

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 19 July 2016 commencing at 4:30 pm**

## **Present:**

Chair  
Vice Chair

Councillor P W Awford  
Councillor Mrs G F Blackwell

## **and Councillors:**

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

## **also present:**

Councillors R E Allen, D M M Davies, R E Garnham and Mrs E J MacTiernan

## **OS.18 ANNOUNCEMENTS**

- 18.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 18.2 The Chair welcomed Councillor R E Garnham, the Council's representative on the Gloucestershire Police and Crime Panel, to the meeting and indicated that he would be providing an update on the last meeting of the Panel at Agenda Item 7. He also welcomed Councillor D M M Davies, Lead Member for Built Environment, who was present for Agenda Item 9 – Planning Systems Thinking Review Presentation. Councillors R E Allen and Mrs E J MacTiernan were also present as observers.

## **OS.19 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 19.1 Apologies for absence were received from Councillors Mrs J E Day and P D Surman. There were no substitutions for the meeting.

## **OS.20 DECLARATIONS OF INTEREST**

- 20.1 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.
- 20.2 There were no declarations made on this occasion.

## **OS.21 MINUTES**

- 21.1 The Minutes of the meeting held on 14 June 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

## **OS.22 CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN**

- 22.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages

No. 17-20. 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.

22.2 A Member indicated that 'Recruitment of Environmental Warden' was still included on the Forward Plan for the meeting on 23 November 2016, however, the report in respect of Agenda Item 10 of the present meeting, Enviro-Crimes Update, referred to this item being taken to the Executive Committee on 12 October 2016. The Deputy Chief Executive advised that, at the last meeting of the Overview and Scrutiny Committee, it had been suggested that this item be brought forward from 23 November as Parish Councils were likely to have set their precepts by that time. She confirmed that it was intended to take the report to the meeting on 12 October 2016 on the basis of that suggestion and she undertook to ensure that the Forward Plan was updated accordingly.

22.3 A Member drew attention to the Mobile Homes and Caravan Site Licensing Policy, included on the Executive Committee Forward Plan for the meeting on 12 October 2016, and questioned whether this item should be considered by the Licensing Committee in advance of that. The Environmental Health Manager agreed with this suggestion and indicated that the next Licensing Committee meeting was due to be held on 13 October 2016 so the Policy would then need to be taken to the Executive Committee meeting on 23 November 2016.

22.4 It was

**RESOLVED**

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

2. That the following amendments be made:

- Recruitment of Environmental Warden – to be moved from 23 November 2016 to 12 October 2016; and

- Mobile Homes and Caravan Site Licensing Policy – to be moved from 12 October 2016 to 23 November 2016 in order for the Policy to be considered by the Licensing Committee at its meeting on 13 October 2016.

**OS.23 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17**

23.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2016-17, circulated at Pages No. 21-27, which Members were asked to consider.

23.2 A Member noted that the Agenda for the meeting on 18 October 2016 was quite heavy and, given that the main focus of that meeting would be the Joint Waste Team and Grounds Maintenance Updates, he suggested that the Gloucestershire Families First Update be moved to the meeting on 29 November 2016. The Deputy Chief Executive agreed that this would be appropriate and undertook to update the Work Programme accordingly. The Chair stressed that the presentation from Healthwatch Gloucestershire, due to be considered at the next meeting of the Committee, should last for no longer than 10 minutes in order to allow adequate time for Members to ask questions and Officers undertook to ensure that the presenter was fully briefed in that regard.

23.3 It was

**RESOLVED**

1. That the Overview and Scrutiny Committee Work Programme 2016/17 be **NOTED**.

2. That the Gloucestershire Families First Update be moved from

the meeting on 18 October 2016 to 29 November 2016.

