

11 July 2016

Committee	Overview and Scrutiny
Date	Tuesday, 19 July 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 - 16
To approve the Minutes of the meeting held on 14 June 2016.	
5. CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN	17 - 20
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	21 - 27
To consider the forthcoming work of the Overview and Scrutiny Committee.	
7. GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE	
To receive an update from the Council's representative on matters considered at the last meeting.	
8. 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.	
9. PLANNING SYSTEMS THINKING REVIEW PRESENTATION	
To receive a presentation on the review of Planning.	
10. ENVIRO-CRIMES UPDATE REPORT	28 - 53
To consider the latest position in respect of enviro-crimes.	
11. HOUSING STRATEGY REVIEW	54 - 59
To establish an Overview and Scrutiny 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.	
12. PEER CHALLENGE ACTION PLAN	60 - 91
To consider the progress made in delivering the recommendations within the Peer Challenge Action Plan.	

DATE OF NEXT MEETING
TUESDAY, 6 SEPTEMBER 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, 14 June 2016 commencing at 4:30 pm

Present:

Chair

Councillor P W Awford

and Councillors:

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 Mrs E J MacTiernan

OS.5 ANNOUNCEMENTS

- 5.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 5.2 The Chair welcomed Norman Gardner, Bureau Manager for the Gloucester and District Citizens' Advice Bureau, to the meeting and indicated that he would be giving a presentation at Agenda Item 7. He also introduced Ann Reeder who was observing the meeting in order to provide independent feedback on the Committee. It was noted that Councillor R E Allen was in attendance in respect of Item 12 – Health and Wellbeing Strategy Monitoring Report and Councillor Mrs E J MacTiernan was also present as an observer.

OS.6 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 6.1 Apologies for absence were received from Councillor Mrs G F Blackwell (Vice-Chair) and G J Bocking. There were no substitutions for the meeting.

OS.7 DECLARATIONS OF INTEREST

- 7.1 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.
- 7.2 There were no declarations made on this occasion.

OS.8 MINUTES

- 8.1 The Minutes of the meeting, copies of which had been circulated, were approved as a correct record and signed by the Chair.

OS.9 CONSIDERATION OF THE EXECUTIVE COMMITTEE FORWARD PLAN

- 9.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 16-19. 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.
- 9.2 A Member questioned why cemetery provision in Tewkesbury town was included on the Executive Committee Agenda for the meeting on 31 August 2016 given that Winchcombe was responsible for its own provision. The Finance and Asset Management Group Manager advised that the cemetery in Tewkesbury town was almost at capacity and the options for future provision needed to be discussed with the Committee. Officers were currently in the process of putting this information together.
- 9.3 A Member noted that two items had been removed from the Forward Plan, the Financial Inclusion Policy which had been due to be considered on 13 July 2016 and the Policy for the Localism Agenda on Revenues and Benefits which had been due to be considered on 31 August 2016, and he asked when those items could be expected. In response, the Deputy Chief Executive explained that the financial inclusion work included the roll out of Universal Credit which had been put on hold by the government. As there was no expected date for that to happen, it was not possible to start work on the policy. In terms of the consideration of a new discretionary relief for business rates under the Localism Agenda, this would be picked up as part of the Economic Development and Tourism Strategy as it related to supporting the economy and promoting economic growth; she recognised that this was not reflected in the wording currently used on the forward plan.
- 9.4 A Member queried whether there was an expectation that Parish Councils would contribute towards the Environmental Warden and suggested that it should be brought forward from 23 November 2013, when it was currently scheduled for consideration by the Executive Committee, as Parishes were likely to have set their precepts prior to this date. The Deputy Chief Executive felt that this was a very sensible idea and she undertook to discuss this with the Officers involved.
- 9.5 It was

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

OS.10 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17

- 10.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2016/17, circulated at Pages No. 20-27, which Members were asked to consider.
- 10.2 A Member indicated that there had been a number of issues raised at the last meeting as a result of the review of Ubico and he questioned when a full report would be brought to the Committee. The Deputy Chief Executive explained that a report on enviro-crimes would be brought to the next meeting on 19 July 2016 and would include information regarding fly-tipping. A separate report on grounds maintenance would be brought to the meeting on 18 October 2016.
- 10.3 With regard to the pending items, the Corporate Services Group Manager advised that he was awaiting a response from Gloucestershire Fire and Rescue as to when they would be able to give a presentation to the Committee. In terms of the presentation from Severn Vale Housing which had been requested by Members during the review of the effectiveness of the Overview and Scrutiny Committee, he sought a further steer from Members as to their specific concerns so he could approach the appropriate person within the organisation. A Member indicated that Severn Vale had recently undergone significant changes in terms of its operation and it may be beneficial for Members to learn more about the new structure. The

Deputy Chief Executive advised that Severn Vale was keen to raise its profile and understand Member issues. She had attended a meeting earlier that afternoon where an open afternoon had been discussed with the intention of informing Members about the new operating model. She suggested that the most beneficial approach would be for Members to attend the open afternoon and, if there were any specific issues arising, Severn Vale could be invited to attend a future meeting of the Committee.

- 10.4 It was noted that the Overview and Scrutiny Committee had asked to consider the Financial Inclusion Policy prior to the Executive Committee and this was currently included as a pending item. The Chief Executive indicated that financial inclusion was a very important part of the Council's work which impacted upon the way in which it supported its residents and how it worked with partners to provide that support. It had potential to make a really big difference to people's lives in terms of making them more economically viable and successful in order for them to make a better contribution to the community. As discussed under the previous item, the Financial Inclusion Policy had been removed from the Executive Committee Forward Plan, however, given the importance of the subject it would be appropriate for the Overview and Scrutiny Committee to have a presentation on financial inclusion in order to understand the work which had been undertaken to date and provide an opportunity to ask questions. A Member felt that a standalone seminar would be preferable to an Agenda Item so that all Members could be invited to attend and another Member indicated that other partners should also be invited.

10.5 It was

RESOLVED

1. That the Overview and Scrutiny Committee Work Programme 2016/17 be **NOTED**.
2. That Members be invited to attend an open afternoon at Severn Vale Housing Society in order to learn about the new operating model and, should any specific issues arise, the appropriate representative from Severn Vale be invited to attend a future meeting of the Committee.
3. That a Financial Inclusion Seminar be arranged for all Members with relevant partners also being invited to attend.

