.	To approve the Overview and Scrutiny Committee Work Programme for the forthcoming year.	Graeme Simpson, Corporate Services Group Manager	No.
Annual Overview and Scrutiny Report 2016/17.	To approve the annual report as required by the Council's Constitution to ensure that the activities of the Overview and Scrutiny Committee are promoted both internally and publicly to reinforce transparency and accountability in the democratic process.	Graeme Simpson, Corporate Services Group Manager	No.
Review of Ubico	To consider – six month update.	Richard Kirk, Interim Environmental and Housing Services Group Manager / David Steels, Environmental Health Manager	No.
Gloucestershire Families First Update	To consider - six monthly update.	Adrian Goode, Community Development Officer	No.
Scrutiny of the Community Safety Partnership	To consider - six monthly update.	Paula Baker, Housing Services Manager	No.
Customer Care Strategy	To consider- annual update.	Clare Evans, Communications and Policy Manager	No.
Disabled Facilities Grants Review Monitoring Report	To consider - six monthly update.	David Steels, Environmental Health Manager	No.

PENDING ITEMS

Agenda Item	Overview of Agenda Item
Healthwatch Gloucestershire Presentation	Requested following the Gloucestershire Health and Care Overview and Scrutiny Committee Update on 20 October 2015.
Severn Vale Housing Presentation	Requested during the Review of the Effectiveness of Overview and Scrutiny Committee.
Gloucestershire Fire and Rescue Service Presentation	Requested during the Review of the Effectiveness of Overview and Scrutiny Committee.

Review of effectiveness of Overview and Scrutiny Committee
February 2016

Key

- ✓ Suggestion can be implemented into existing working practice.
- X This was discussed but the committee did not feel this would add value.

Feedback received		Status
1. The committee's work programme		
a)	Members of the committee would like to see more challenge/review of presentations of external organisations and key partners. Specific organisations mentioned were Severn Vale Housing Society, Fire Service, Healthwatch Gloucestershire.	✓
b)	Very supportive of the updates given at committee on Police and Crime Panel and Health and Care Overview and Scrutiny Committee and this should continue.	✓
c)	The committee adds real value through their task and finish review groups and policy reviews. Two to three review groups per year can be accommodated.	✓
2. The committee's review of performance management information		
a)	Quarterly performance management information provided a good overview to members on how well the council is performing and should continue in its current format. Officers will look at further improvements to how it is presented in light of the new council plan.	✓
b)	Where appropriate, give consideration to lead members attending committee meetings where issues in their portfolio have arisen.	✓
c)	The financial position overview supporting the performance information was more detailed than previously reported. This current format was well received and should continue.	✓

Review of effectiveness of Overview and Scrutiny Committee
February 2016

Feedback received	Status
d) The potential of forming a performance management sub group that could scrutinise the performance information in more detail and feedback to the main committee was discussed. There was strong opinion regarding how this arrangement would work and it was felt the whole committee should receive the information and be able to challenge.	X
3. Choosing areas for review	
a) A neighbouring council includes within their annual report a form so that members of the public can put forward potential review subjects. Members felt this would not add value and could potentially lead to vexatious requests. Officers had contacted other councils on this and confirmed there had been limited success.	X
b) Members agreed they need to keep eyes and ears open to things that might be coming up and not necessarily rely on officers – horizon scanning.	✓
4. The challenge role currently provided by the committee	
a) The potential for lead members to attend overview and scrutiny and be challenged on their portfolio – see 2b) above.	✓
b) A pre-briefing, immediately before the main committee on key areas for challenge – it was acknowledged this should not become a committee type meeting in itself. Agreed to try as a pilot. An alternative may be to email members with key areas for consideration.	✓
c) The critique that generally, individual members need to be more challenging and that overall the committee, where relevant needs to show the attributes of a select committee. Members agreed for an independent person to watch and critique the workings of the committee.	✓
d) The potential of changing the dynamics of challenge in relation to performance management. Performance management information could first be presented at Executive Committee with the decisions and response from this committee then subject to scrutiny. Members strongly agreed that the current system works well.	X

Review of effectiveness of Overview and Scrutiny Committee
February 2016

Feedback received		Status
5. Its role as a 'community' committee		
a)	The potential to take the committee out into the community, for example, holding meetings within other parts of the borough was not strongly supported as this had been tried in the past but without great success.	X
b)	There was recognition though that this would work well with regard to certain working groups, where members of the public may have an interest.	✓
6. Training and development		
a)	All new members to the committee should receive an induction on the role of the committee – this is 'one-off' action and has been completed. Members commented on how comprehensive induction had been.	✓
b)	Training needs to be ongoing and not just at the induction stage.	✓
c)	A quarterly bulletin on local and national scrutiny topics has been produced and issued to all members – feedback on this is welcomed.	✓
d)	A link to the Centre for Public Scrutiny website has been sent to overview and scrutiny members so they can subscribe to alerts.	✓
e)	Look to learn from others, for example, how other councils undertake scrutiny – members would be supportive of this but only if adds value. A member suggestion to consult the facilitator who undertook the scrutiny training to advise on possible best practice councils was supported.	✓

Graeme Simpson
Group Manager Corporate Services
Tewkesbury Borough Council
Tel: 01684 272002
email: graeme.simpson@tewkesbury.gov.uk