## **OS.24 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE**

- 24.1 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 18 July 2016.
- 24.2 Councillor Garnham advised that, as it was the first meeting since the Police and Crime Commissioner's re-election, the Agenda had been fairly light. The meeting had begun with the election of a Chair and Vice-Chair and the status quo remained with County Councillor Roger Wilson appointed as Chair and County Councillor Barry Kirby appointed as Vice-Chair.
- 24.3 It was noted that, at eight pages long, the Chief Executive's report was a considerable improvement on the information that had been provided a year ago. As well as covering local Gloucestershire matters, such as Police estates, complaints and Freedom of Information requests, the report had touched upon the Policing and Crime Bill which aimed to "finish the job of police reform" and "enable fire and police services to work more closely together and develop the role of our elected and accountable Police and Crime Commissioners". The Commissioner had stated previously that he had no wish to take over the running of the Fire Service but it was pointed out that Brandon Lewis MP had now been appointed as the new Government Police and Fire Minister; the post was previously just annotated Police Minister. Developing the role of the Commissioner could include taking responsibility for Criminal Justice, including Youth Justice, and the Crown Prosecution Service in Gloucestershire, all of which, as the Commissioner had pointed out, could double the workload. The Commissioner's Office had also established a Commissioner's Forum with representatives from, amongst others, the media, business, further education and the voluntary sector, to act as critical friends. The panel was 25 strong and there had been a discussion over the role of the Forum and that of the Police and Crime Panel with assurance being provided that the two bodies were different.
- 24.4 Members were reminded that it was a statutory duty of the Police and Crime Panel to receive the Commissioner's Police and Crime Plan and make comment or recommendation. An early draft of the 2017-21 Plan had been presented and the Commissioner had explained that his priorities remained the same as his first term of office: access and accountability; older but not overlooked; young people becoming adults; safer days and nights; safe and social driving; and safe cyber. In addition, the Commissioner gave his commitment to developing Neighbourhood Policing, protecting rural policing, spending £1M per year on the Commissioner's Fund and improving data sharing between public bodies. The need to carry out "a review of the Constabulary's crime reduction function" had also been highlighted. The draft report had led to a further discussion that, without knowing expected outcomes and having some statistics, the Panel could not know if the Commissioner was adhering to his Plan and therefore were impeded in their responsibility to hold him to account. It was agreed that a workforce planning meeting would be held in late August between the Police and Crime Panel and the Commissioner's Office to discuss this matter further to see if a more helpful approach could be found. Members noted that the next meeting of the Police and Crime Panel was on 9 September 2016 by which time the Police and Crime Plan should be finalised.
- 24.5 A Member raised concern that he had been unable to find details for the co-ordinator of the Neighbourhood Watch and he questioned whether there was such a position in Gloucestershire. The Deputy Chief Executive indicated that, whilst there was nobody employed directly, Gloucestershire Constabulary provided support to help communities run their own Neighbourhood Watch initiatives.

Councillor Garnham indicated that the Police and Crime Commissioner had stated how much he valued Neighbourhood Watch and he suggested that the Member could write to Richard Bradley at the Police and Crime Commissioner's Office about any particular issues.

24.6 A Member questioned whether there were any reserves earmarked to cover the vacancy created by the military not having a police officer and Councillor Garnham undertook to find out and report back following the meeting.

24.7 The Chair 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.25 GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE UPDATE**

25.1 In the absence of Councillor Mrs J E Day, the Council's representative on the Gloucestershire Health and Care Overview and Scrutiny Committee, the Chair of the Overview and Scrutiny Committee, who also sat on the Gloucestershire Health and Care Overview and Scrutiny Committee as part of his role as a County Councillor, gave an update on matters discussed at the last meeting held on 12 July 2016.

25.2 Members were advised that the Committee had welcomed three representatives from Arriva Transport Solutions Limited and the Gloucestershire Clinical Commissioning Group (GCCG) Commissioning Implementation Manager to assist with a review of performance in respect of the contract for the Non-Emergency Patient Transport Service. The Committee had been disappointed to note that, despite assurances given last year that there was a robust action plan in place to address concerns, Arriva Transport Solutions Limited was still struggling to meet some Key Performance Indicators. Given Members' concerns, it was agreed to receive an update in six months' time.

25.3 The Committee had also received a presentation on the proposals relating to the opening hours of Minor Illness and Injury Units (MIUs) in Gloucestershire; the main impact of the proposals would be in Stroud and Cirencester. The MIUs were currently open 24/7 and none of the proposals included options for overnight opening at any Units across the County. The Committee expected to receive the outcome of the engagement exercise at its meeting in September. The Committee had also welcomed the annual Gloucestershire Safeguarding Adults Board Report and the meeting had been attended by the Independent Chair and the Head of Adult Safeguarding. It had been good to see the proactive work being undertaken and the joint work in place with partners to address safeguarding concerns, especially in terms of protection and prevention. Guidance had been developed in relation to hoarding, which had been a particular concern, and this would sit within the Self-Neglect Policy.