OS.11 CITIZENS' ADVICE BUREAU PRESENTATION

11.1 The Chair welcomed Norman Gardner, Bureau Manager for the Gloucester and District Citizens' Advice Bureau, to the meeting. Members were reminded that Tewkesbury Borough Council had had a relationship with the Citizens' Advice Bureau (CAB) since 2002. Each CAB was a separate entity and, in recent years, the Council had been working with the Gloucester and District CAB to which it provided a grant each year. It was considered that it would be beneficial for Members to hear about the work which the CAB carried out to ensure that it provided value for money.

11.2 The following key points were raised during the presentation:

- Our Aims – To provide the advice people need for the problems they face; to improve policies and practices that affect people's lives.
- Our Principles – The Citizens' Advice service provides free, independent and impartial advice to everyone on their rights and responsibilities; it values diversity, promotes equality and challenges discrimination.
- Our Locations – Tewkesbury Borough Council offices, Prior's Park, Bishop's Cleeve, Winchcombe, Brockworth, Cheltenham (town centre), Gloucester (city centre).

- Residents obtained advice – Face to face – 75.3% (79.5% in the previous year); by telephone – 12.6% (11.1% in the previous year); or by email – 12% (9.3% in the previous year).
- Client Profile (1) – By age: majority in 35-49 category; by employment: majority in employment but the retired age group was also heavily represented which reflected the demographic of Tewkesbury Borough.
- Client Profile (2) – Health: the majority of clients were not disabled; Income Levels (total household income per month): the majority of clients had income of £401-£999 per month.
- Issues – Analysis of issues raised by clients April 2015 – March 2016: benefits – 28%; debt – 29%; employment – 10%; relationships – 9%; housing – 8%; legal – 4%; consumer – 4 %; other – 4%. Hot spots: Brockworth – 60%; Prior's Park – 10%, Churchdown St John's – 9%.
- Case Studies:
 1. Benefits – The client's claim for Personal Independence Payments (PIP) was refused; decision endorsed at appeal in December 2014. CAB assisted the client to appeal to Upper Tribunal based on the original tribunal not taking key factors into account. Upper Tribunal set aside the decision of the First Tier Tribunal and referred the case for a new hearing. CAB assisted the client at the new hearing and was awarded 'Enhanced Rate Daily Living' and 'Standard Rate Mobility' components; this meant that the client also qualified for Severe Disability Premium under her Employment Support Allowance claim. Awards were backdated to December 2013 with backdated payments totalling £18,971 and continuing weekly payments of £165.95.
 2. Debt and Housing – Single parent with mental health issues, caring for her 18 year old son who had learning and behavioural difficulties and her 17 year old daughter who was still at school, £23,000 in debt. Her registered social landlord had commenced possession proceedings which, if successful, would have left the family in a precarious position with a potential impact upon their health. Despite the best efforts of the CAB, an application to stay the order whilst a solution was sought was rejected. After negotiation, the CAB was able to persuade Severn Trent Trust Fund to clear the client's water arrears of £5,000, thus bringing the debt below the £20,000 limit for Debt Relief Orders. A Debt Relief Order for the write-off of £18,000 was applied for and confirmation of issue was received from the insolvency service at 11:05am; the possession hearing was due to start at 12:00noon that day. The CAB adviser arrived at Court at 11:55am with the written confirmation and the Court consequently rejected the application allowing the client to keep her home.
- Definitions – Financial Capability (1): knowledge, skill, motivation, awareness and confidence in relation to money management; Financial Inclusion: access to appropriate financial products and services allowing people to effectively manage their money regardless of their level of income or social status; Financial Exclusion: individuals cannot access financial products and services they need which means that those that can least afford to do so will end up paying more for their basic needs e.g. those people with pre-pay gas/electricity meters paid more per unit than people who pay by direct debit, buying goods on finance cost more without a good credit rating.
- Financial Capability (2): Tewkesbury Borough Council's Financial Inclusion Partnership; in conjunction with Tewkesbury Borough Council providing financial capability advice to Universal Credit claimants; training and

workshops on financial inclusion, energy saving and switching suppliers, and support available etc. (to frontline teams e.g. food banks, GreenSquare Housing, and local communities e.g. Brockworth parent and baby group; one to one sessions (e.g. energy best deal extra, registered social landlord financial health checks and individuals at children's' centres).

- 11.3 With regard to the case study on debt, a Member queried whether the client would receive any follow-up to ensure that she did not slip back into difficulty. The Bureau Manager for the Gloucester and District CAB advised that Gloucester City Homes did work with tenants and financial inclusion work was carried out with all those in debt, however, it tended to be that people did not want to go back once their debt had been cleared and approximately 25% did not return. Whilst the CAB would like to do more, it relied heavily on volunteers and it would be impossible to be more proactive without significant recruitment. A Member questioned how the CAB was funded and whether it was under financial pressure and was informed that, as well as the grant from Tewkesbury Borough Council, it had a number of contracts with various bodies such as Gloucester City Homes and Energy Best Deal. In addition, donations were received from organisations such as Zurich Insurance and Somerfield and work was also carried out with children's' centres. As a charity, the CAB had to be legally solvent; it was fortunate to hold contracts with Tewkesbury Borough Council and Gloucester City Homes and it would be anxious to extend those contracts once they came to an end. The CAB aimed to keep around six months of trading expenses in reserve; there was currently around four to five months in reserve but this was still in excess of the three months recommended by the Charities Commission.
- 11.4 A Member questioned how the changes being brought about by the introduction of Universal Credit, whereby people in receipt of benefits would be expected to pay their own rent as opposed to the payment being made directly by the Council, would be managed. In response, Members were informed that, when Universal Credit was eventually rolled-out, the Government would be providing funding to the CAB to enable it to offer personal budgeting advice. As there had only been a partial roll-out so far, face to face support packages had been offered on a one-to-one basis, however, only one person had taken this up so far and a second person had failed to turn up for their appointment. People found it hard to admit that they needed support and there was a culture of not wanting to face problems until it was too late. The Bureau Manager for the Gloucester and District CAB explained that one of the main issues was that people currently received benefit payments on a weekly or fortnightly basis whereas Universal Credit would mean that they would be paid monthly so budgeting would be vital. He indicated that 80-90% of people seen by the CAB were in debt through no fault of their own, for instance, as a result of marriage collapse, job losses etc. but all were faced with the same stigma. A Member queried whether it would be beneficial for other organisations to make referrals to the CAB when people failed to pay their rent and he was informed that this already happened through Severn Vale Housing Society and GreenSquare Housing.
- 11.5 The Chair thanked the Bureau Manager for the Gloucester and District CAB for his informative presentation and it was

RESOLVED That the Citizens' Advice Bureau Presentation be **NOTED**.