25.4 In terms of adult social care and public health, there continued to be good performance against employment and settled accommodation targets but challenges remained in relation to direct payments and reassessment of service users' needs. Following a successful recruitment exercise in the Learning Disability Operations Team, it was anticipated that performance against reviews would improve. The GCCG performance report demonstrated that it was performing well

against the majority of targets, although there were still challenges in respect of accident and emergency, diagnostic tests and 62 day cancer targets. It was noted that social prescribing was working well and was available to all GPs. The Committee had not discussed ambulance service targets at the meeting as it was scheduled to meet with the Chief Executive of the South Western Ambulance Service at its meeting on 13 September 2016.

- 25.5 The Chair indicated that the update would be circulated to Members via email following the meeting and it was

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

## **OS.26 PLANNING SYSTEMS THINKING REVIEW PRESENTATION**

- 26.1 The Chair welcomed the Development Manager, Paul Skelton, to the meeting and indicated that he would be giving a presentation on the Planning Systems Thinking Review which had been requested by the Overview and Scrutiny Committee at a previous meeting.

- 26.2 The Development Manager advised that the second phase of the review of the Development Management team was now underway. Phase 1 had focused on the end-to-end times for planning applications from the point of receipt to the time when a decision was made. A number of administrative processes had been streamlined as a result of the review which had helped to eliminate waste and reduce the number of transactions between administration staff and Planning Officers. In respect of householder applications, which constituted the bulk of work for the Development Management team in terms of numbers, Officers had also become more proactive at the validation stage; rather than writing to the applicant or agent to advise that something was missing from the application, Officers tried to telephone instead which often meant that the missing documentation could be sent over by email on the same day. Householder applications no longer had a hard copy file as Case Officers now used iPads on site visits; this enabled them to view plans and take photographs on the same device. It had been intended to extend this approach to other types of application; however, Members were advised that the action plan for Phase 2 of the review had been pared back due to resource issues and to enable Officers to focus on what was really important.

- 26.3 Members were informed that the Phase 2 Action Plan included a workstream on Customer Service improvements and the ICT Team had helped with customer contact data capture. Officer has also logged every telephone call, email and letter received within the department over a certain period and this would be compared with a similar data capture exercise completed last year. It was intended to arrange visits to other local authorities to investigate how they dealt with customer service in terms of contacting officers and to organise customer forums for agents and Parish and Town Councils. Alternative options for dealing with phone calls and responses would also be explored and an action plan would be pulled together to enable the changes to be put into practice. A review of the records management processes was planned during Phase 2 and had been identified as a high priority by the Corporate Leadership Team following a complaint which had

highlighted some shortfalls in the way information was currently held and what should be available within the public domain. The Borough Solicitor was leading that particular workstream which was already well underway and had an agreed action plan in place.

- 26.4 The Development Manager advised that it had become clear that there were a

number of roles within the team, particularly at senior level, that were not working as effectively as they might. For example, the Team Leaders for the North and South of the Borough were Officers with a great deal of experience and knowledge who worked on large scale applications, however, they also had day-to-day responsibilities associated with being team leaders. On that basis, another workstream within Phase 2 was to review the Development Management Team management structure and that work would commence in August 2016. A second element would be to explore alternative software and applications which could help to enhance the Uniform system which was currently used by the Planning department. Consideration would be given as to whether there were alternative ways to communicate with customers and provide information and this would be picked up with the Programme Officer later in the year. In terms of recruitment, Members were aware that there were a number of vacant posts within the Planning department. These roles had been advertised and interviews had resulted in the successful appointment of a Landscape Officer and Senior Planning Officer. Further interviews were planned for the Planning Officer and Graduate Planner posts and, depending on the outcome, a further round of recruitment may be necessary. It was noted that the Council seemed to have difficulty appointing staff to lower level roles, particularly graduate positions, and the Development Manager had been in touch with a former Council employee, Nick Croft, who worked in the Planning School at the University of the West of England to try to establish if there would be merit in re-advertising on the basis that it was the time of year when students would be finishing courses and looking for work. Members were advised that there may be potential for introducing some apprenticeship roles at a later date. The Development Manager acknowledged that there was also a need to review the enforcement process, which included the team structure; however, he hoped to firstly make an appointment to the role of Principal Enforcement Officer/Team Leader so that person could lead the review and that was dependent on the outcome of the review of the senior team structure.