OS.12 GLOUCESTERSHIRE HEALTH AND CARE OVERVIEW AND SCRUTINY COMMITTEE UPDATE

- 12.1 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 held on 17 May 2016.

- 12.2 Councillor Day advised that workforce challenges cut across all services and organisations and were impacting on health and social care providers' ability to meet their targets. It was therefore important for the Committee to gain a better understanding of this matter and what plans were in place to mitigate the issue. The Committee would revisit this area to see what progress had been made, particularly with regard to the development of the nursing associate and apprenticeship courses at the University of Gloucestershire.
- 12.3 In terms of the 12 month review of the Out of Hours service, Members had been advised that most of the challenges that had been identified at the six month review remained and the service continued to struggle to meet both national and local targets. Workforce issues again impacted on the delivery of the service and had necessitated the closure of the Primary Care Centres, particularly those in rural areas. There had been a significant increase in the number of walk-ins to the service which had to be managed alongside those that had come via the NHS111 route; this was a particular issue in Gloucester. It was noted that many of those cases were not urgent and the Committee would continue to closely monitor the service.
- 12.4 The Committee had also been made aware that there were issues relating to the availability of the Minor Illness and Injuries Unit overnight at Stroud Community Hospital and there had been occasions when it had had to close. The Gloucestershire Care Services NHS Trust and the Gloucestershire Clinical Commissioning Group had advised that proposals were being developed to address this and would be presented to the Committee at its meeting in July 2016.
- 12.5 The Chair of the Overview and Scrutiny Committee indicated that he also sat on the Gloucestershire Health and Care Overview and Scrutiny Committee and he echoed the concerns which had been raised about recruitment and retention to the NHS. Given the potential growth within the County he had suggested that the NHS Trust and care providers contact developers in order to come up with a strategy for key workers.
- 12.6 A Member indicated that she had recently visited the Ambulatory Emergency Care department of Gloucestershire Royal Hospital and she had been pleasantly surprised with the efficiency in which she had been dealt with having been assessed and diagnosed on the same day without the need for an overnight stay. This was a fantastic initiative in her opinion as she felt it would take a lot of pressure off the wards.
- 12.7 The Chair 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 last meeting of the Gloucestershire Health and Care Overview and Scrutiny Committee be **NOTED**.

OS.13 PERFORMANCE MANAGEMENT 2015/16 - QUARTER 4

- 13.1 The report of the Corporate Services Group Manager, circulated at Pages No. 28-76, attached performance management information for quarter 4 of 2015/16. The Overview and Scrutiny Committee was asked to review and scrutinise the performance information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.

- 13.2 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. Members were informed that this was the last monitoring report on the Council Plan 2012-16 and, going forward, the Committee would continue to monitor the new Council Plan 2016-20, which was approved by the Council on 19 April 2016, on a quarterly basis. Although some actions were still progressing within the previous Council Plan, and had not been brought forward to the new Council Plan, the Corporate Services Group Manager provided assurance that they would continue to be monitored within the Member arena; for example, the Workforce Development Strategy would be included within the Annual Governance Statement which was monitored by the Audit Committee, the Peer Review Action Plan would be monitored separately by the Overview and Scrutiny Committee and the Community Infrastructure Levy would be taken to Council.
- 13.3 With regard to the Performance Tracker, attached at Appendix 1 to the report, Members were informed that the majority of actions had been progressing well and Paragraph 2.3 of the report highlighted a number of achievements since the last update including: approval of a Customer Care Strategy, including corporate customer care standards; introduction of a new complaints framework and policy; approval of the Council's first ever Digital Strategy which included development of a new website; a visit to the Borough from a Chinese delegation where a successful business event was held to showcase local engineering firms; formal handover of the new leisure centre to Places for People with opening on 30 May; agreement of significant project work for the regeneration of Tewkesbury town; approval of a Community Infrastructure Levy Draft Charging Schedule; advancements in a number of neighbourhood plans; and 180 groups being supported or signposted to potential funding streams by the Community Funding Officer. The Corporate Services Group Manager went on to advise that, due to the complex nature of the actions being delivered, inevitably some had not progressed as smoothly or quickly as envisaged. Those actions were highlighted at Pages No. 30-31, Paragraph 2.4, of the report and included renting out the top floor of the Council Offices due to the proposed expansion of One Legal not going ahead and the development of the Workforce Strategy which had been impacted by staff sickness. It was noted that the majority of these actions had already been highlighted to Members.

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

Priority: Use Resources Effectively and Efficiently

P37 - Objective 2 – Action a) Rationalise office accommodation through new ways of working and to increase rental income – A Member questioned whether there was any indication as to when a decision may be made about how the top floor would be used.

The Finance and Asset Management Group Manager clarified that the One Legal expansion was not going ahead and therefore the top floor would no longer be needed for that purpose. It was intended to improve and expand the Public Services Centre and Officers had been working with Gloucestershire County Council on proposed use of the building but unfortunately the figures were not currently adding up for either side. A meeting had been arranged for early July to establish whether the plans could progress or to rule out this option in which case Officers could start to look at other alternatives such as renting to the private sector. It was noted that there were indications of a growing interest in renting office accommodation in Tewkesbury.

P38 – Objective 2 – Action d) Develop a new workforce strategy – A Member noted that this had been delayed due to staff sickness absence and he questioned when it would be delivered.

Members were advised that there was a new implementation date of September 2016. The Corporate Services Group Manager undertook to include revised dates in the Performance Tracker in future where applicable.

Priority: Provide Customer-Focused Community Support

P52 – Objective 3 – Action c) Develop a place programme of area, working across the Councils services – A Member raised concern that he had not received enough information about the place programme for his area.

Members were advised that it was intended to roll-out the place programme approach following a successful pilot in the east area of the borough and meeting dates had now been fixed for the north-west and south areas. The Economic and Community Development Manager reminded Members that the approach was about projects and solutions to make the areas better places to live and work and was based on a two-way relationship between Officers and Members. A workshop was being arranged for 20 September 2016 to provide an update on the success of the pilot and to give Members an opportunity to ask questions about how it had worked. A Member who had participated in the trial expressed his support for the approach and hoped that it would be just as beneficial for other parts of the borough.