- 26.5 It was noted that a further workstream for Phase 2 related to website improvements to make it easier for customers to find information. A project team had been appointed and had already identified a number of changes which it was hoped could be implemented by November. Assurance was provided that it would be easy to migrate information if the implementation date for this project did not coincide with the introduction of the new corporate website.
- 26.6 A Member queried how happy the Development Manager had been with Phase 1 of the review and he indicated that, overall, he had been very pleased with the outcomes. Phase 1 had identified a lot of waste and the review had been a real team effort with all members of staff questioning what they did and why they did it. The Member asked whether there was likely to be an improvement in communication once the vacant posts had been filled and the Development Manager advised that improvements had already been made and he was sure that would continue if Officers were under less pressure in terms of the volume of workloads. The Deputy Chief Executive explained that planning was the first service which was really bearing the impact of changes to the public sector and private sector competition and difficulties with recruitment and retention were exacerbated by the unprecedented demand for the service. The improvement plan included potential collaboration and commercial opportunities which would be explored during the second phase of the review and may change how the service operated in the longer term. It should be borne in mind that it was a difficult environment to work in and to try to make improvements.
- 26.7 A Member noted that consideration was being given to alternative IT channels and it had been resolved that changing from the Uniform system to another provider would not be expedient. In response, the Development Manager advised that the only solution which would be better than the current system would be to develop a bespoke system which would mean that the Council would not have to renew

licences or buy new software from a particular provider; however, this would be prohibitively costly so it was considered that a watching brief should be kept on what others were doing and the Council could adopt something similar, if and when that opportunity came along. A Member noted that the number of planning appeals was increasing and he questioned how this impacted upon Officer time. Members were informed that it was the larger appeals which took up a significant amount of resource and, although a lot of that work was outsourced, the Case Officer was inevitably involved. If the Council opted not to outsource, a particularly large appeal could take a Senior Officer away from their usual role for a period of six months which was clearly not sustainable. He stressed that decisions were made on the merits of each individual planning application and, unfortunately, appeals had to be dealt with when they came along; outsourcing meant that this was not a huge issue and it was a situation which had become familiar to the Council in recent times. In response to a further query, the Development Manager confirmed that the appeals process was very costly but it would be even greater if the Council was to fully resource a team to deal with appeals based on the worst case scenario when a number of large appeals were received.

- 26.8 A Member raised concern that a number of actions from Phase 1 of the review were still outstanding and he questioned how Phase 2 could be implemented without the previous stage being completed. In addition, he sought clarification as to how actions would be monitored to ensure that performance continued to improve. With regard to Phase 1, the Development Manager advised that a lot of the actions had already been implemented and the next stage would be to see whether any particular issues arose from those changes and whether there had been some unintended consequences which saved time in one particular part of the process but added to responsibilities elsewhere. The review would be self-policing and assurance was provided that if things started to slip he would be made aware, either through Members, the Corporate Leadership Team or via the corporate complaints process. In addition to this, the Deputy Chief Executive pointed out that one of the actions was to develop a set of local performance metrics which would help Managers to monitor performance. In terms of recruitment, the Member went on to question whether consideration had been given to partnering with an architectural college. The Development Manager felt that this was a very good suggestion and he indicated that, during the last round of recruitment, the University of the West of England had been specifically targeted; Birmingham City and Oxford Brookes Universities were relatively close by and had good planning schools. A number of courses often included sandwich years which would be a good opportunity to bring in potential future Officers.
- 26.9 A Member questioned whether there would be any benefit in establishing an Overview and Scrutiny Committee Working Group to assist with the delivery of Phase 2 of the review, particularly given that some of the actions, such as visiting other local authorities, would be quite time consuming for Officers. The Deputy Chief Executive indicated that, to date, the review had been very Officer-led and the Committee did need to be mindful of its workload, however, if it was something of particular interest to Members then, of course, it could be considered. It was noted that there may be opportunities for Members to become more involved at a later stage when there was a clearer idea of potential alternative models which the Council might like to adopt. The Member went on to raise concern that complaints continued to be received about the length of time it took Officers to respond to queries and this was something he felt needed to be addressed sooner rather than later. The Development Manager provided assurance that Tewkesbury Borough Council stacked up well in terms of dealing with planning applications in comparison to the other local authorities within Gloucestershire, however, he recognised that customer service was an issue and this was something which would be at the forefront of Officers' minds when they went to visit the other authorities. There was a whole host of examples of different ways of working;

some Councils monitored telephone calls very closely and Customer Services Advisers chased Officers if there was no response within a certain time frame. He reiterated that this was a high priority and something which they would look to deal with quickly. In addition, the Corporate Services Group Manager explained that his team had been asked to look at the state of play within Planning in terms of costs, staff numbers, processing times etc. to see how that compared with others.