13.5 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 12, processing of major planning applications, which had shown a significant improvement in quarter 4 leading to 87.5% of all applications being processed within the agreed time, however, targets for KPIs 12-15, all of which related to planning processing times, were unlikely to be achieved and processing times were down compared to 2014/15; KPI 15-16 which showed that processing times for benefit applications and change of circumstances were the best ever and continued to show improvement; KPI 24 which demonstrated that recycling rates continued to plateau; KPI 26 which indicated that enviro-crimes had increased significantly since 2014/15; and KPI 30 which confirmed that 229 affordable homes had been delivered in the year, the largest number since 2007/08.

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

P65 – KPI No's. 13-14 – Planning processing times – A Member noted that there had previously been issues with recruitment in the Planning department which had impacted on performance and he questioned whether the section was now at full capacity.

The Deputy Chief Executive advised that the Planning department had never been at full complement in the time she had worked for the Council. New initiatives had been introduced as a result of the first phase of the review and some posts had been filled as a result, however, recruitment continued to be a problem at a time when demand for the service was particularly high and the income being generated was significant. It was noted that the Committee would be receiving a presentation on the Planning review at its next meeting where there would be an opportunity to explore the issues further.

A Member queried whether there was any relationship between the difficulties with recruitment and the relatively high level of sickness absence. The Chief Executive clarified the sickness absence statistics had been adversely affected by a number of unfortunate long term absences. He provided assurance that there was no particular problem with sickness absence in the Planning department.

13.7 The Financial Budget Summary for quarter 4 showed a saving of £916,947 against the budgeted profile, although it was noted that this was not the end of year position. Page No. 32, Paragraph 4.2, set out the summary of the Council's position split into the main types of expenditure and it was noted that the majority of savings had been made in relation to employees and services and supplies. Furthermore, almost £1.4M of additional income had been generated; this was predominantly through planning applications but also from trade waste, car parking, garden waste, and licensing which had all performed very strongly over the last quarter. Other reasons for the movement between the reported quarter 3 and quarter 4 positions were the release of New Homes Bonus not spent during the year; a one-off gain from the release of a provision held to cover the potential cost of service charges relating to a leased asset which had not been realised; and income relating to the Large Site Infrastructure Fund (LSIF) not being spent during the year. Whilst the underspend on budget was a positive result it was noted that £490,000 was ring-fenced and would be spent in the following financial year.

Members were also advised that the retained income from the Business Rates Scheme was showing a deficit of £365,000 due to a series of revaluations on various properties within the borough and write-off of several debts which had proven to be irrecoverable. The budget projection had been for a surplus above the business rates income target which would have contributed £250,000 to the budget; the Gloucestershire business rates pool would now be providing that amount to support the Council's position. A summary for each Group Manager showing the current variance against their budget was set out at Appendix 3 to the report.

- 13.8 The capital budget position for quarter 4 was set out at Appendix 4 to the report and was currently showing an underspend against the profiled budget of £1,848,372 which was principally due to the capital asset fund of £1.9M that had not been spent during the year. The new leisure centre was now open which had involved significant expenditure, however, the final bill had come in under budget. Other expenditure included the solar panels which had been installed on the Council Offices building and refurbishment of the Roses Theatre. Based on the major underspend of the capital investment fund, at its meeting on 6 April 2016, the Executive Committee had agreed the purchase of a property for investment purposes and this was currently being programmed for quarter 2 of 2016/17. It was noted that £7.8M of capital funds had been spent on projects during 2015/16. A Member questioned whether the Council maximised potential interest on underspends and was advised that the money was tied into investments via the treasury management function with most in cash deposits in money market funds or institutions such as banks and building societies. The current rate of return was approximately 0.8%, which was considered to be a good return, and the property purchase would make even better use of resources.
- 13.9 Appendix 5 to the report contained a summary of the current usage of available revenue reserves and it was noted that £2.6M had been spent on reserves during quarter 4 of 2015/16, £1.6M of which was used to fund an adjustment relating to business rates. This left a balance of £7.9M which would be added to the financial surplus from the year to form the new reserves for 2016/17 which would be taken to the Executive Committee for approval in July 2016.
- 13.10 Attention was drawn to Page No. 34, Paragraph 4.10, of the report which set out a change to the way in which financial information was reported. The Finance and Asset Management Group Manager explained that the performance management report was considered by the Overview and Scrutiny Committee on a quarterly basis and was then taken to the Executive Committee at its next meeting some three weeks later, as such it was felt that the Executive Committee was not receiving enough timely financial information in line with its responsibilities as set out in the Constitution. In order to rectify this, in future the finance report would be extracted from the performance management report and sent directly to the Executive Committee at the end of each quarter to enable it to properly discharge its duty and make informed decisions based on the current financial position of the Council.
- 13.11 It was
- RESOLVED** That the performance management information for quarter 4 be **NOTED**.

OS.14 REVIEW OF COMMUNICATIONS STRATEGY 2014-16

- 14.1 Attention was drawn to the report of the Corporate Services Group Manager, circulated at Pages No. 77-98, which reviewed the progress made against the actions included in the Communications Strategy 2014-16. Members were asked to consider the report.
- 14.2 The Corporate Services Group Manager advised that, following the restructure of the Chief Executive's Unit in 2015/16, a new operational management post had been created for a Policy and Communications Manager which had been taken up by Clare Evans who was promoted from her previous role as Communications Officer. A new Communications Officer, Lisa Davies, had subsequently been appointed and both had worked closely with the media over the past year to ensure the reputation of the Council was protected. The Overview and Scrutiny Committee had assisted with the development of the Communications Strategy, which had been approved by the Executive Committee on 30 April 2014, and it had been agreed that an annual review would take place to ensure that there was effective monitoring of the strategy's actions. The review of actions was attached at Appendix 2 to the report. Some of the key areas of focus during the year had been communications for the new leisure centre; media training for Members; promoting the launch of the new intranet; and implementing the Customer Care Standards. Unfortunately not all of the actions had been completed and some would continue into year three. For example, the Member review of internal and corporate communications would now be completed by September 2016 and the production of a new residents' survey, which had been due to be carried out in 2015, would now be completed by the end of the calendar year.
- 14.3 A Member expressed the view that the Communications Team was doing a great job and she questioned what work was planned to improve the promotion of the work being done by the Council, for instance, were there any plans to link up with the communication departments of other companies in the area. The Corporate Services Group Manager advised that the Council did send stories to national publications but more needed to be done in terms of raising the Council's profile. This was something which Members would be able to assist with at the workshop which was planned to review the internal and corporate communications. A Member raised concern that he often received news second-hand from residents rather than directly from Officers. In response, the Chief Executive indicated that this was something which had been raised before and would be addressed; however, it was not a specific issue for the Communications Team.
- 14.4 It was

RESOLVED That the progress made against the actions included within the Communications Strategy 2014-16 be **NOTED**.