- 26.10 A Member suggested that it would be beneficial to look at the software used by other local authorities and was advised that this would be carried out as part of the visits. Another Member sought clarification as to which Officers would be going on the visits and which authorities they intended to go to. The Development Manager explained that no decisions had been made about which authorities to visit as yet, although South Oxfordshire District Council was likely to be included, based on its similarity to Tewkesbury Borough Council in terms of the challenges it faces, as well as some of the local authorities within the County. It was intended that a range of Officers would carry out the visits; it was likely they would include the Development Manager, the Planning Support Services Leader, an Administration Officer and two Planning Officers.
- 26.11 In response to a query regarding the new Senior Planning Officer, Members were informed that she was from Bath and North East Somerset Council and therefore had experience of dealing with the same type of issues experienced within Tewkesbury Borough e.g. large rural areas, historic environment etc. She had been working as a Planning Officer for some time and was keen to make the step up to senior level. In terms of lead-in times for training, this very much depended upon the person; however, it was likely to take an apprentice six or seven years to become a fully qualified member of the Royal Institute of Town Planning. The Borough Council had been successful advocates for this approach in the past, taking on apprentices who had gone on to leave the authority as highly qualified, professional planners. A Member went on to query whether an apprenticeship scheme could be put in place quite quickly and the Development Manager advised that it would be necessary to take stock of the position once the current round of recruitment had been fully completed but it was his intention to look at apprentices as a way forward.
- 26.12 The Lead Member for Built Environment indicated that an unprecedented amount of planning applications were currently being received and it seemed that, when one issue was resolved within the Planning department, three more popped up in its place. He welcomed the review, which he hoped would help to dispel the negative perception of the Planning department, and he thanked the Development Manager and everyone who had worked on the action plan. Another Member was of the opinion that the Planning team was one of the best around, something which was demonstrated by the amount of Officers who been successful in taking up positions in the private sector upon leaving the authority. Unfortunately, she felt that this was something that would always be an issue for local government which could not compete with the wages and opportunities within the private sector. The Deputy Chief Executive explained that Tewkesbury Borough was a great platform for new planners to learn the trade with its large urban allocations, listed buildings, Conservation Area and Area of Outstanding Natural Beauty. There may be an opportunity to exploit this further in a commercial sense by bringing in additional work, as had been successfully achieved within One Legal, and work had commenced with the Association for Public Service Excellence (APSE) to understand how that might work within planning.
- 26.13 Having considered the information provided, it was



**RESOLVED** That the Planning Systems Thinking Review Presentation be  
**NOTED.**

**OS.27 ENVIRO-CRIMES UPDATE REPORT**

- 27.1 Attention was drawn to the report of the Interim Environmental and Housing Services Group Manager, circulated at Pages No. 28-53, which provided Members with the latest information on the extent of enviro-crime within the Borough and how the Council was tackling it, with particular focus on fly-tipping. Members were asked to consider the information provided.
- 27.2 The Environmental Health Manager explained that, at its meeting in April, the Overview and Scrutiny Committee had received an annual report on Ubico and Members had requested additional information in relation to enviro-crimes. Page No. 30, Paragraph 2.1 of the report, summarised the enviro-crimes reported to the Overview and Scrutiny Committee in the past two financial years. A review of the way in which the Council investigated enviro-crimes had previously been undertaken by an Overview and Scrutiny Committee Working Group and the report, attached at Appendix 1, had subsequently been adopted by the Executive Committee on 16 July 2014. Closure of the monitoring of the review recommendations had been approved by the Overview and Scrutiny Committee in January 2016. Since that time, the transfer of waste services to Ubico in April 2015 had resulted in enforcement activities around enviro-crimes being taken on by the Council's Environmental Health department. The report before Members focused on the three main enviro-crimes: dog fouling, abandoned vehicles and fly-tipping.
- 27.3 Members were advised that dog fouling was a perennial issue for all local authorities and Officers were working hard to raise its profile. The Executive Committee was due to consider a report regarding the recruitment of an Environmental Warden at its meeting on 12 October 2016 and dog fouling was likely to feature highly in the proposed work plan for that role as it had been especially requested by the Parish and Town Councils. The report would include details of how the position(s) would be resourced, as well as reporting and accountability issues. Parish and Town Councils were aware of the proposal and consultation had commenced on whether they would like to partner in the arrangement. Depending upon the response, this role could be in place by April 2017. Abandoned vehicles were an increasing problem within Tewkesbury Borough and a growing issue nationally. A County group, which included representatives from the local authorities, Parish Councils and Gloucestershire Fire Service, had been investigating how to bring resources together to ensure that there was an efficient process in place for dealing with this problem. Gloucestershire County Council was the local waste disposal authority which was responsible for the cost of disposing of vehicles; an agreement within the County meant that Tewkesbury Borough Council managed the process locally and was recompensed by the County Council for the cost of disposal. Fly-tipping was another problem area, particularly in certain parts of the Borough which were 'hotspots' for that specific enviro-crime. Officers within the Environmental Health section were currently working on a project that aimed to achieve a significant reduction of fly-tipping incidents and subsequent clean-up costs. The project was at quite an advanced stage and it would be difficult to divulge information to the Committee without compromising the effectiveness of the operation but Officers had included as much detail as possible within the report.
- 27.4 A Member noted that there had been 1,314 incidents of noise, dog fouling, fly-tipping and abandoned vehicles in the period 1 April 2015 – 31 March 2016 and he questioned how many of those had resulted in prosecution. The Environmental Health Manager confirmed that, although there had been no prosecutions, four fixed penalty notices had been issued and it was hoped that there would be a