OS.15 CORPORATE POLICIES AND STRATEGIES

- 15.1 The report of the Corporate Services Group Manager, circulated at Pages No. 99-109, provided a list of corporate policies and strategies. Members were asked to consider the list and identify those for inclusion within the Overview and Scrutiny Committee Work Programme 2016/17.
- 15.2 The Corporate Services Group Manager explained that the Overview and Scrutiny Committee had previously requested a list of Council policies and strategies to help inform its Work Programme and to provide support to the Executive Committee. The list was updated on an annual basis and the policies and strategies due for review in 2016/17 were highlighted in bold at Appendix 1 to the report. He indicated that there were potentially three policies/strategies which he felt could be focused upon for inclusion in the Committee's Work Programme: Risk

Management Strategy; Absence Management Policy; and Housing and Homelessness Strategy. He suggested that the first two could be dealt with through workshops with a Working Group being formed to review the Housing and Homelessness Strategy.

- 15.3 A Member sought clarification as to the progress being made by the Economic Development and Tourism Strategy Review Working Group which had been established by the Committee during 2015 and he questioned whether an update should have been provided to the Committee. The Community and Economic Development Manager advised that the Working Group had held its fourth meeting the previous day. The review had gone on for longer than anticipated as the Chair had agreed that further information was needed given the importance of the role of economic development within the Council Plan. This had provided an opportunity for consultation with external organisations and Bruton Knowles was also carrying out an employment land assessment and business survey which would be used to inform the new strategy. He indicated that he would be happy to circulate a Member Update outlining the progress made to date.
- 15.4 A Member queried what the review of the Mobile Homes and Caravan Site Licensing Policy would cover and the Chief Executive clarified that this was not connected to the Joint Core Strategy. There was no particular issue with the policy but it was due for review and Officers would report back if there were any concerns. A Member questioned whether the review of the 'Use of ICT Resources by Elected Members' would include Members' ICT equipment. In response the Democratic Services Group Manager advised that this was not covered by that particular review, or by the ICT Strategy which was also due for review, but there was a need to document the equipment and services being used by Members in order to establish a consistent approach to the supply and funding of such equipment and services for the future.
- 15.5 Members agreed that the three policies/strategies identified by the Corporate Services Group Manager would be the most appropriate for review and accordingly it was

RESOLVED That the following policies and strategies be included for review in the Committee's 2016/17 Work Programme:

- Risk Management Strategy
- Absence Management Policy
- Housing and Homelessness Strategy

OS.16 HEALTH AND WELLBEING STRATEGY MONITORING REPORT

- 16.1 Attention was drawn to the report of the Development Services Group Manager, circulated at Pages No. 110-132, which set out the progress which had been made in relation to the implementation of the actions in the Health and Wellbeing Strategy 2013-16. Members were asked to consider the progress made and to agree the framework, outlined at Appendix 2 to the report, as the future priorities for health and wellbeing.

- 16.2 The Health and Wellbeing Strategy was adopted by the Overview and Scrutiny Committee in July 2013, following a review of the Leisure and Culture Strategy which was carried out by an Overview and Scrutiny Committee Working Group, and approved by the Executive Committee in September 2013. The strategy focused on three key themes: to support, encourage and enable healthy, active lifestyles; to facilitate opportunities for children and young people; and to provide an infrastructure which made it easier to be healthy. The strategy action plan was set out at Appendix 1 to the report with progress against each action set out in italics. Three key achievements were highlighted in more detail at Pages No. 111-113 Paragraphs 3-5 of the report, namely, the new leisure centre, Tewkesbury Rugby Club and social prescribing.
- 16.3 In terms of the way forward now that the strategy had come to the end of its life, Members were advised that the Council did not have a specific health and wellbeing service, and there was no statutory obligation to have a strategy in place, although it was recognised that health and wellbeing was something which ran through a number of Council services. Furthermore, the Council currently had a number of policies which strongly influenced the health and wellbeing of residents and it was intended to use the existing priorities which had been identified to create a framework for health and wellbeing. The diagram at Appendix 2 to the report set out the proposed framework which Members were asked to approve. It was noted that progress would be reported via service plans and the performance tracker.
- 16.4 The Lead Member for Health and Wellbeing reiterated that, whilst there was no specific health and wellbeing service, the Council worked closely with a number of partners to improve the health and wellbeing of residents. Officers did become aware of trends in medical practice and other areas which were incorporated into the work which it did, for instance, social prescribing which, if successful, could help to reduce pressure on the health service. Health and wellbeing was something which was important to individuals across the country and everyone had a joint responsibility for helping people to live healthier and happier lives. The Support Member for Health and Wellbeing echoed these sentiments and hoped that the good work which had been done by Officers could continue.
- 16.5 A Member raised concern that there did not appear to be any specific outcomes arising from the strategy and he asked whether any actions still needed to be addressed. The Deputy Chief Executive explained that the strategy was more about enabling things to happen and the outcomes from health and wellbeing tended to be difficult to track e.g. heart disease, strokes etc. The Economic and Community Development Manager advised that the Joint Strategic Needs Team at Gloucestershire County Council collated an annual Joint Strategic Needs Assessment which was a high level overview of need in Gloucestershire, this was informed by statistics collected by the Multi-Agency Information Database for Neighbourhoods (MAIDeN) which collected social, economic and service data about the communities within Gloucestershire, including health. Whilst the statistics may not be a direct result of the work being done by the Borough Council, it would be one of the contributing factors and MAIDeN could be invited to give a presentation to Members if they so wished. The Chair expressed the view that such indicators were monitored elsewhere so he did not feel that would be necessary at this point.

16.6 Having considered the information provided, it was

RESOLVED

1. That the progress which had been made in relation to the implementation of the actions in the Health and Wellbeing Strategy 2013-16 be **NOTED**.
2. That the framework outlined in Appendix 2 to the report be **AGREED** as the future priorities for health and wellbeing and that this be monitored through service plans and the performance tracker.

OS.17 HOUSING, RENEWAL AND HOMELESSNESS STRATEGY REVIEW MONITORING REPORT

- 17.1 The report of the Interim Environmental and Housing Services Group Manager, circulated at Pages No. 133-160, set out the achievements to date in respect of the outcomes identified in the Housing, Renewal and Homelessness Strategy 2012-16 Action Plan. Members were asked to consider the report.
- 17.2 The Housing Services Manager explained that the Housing, Renewal and Homelessness Strategy reached the end of its life that year and a new strategy would need to be drafted for 2017-21. The homelessness element of the strategy would need to be progressed initially with a view to adoption by January 2017. The previous strategy had been developed by an Overview and Scrutiny Committee Working Group which had worked well and it was suggested that this approach be used for the new strategy.
- 17.3 In terms of performance to date, 229 new build affordable homes had been completed during 2015/16, which exceeded the target of 150 new homes, and 35-40% affordable housing had been secured on qualifying sites over the last three years. There was a mix a property types and tenures across all of the sites which supported the housing need of a range of client groups with different incomes. A breakdown of the tenures was set out at Page No. 135, Paragraph 2.1.2, of the report. The Action Plan set out that homes should be built to lifetime standards and it was noted that this was no longer applicable; however, all homes had met the minimum requirement of Level 3 of the Code for Sustainable Homes, which was the Building Regulations standard for all homes, and 31% of the 229 completed affordable homes had been delivered to Level 4. The young persons' supported accommodation within Tewkesbury Borough had been improved by G3/Rooftop this year and the outdated provision at Tolsey House had been replaced with the redevelopment of 41 High Street in Tewkesbury Town to provide high quality self-contained accommodation for young, vulnerable adults.
- 17.4 Homelessness was the area which had changed the most over the last year and would change even further going forward. A greater emphasis on homelessness prevention had been successfully implemented within the Borough in line with the Department for Communities and Local Government (DCLG) criteria for 'Gold Standard' to enable those threatened with homelessness to stay in their existing home, where reasonable, or to move to a property of their choice in the private rented sector without the need for costly emergency accommodation if it was not possible to remain in their current home. In order to be eligible for the Gold Standard, the Council was required to have a 'live' Homelessness Strategy which would need to be in place before the DCLG peer review in February 2017. In terms of homelessness prevention, Housing Services worked very closely with Revenues and Benefits to identify people who would be likely to come into difficulty and Officers had identified several cohorts of households likely to be affected by the forthcoming changes associated with the Welfare Reform Bill who would be contacted to offer support. The six District Councils in Gloucestershire and the Police and Crime Commissioner pilot sanctuary scheme, which offered target

hardening and sanctuary room measures to residents at risk of domestic violence but wanting to remain in their homes, had been extended to March 2017 and 13 households from Tewkesbury Borough had accessed assistance through the scheme during 2015/16. A joint bid for funding to provide safe, self-contained emergency accommodation for those fleeing domestic abuse made by the six Gloucestershire authorities had successfully secured £50,000 and 12 properties would be made available across the County for this purpose in partnership with Gloucestershire Domestic Abuse Support Services and local housing associations. The properties would be split across each District and Severn Vale Housing Society was currently identifying two properties in Tewkesbury Borough which would be available by July. The Council had also provided six households with a deposit to move to private rented accommodation within the Borough; a further 20 households had used the advice to move to private rented accommodation without the need for the Council to provide a deposit. In addition, the Council's Anti-social Behaviour Youth Diversion Worker had continued to engage with young and vulnerable members of the community, aged 11-19, working with 37 young people and their families over the course of the year; 17 of those cases had been successfully resolved with the remaining 20 ongoing.

- 17.5 Members were advised that sourcing emergency accommodation for homeless households within the Borough continued to be problematic; however, discussions were ongoing with a new housing provider to source and lease emergency accommodation within the area. St Mungo's Broadway had been awarded the contract to provide a Countywide Assertive Outreach Service for rough sleepers in May 2015 but DCLG funding was due to end in August and Officers were keen for the service to continue. Whilst the rough sleepers estimate for Tewkesbury Borough was zero in 2015, rough sleeping did continue to occur with 46 referrals made to St Mungo's, via the Council, from members of the public or Parish Councils during the year. The Deputy Chief Executive had been exploring alternative funding options and it was hoped that this could move forward with joint funding from the Police and Crime Commissioner, Gloucestershire County Council and the other District Councils.
- 17.6 In terms of Choice Based Lettings, 409 social housing properties had been let in the Borough during the financial year; 79% of lettings were to households in emergency need. The current software contract was due to expire in September and the new contract had been awarded to Locata which it was felt would offer a better service to applicants, as well as being cheaper and easier for staff to use. The 'Safe at Home' Home Improvement Agency continued to provide advice, information and help to the most vulnerable households in the Borough and provided assistance in finding builders and contractors for those who had qualified for a Disabled Facilities Grant. A popular aspect of 'Safe at Home' was the handyman service which could be used to install minor adaptations and also provided a private service to a defined client group who may need help with small jobs around the home. In the previous year, 254 private small repair jobs had been completed through this service. The 'Central Heating Fund Scheme', run by Warm and Well, was aimed predominantly at properties that were heated by 'on peak' electricity systems, or solid fuel, and replaced them with modern, energy-efficient condensing boilers which could save a household £250 a year on average. It was estimated that up to 1,000 homes could be installed with new heating systems across Gloucestershire and South Gloucestershire through Government funding. Householders may also be entitled to grants for cavity wall and loft insulation through the Warm and Well scheme and the advice line had dealt with 74 enquiries from households in the Borough during the previous year.

17.7 Having considered the information provided, it was

RESOLVED

1. That the progress in respect of the outcomes identified in the Housing, Renewal and Homelessness Strategy 2012-16 Action Plan be **NOTED**.
2. That an Overview and Scrutiny Committee Workshop be arranged in respect of the Gold Standard and Homelessness element of the strategy.
3. That a report be brought to a future meeting of the Overview and Scrutiny Committee setting out the Terms of Reference for the review of the overall Housing Strategy and to establish an Overview and Scrutiny Working Group to conduct the review.