successful result in terms of fly-tipping in the near future. The Member questioned what was preventing the Council from making prosecutions and was advised that it was different for each type of enviro-crime. Environmental Health had a duty to enforce against noise complaints, which tended to peak in the summer, and he provided assurance that action was taken where appropriate. With regard to dog fouling, the figures had increased partly because the Council had sought wider reporting on the number of incidents. In terms of going forward, it was hoped that the numbers would be reduced through the introduction of the Environmental Warden and community 'days of action' to raise the profile; whilst this would not necessarily result in prosecutions, it would send a message that this was something which the Council was looking to do. It was noted that there was often inadequate evidence to issue fixed penalty notices as witnesses were needed in order to be able to take action. In relation to fly-tipping, when an incident was reported it would be looked at very quickly by Ubico to establish what type of vehicle was needed to clean-up the fly-tip and, ideally, they would also see whether there was any evidence which could be used to take action, e.g. receipts, letters etc. Only a handful of cases produced any information and this usually pointed to a dead-end. It was noted that Officers also tried to be proactive by carrying out work in hotspot areas to prevent fly-tipping. With regard to abandoned vehicles, it was often discovered that the vehicle was not abandoned and was actually just parked. Officers worked with the Police to try to establish who the vehicle belonged to but cars could end up being scrapped without knowing who the owner was. There was a lot of action which could be taken, including issuing fixed penalty notices, and the Council would look to do whatever it could.

- 27.5 With regard to abandoned vehicles, a Member questioned whether there would be any merit in setting up an amnesty centre so that people had a place to take their old cars. The Environmental Health Manager indicated that car companies often had this type of scheme in place and he would be happy to take this suggestion to the County group. A Member could not understand why people would abandon their cars rather than taking them to a scrapyards and he suggested that a list of scrapyards could be included in the Tewkesbury Borough News. Members were advised that the price of metal had decreased dramatically and, although there was no definite link, this could be why people were not using scrapyards. It was noted that an article on abandoned vehicles was being included in the Tewkesbury Borough News to encourage people to report incidents to the Council as quickly as possible. An article had previously been included on fly-tipping which had highlighted the importance of not disturbing any potential evidence.
- 27.6 In terms of dog fouling, a Member suggested that Paws on Patrol volunteers could be provided with high-visibility jackets, similar to those worn by the volunteer litter pickers, to raise their profile in the area and send a message that this was being monitored. The Environmental Health Manager undertook to raise this with the Paws on Patrol organisers. A Member questioned how dog fouling was monitored and was advised that, if an incident was reported and Officers did not believe there was enough evidence to serve a fixed penalty notice or to prosecute, they would write to the person who had been witnessed allowing their dog to foul. Whilst they were not accused of committing the enviro-crime, it was made clear that someone had reported them. If evidence had been obtained, for instance from CCTV cameras, then action would be taken immediately. It was to be borne in mind that it was very difficult to obtain evidence as dog walking times tended to be early morning and late evening so it would be beneficial to have an Environmental Warden with enforcement experience who could issue on-the-spot fines.
- 27.7 A Member indicated that his Ward had historically been a hotspot for fly-tipping but this had recently not been an issue; he believed that, rather than eliminating the problem, it had simply moved to another area. A Member indicated that signs had previously been erected in his Ward and had successfully acted as a deterrent; however, they had subsequently become overgrown and he felt that routine