The meeting closed at 7:05 pm

EXECUTIVE COMMITTEE FORWARD PLAN

JULY 2016 TO JANUARY 2017 (No meeting in September or December)

REGULAR ITEM:

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

<u>Addition to 13 July 2016</u>
•
<u>Deletion from 13 July 2016</u>
<ul style="list-style-type: none"> • Transfer of Land at The Hangings. • Procurement of Countywide Choice Based Lettings Scheme. • Gold Standard Housing.

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
Financial Update – Quarter 1 Performance (Annual).	To consider the quarterly budget position.	Simon Dix, Finance and Asset Management 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 8 June 2016.
Respect at Work.	To agree the amendments to the current Anti-Bullying and Harassment Policy (renamed to Respect at Work Policy) to take effect from 1 September 2016.	Graeme Simpson, Corporate Services Group Manager.	No.

17

Agenda Item 5

Committee Date: 12 October 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Medium Term Financial Strategy (MTFS) (Annual).	To recommend to Council the adoption of the five year MTFS which describes the financial environment the Council is operating in and the pressures it will face in delivering its services and a balanced budget over the period.	Simon Dix, Finance and Asset Management Group Manager.	No.
Performance Management Report – Quarter 1 2016/17 (Annual).	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management information.	Graeme Simpson, Corporate Services Group Manager.	No.
Policy for the Localism Agenda on Revenues and Benefits.	To consider a new discretionary relief for business rates under the Localism Agenda.	Richard Horton, Revenues and Benefits Group Manager.	Yes – Deferred until further information is received from the Government.
Review of Procurement Strategy.	To approve the Procurement Strategy.	Simon Dix, Finance and Asset Management Group Manager.	No.
Mobile Homes and Caravan Site Licensing Policy	To approve the Mobile Homes and Caravan Site Licensing Policy.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.

Committee Date: 23 November 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Financial Update – Quarter 2 Performance (Annual).	To consider the quarterly budget position.	Simon Dix, Finance and Asset Management Group Manager.	No.
Recruitment of Environmental Warden.	To consider the recruitment of an Environmental Warden..	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.
Review of Safeguarding Children Policy.	To consider and review the Safeguarding Policy.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.
Homeless Strategy.	To consider the draft Homeless Strategy 2016 -21. This Strategy will be progressed in advance of the overarching Housing Strategy to comply with statutory obligations.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.
Fee Charging Strategy.	To consider and agree a Fee Charging Strategy for the Council.	Simon Dix, Finance and Asset Management Group Manager.	No.

Committee Date: 4 January 2017			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Management Report – Quarter 2 2016/17 (Annual).	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management information.	Graeme Simpson, Corporate Services Group Manager.	No.
Housing Strategy.	To approve the Housing Strategy.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2016/17

REGULAR ITEMS:

- **Executive Committee Forward Plan**
- **Overview and Scrutiny Committee Work Programme 2016/17**

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
Healthwatch Gloucestershire Presentation	To receive a presentation from Healthwatch Gloucestershire.	Graeme Simpson, Corporate Services Group Manager	No.
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
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.
Grounds Maintenance Update	Update on performance in respect of grounds maintenance.	David Steels, Environmental Health Manager.	No – item arising from Ubico update report considered by the Committee in April 2016.
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.
Gold Standard for Housing and Homelessness Strategy	To consider the findings of the Overview and Scrutiny Committee workshop and make a recommendation to the Executive Committee.	Paula Baker, Housing Services 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. New Strategy to be developed through O&S Working Group.

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 – annual 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
Housing and Homelessness Strategy Review Working Group	Agreed by the Overview and Scrutiny Committee at its meeting on 14 June 2016 - To establish an Overview and Scrutiny Committee Working Group to undertake the review and to agree Terms of Reference.
Risk Management Strategy Review	Agreed by the Overview and Scrutiny Committee at its meeting on 14 June 2016.
Absence Management Policy Review	Agreed by the Overview and Scrutiny Committee at its meeting on 14 June 2016.
Severn Vale Housing Presentation	For inclusion on the Agenda following Members' attendance at the open afternoon to consider the new operating model if necessary.
Gloucestershire Fire and Rescue Service Presentation	Requested during the Review of the Effectiveness of Overview and Scrutiny Committee.
Economic Development and Tourism Strategy Review Report	Report to be presented once the Working Group has concluded its review.
Financial Inclusion	Requested by the Overview and Scrutiny Committee on 12 April 2016 – report to be considered by the Committee prior to the Executive Committee.

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	19 July 2016
Subject:	Enviro-Crimes Update Report
Report of:	Richard Kirk, Interim Group Leader Environmental and Housing Services
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor J R Mason, Lead Member for Clean and Green Environment
Number of Appendices:	One

Executive Summary:

The report considers the latest information on the extent of enviro-crimes within the Borough and how the Council is tackling it, with particular focus on fly-tipping.

Recommendation:

To **CONSIDER** the latest position in respect of enviro-crimes and the actions taken to tackle the issues.

Reasons for Recommendation:

At the April meeting of the Overview and Scrutiny Committee, it was agreed that a report be brought to a future meeting in respect of enviro-crimes.

Resource Implications:

Environmental Health is responsible for the enforcement of enviro-crimes, with a particular focus on investigating fly-tips, dog fouling and abandoned vehicles (those being the issues having the biggest impact locally). Ubico is responsible for clearing fly tips, litter and dog fouling.

There are increasing costs for the Council in dealing with the clear-ups (particularly when considering the increase in numbers shown the table shown in 2.1 below).

Educational and promotional work is carried out using existing resources, including the Environmental Health, Community Safety and Communications teams.

Legal Implications:

Any enforcement of enviro-crimes must follow and comply with any statutory legal processes. A failure to follow any applicable procedure will expose the Council to possible litigation.

Risk Management Implications:

Enviro-crimes have financial and reputational impacts on the Council, therefore having an effective response when they occur and working proactively to provide information and assistance when tackling them (and being seen to do so) increases the likelihood of them reducing and sends a clear message to the perpetrators that such action will not be tolerated.

Performance Management Follow-up:

Performance in tackling enviro-crimes is reported to the Overview and Scrutiny Committee quarterly.

Environmental Implications:

All enviro-crimes have a negative impact on the local environment and many provide acute and chronic health risks, particularly to the most vulnerable people.