maintenance was needed to ensure they remained visible. The Environmental Health Manager agreed that signs could be a good deterrent; however, it was important to ensure that the problem was not being moved to another area. The Deputy Chief Executive explained that the approach to enforcement had changed over the last two years and Officers now played a more proactive role. They were not scared to take action and, whilst it was a long process, gathering evidence was necessary to secure prosecutions. A Member indicated that a lot of fly-tips were as a result of house clearances, as they often included boards from estate agents, and he suggested that estate agents be contacted to ensure that they used licensed operators. He also felt that companies should display their waste transfer licences on the side of their vehicles so that people could be confident that their waste was being disposed of lawfully. The Environmental Health Manager indicated that, whilst it was a great idea, this was not something which could be enforced by the Borough Council; waste transfer licences were enforced by the Environment Agency and it was mandatory for businesses to use an operator with a licence.

- 27.8 With regard to the Environmental Warden, a Member sought further clarification as to how that person's time would be apportioned if Parish and Town Councils contributed different amounts to the role. The Environmental Health Manager explained that his initial conversations had suggested that there was a general recognition that not all Parish Councils had the precepts to make it viable to contribute significant amounts to the role and the larger Parish Councils had indicated that they would be happy for the Warden to spend some time in other parts of the Borough. Some Parish Councils found that dog fouling was a problem in a particular area, for instance, Shurdington Parish Council had indicated that this was an issue on the playing fields, and they would be happy for the Warden to focus on that area. Assurance was provided that, prior to the report being taken to the Executive Committee, consideration would be given to the consultation to see what Parish Councils felt would be best. Once a decision had been made, a formal recruitment process would be put in place and an agreement drawn up with the Parish Councils. A Member sought clarification as to which Parish Councils had been approached to date and the Environmental Health Officer indicated that he had spoken to Brockworth, Churchdown, Sandhurst and Shurdington Parish Councils and Hawling Parish Meeting. An email had been sent out to all Town and Parish Councils the previous week so they were all aware of the proposal, and a more detailed questionnaire would shortly be sent out to those who expressed an interest regarding their preferences.
- 27.9 A Member sought clarification as to whether the Borough Council had any statutory duties in relation to dog fouling and was advised that, whilst there were no duties, there were several powers available, some of which were transferable to Parish Councils. The Environmental Warden post would be jointly funded but would be managed by the Borough Council. A Member raised concern that it was a big job for one person and the Environmental Health Manager explained that the post could be shared by more than one person, or it might be possible to have more than one post; this was dependent on the amount of money provided by Parish and Town Councils. It may be more effective for the role to be undertaken outside of normal office hours and a full job description would be put together based on what the Parishes wanted. In response to a Member query regarding the budget the Borough Council had set aside for the position, the Deputy Chief Executive advised that it was not intended to provide any funding. Whilst this would be covered in more detail in the report to the Executive Committee, she explained that the principle of the role was to provide additional capacity to deal with environmental crimes, and to support Parish Councils to do this in a more proactive way with professional leadership from the Borough Council which had an understanding of the legislation and could offer relevant training and supervision.
- 27.10 A Member noted that it had been stated that all of the recommendations arising

from the Enviro-Crime Review had been implemented and he questioned whether that was actually the case as he could see very few tangible outcomes. The Environmental Health Manager confirmed that all of the actions had been completed and significant progress had been made since the report had been published, for instance, the dog fouling poster campaign to make people aware that children could be at risk had been very successful in raising awareness. It was noted that the Review Report was attached at Appendix 1 to the report and, within that, Appendix B contained a summary of the recommendations together with timescales and whether they had been implemented. With regard to recommendation 14, carry out educational campaigns at local schools to make them aware of the dangers of dog fouling, a Member sought clarification as to which schools this applied to. In response, the Environmental Health Manager explained that no schools had been visited but information had been posted on the Headmasters extranet, via Gloucestershire County Council, regarding the resources available and how they could obtain copies of the literature which had been produced by the Borough Council. The Member drew attention to recommendation 15, procure portable signs warning that dog fouling will not be tolerated and enforcement action will be taken, and questioned whether the signs were available throughout the Borough, whether Parish Councils were aware that they existed and whether, in relation to fly-tipping, signs were automatically erected upon notification of a fly-tip. The Environmental Health Manager confirmed that signs were available and this had been brought to the attention of Town and Parish Councils, although it may be useful to remind them of this. In terms of fly-tipping, he reiterated that hotspot areas were identified and monitored to establish whether action could be taken to bring about a prosecution. As previously mentioned, signage did tend to displace the problem from one area to another and they were used at the discretion of Officers. There were two sets of signs in respect of dog fouling; signs which could be downloaded and used in problem areas, and signs which informed the public that the area was being actively monitored. In respect of recommendation 12, launch a Paws on Patrol type initiative to encourage witnesses to report dog fouling, a Member questioned how successful this had been and what the Borough Council was doing to ensure that this work was ongoing. Members were reminded that 'Paws on Patrol' was run by the Community Team and representatives had attended a number of community events with leaflets handed out in an attempt to recruit new volunteers; he undertook to find out how many volunteers there were currently and to report back to Members. The Member expressed the view that there was a very small minority of offenders and nothing was likely to change unless they were made an example. She felt that fixed penalty notices and prosecutions were the only way to make those people take notice.

- 27.11 The Chair recognised that enviro-crimes continued to be a serious concern for Members, and several issues had been raised for Officers to address. Rather than reconvening the Working Group, he proposed that a report be brought back to the Committee in six months' time to consider the progress which had been made and it was subsequently

**RESOLVED** That the Enviro-Crimes Update Report be **NOTED** and that a further report be brought to the Committee in six months' time to

consider the progress which had been made.

## **OS.28 HOUSING STRATEGY REVIEW**

- 28.1 Attention was drawn to the report of the Housing Services Manager, circulated at Pages No. 54-59, which asked Members to establish an Overview and Scrutiny Committee Working Group, comprising six Members plus the Lead Member for Built Environment, to develop a new Housing Strategy and to approve the proposed Terms of Reference for the Working Group as set out at Appendix 1 to the report.
- 28.2 The Housing Services Manager explained that the Council's current Housing Strategy was due to end in 2016 and a new document needed to be developed to pull together the strategic priorities around housing, including homelessness and tenancy management, for the period 2017-21. Given the importance of this work in delivering the Council Plan, at its last meeting the Overview and Scrutiny Committee had agreed to support the development of this work. It had originally been intended to hold a workshop in respect of the Gold Standard for Housing and the Homelessness elements of the strategy but Officers were confident that this could be combined into one overarching Housing Strategy document within the necessary timescales. As such, it was now proposed that an Overview and Scrutiny Committee Working Group be established to assist with the preparation of the new strategy which would be presented to Council in January 2017. The proposed Terms of Reference for the Working Group were attached at Appendix 1 to the report and attention was drawn to the timetable which proposed five meetings of the Working Group.

28.3 It was subsequently

### **RESOLVED**

1. That an Overview and Scrutiny Committee Working Group be established to develop a new Housing Strategy comprising the following Members:

Councillors Mrs G F Blackwell, Mrs R M Hatton, Mrs H C McLain, T A Spencer, Mrs P E Stokes and H A E Turbyfield plus the Lead Member for Built Environment.

2. That the Terms of Reference for the Working Group be **APPROVED** as set out at Appendix 1 to the report.

## **OS.29 PEER CHALLENGE ACTION PLAN**

- 29.1 The report of the Corporate Services Group Manager, circulated at Pages No. 60-91, outlined the progress made in delivering the recommendations within the Peer Challenge Action Plan. Members were asked to consider the report.
- 29.2 Members were advised that the Council's peer challenge had taken place during November 2014 and the process had been an excellent learning opportunity for the Council, providing an external health check of the Council's position and how it was set up to meet its future challenges. Following the Peer Challenge, a formal report had been received, attached at Appendix 1 to the report, which summarised the findings of the team. The report included a number of recommendations for further improvement and the Council had approved an action plan to progress these recommendations on 19 February 2015. The action plan and a summary of progress in delivering the recommendations was set out at Appendix 2 to the report. This confirmed that all of the actions were being progressed or had been

implemented. The outstanding recommendations related to website development; Member development programme; review of the Council's Constitution; and workforce development. It was anticipated that all recommendations would be implemented, and that the action plan could be signed-off, when the Committee received the next update in six months' time.

29.3

It was

**RESOLVED** That the progress made in delivering the recommendations within the Peer Challenge Action Plan be **NOTED**.

The meeting closed at 6:45 pm