1.0 INTRODUCTION/BACKGROUND

- 1.1** Tackling enviro-crimes such as abandoned vehicles, dog fouling, noise, littering, and fly tipping has been and continues to be a high priority on both Council and community agendas. Such issues have a direct relationship with health and wellbeing and the perceived 'quality' of the local environment.
- 1.2** A review of the way in which Tewkesbury Borough Council investigates environmental crimes was undertaken by a Working Group of the Overview and Scrutiny Committee. The review considered the Council's current approach in tackling environmental crimes, and considered what legislative powers are available in addition to those currently employed. For ease of reference, this report is available at Appendix 1. The report is still relevant, especially the parts relating to the legal powers and duties available to Tewkesbury Borough Council to combat the issues. The report was adopted at the meeting of the Executive Committee on 16 July 2014 and all actions contained within the report were completed. A closure of the review was approved at the meeting of Overview and Scrutiny on 19 January 2016.
- 1.3** Although the report of the Working Group is still relevant, this report provides an update on the current situation.

2.0 ENVIRO-CRIMES PERFORMANCE SUMMARY UPDATE

2.1 Enviro-crimes reported to the Overview and Scrutiny Committee in the past two financial years is summarised in the table below:

	Noise	Dog Fouling	Fly Tipping	Abandoned Vehicles	TOTAL
April 2014 - June 2014	71	4	201	18	294
July 2014 - September 2014	79	2	231	23	335
October 2014 - December 2014	42	3	132	13	190
January 2015 - March 2015	45	5	79	16	145
TOTAL	237	14	643	70	964
Financial year target					850

April 2015 - June 2015	69	12	205	19	305
July 2015 - September 2015	73	9	215	39	336
October 2015 - December 2015	65	18	144	53	280
January 2016 - March 2016	56	36	229	72	393
TOTAL	263	75	793	183	1314
Financial year target					850

2.2 The explanation given within each report, relating to the above results were as follows:

April 2014 - June 2014

Number of noise complaints is slightly higher than usual; we would put this down to the warmer weather this summer and people having windows open. The number of fly-tip complaints has also seen a slight increase; this may be due to the recent increase in costs for tipping waste.

July 2014 - September 2014

There were 408 incidents reported for the same period in 2013/14. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. The total number of complaints received was 95. As this was the first opportunity, many Parish Councils had not been keeping a note of complaints but will implement this.

October 2014 - December 2014

610 crimes were reported to quarter 3 in 2013/14. The surge in reported incidents relates to big increase in the number of fly-tipping incidents throughout the Borough. This increase is being reflected nationally. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. A total of 43 complaints were received by Town and Parish Councils in quarter 3.

January 2015 - March 2015

The final two quarters of the year showed a reduction compared to the first two quarters. However, the annual target was not met due to the first two quarter outturns. In particular noise complaints were higher in quarter 1 due to the warmer weather and people having windows open. Also numbers of fly-tips and abandoned vehicles were higher in quarter 1 and quarter 2, possibly due to the increase in the costs for tipping waste at that time. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. A total of 29 complaints were received in quarter 4.

April 2015 - June 2015

All areas saw increases since the previous quarter. The Environmental Health section is taking positive steps to combat the issues, including promotion and enforcement, as detailed in the performance tracker. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. A total of 4 complaints were received in quarter 1.

July 2015 - September 2015

Environmental Health is taking positive steps to combat the issues, including promotion and enforcement, as detailed in the performance tracker. It is noted there were fewer enviro crimes reported this quarter against quarter 2 last year, 383. The increase in abandoned vehicles is not thought to be a local issue as there has recently been a slump in scrap metal prices due to the international decrease in demand for scrap metals. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. A total of 25 complaints were received in quarter 2.

October 2015 - December 2015

Quarter 3 has had the fewest number of enviro-crimes so far this year but is still greater than the target. Environmental Health is taking steps such as promotion and enforcement to combat these issues. The increase in abandoned vehicles is not thought to be a local issue. Due to the decrease in demand for scrap metal international the price for scrap metal has dropped and this is thought to be the case. A recommendation from the Enviro-Crimes Working Group was to receive quarterly information from Town and Parish Councils on dog fouling complaints. A total of 14 confirmed complaints were received in quarter 3 although some Councils reported issues but were unable to submit precise information.

January 2016 - March 2016

Quarter 4 saw the greatest number of enviro-crimes carried out in the Borough. Each period (apart from quarter 3) has seen a much greater than anticipated increase, mostly due to the high numbers of fly-tips and abandoned vehicles. Although 72 abandoned vehicles were reported, work by Officers to reunite vehicles to their owners has meant that only 18 of these needed to be disposed of, therefore avoiding disposal costs. Officers in Environmental Health and UBICO work closely together on an agreed procedure for clearing fly-tips as quickly as possible, but making sure any evidence is collected and considered.

3.0 ENVIRONMENTAL WARDEN

3.1 The Executive Committee is due to consider a report regarding the recruitment of an Environmental Warden at its meeting on 12 October 2016. Parish Councils have been made aware of the proposal and consultation will soon take place with them on if, and how, they would like to partner in such an arrangement. The report is likely to include details of what enviro-crimes the Warden would be responsible for delivering, how the position(s) will be resourced, how soon the proposal could be introduced and reporting and accountability issues. It is likely that the issue of dog fouling will feature high in the proposed work plan of the Warden as this has been especially requested by the Parish and Town Councils, but a range of work (especially enviro-crimes) will be considered.

3.2 Early discussions have started with Officers from Cheltenham Borough Council to see if there are ways we can work together in delivering environmental services in both Boroughs. A recent example of successful joint working is a jointly procured stray dog service with both Cheltenham and Gloucester City Councils.

4.0 FLY-TIPPING REDUCTION PROJECT

4.1 Officers within the Environmental Health section are currently working on a project that aims to achieve a significant reduction of fly-tipping incidents and subsequent clear-up costs. Support has been provided by a specialist contractor for help in setting up the project, training and specialist equipment procurement. The cost of the contractor to 31 March has been just over £400.

4.2 The clear-up costs for fly tipping approximate to around £30,000 per year for the past three years. The majority of this work is carried out by Ubico but sometimes it is necessary to engage specialist contractors, for instance, if the tip contains asbestos which increases collection and disposal costs further.

4.3 At present covert surveillance is being carried out at known hot-spots to detect offenders.

4.4 After this has been completed successfully, the following stage would be to conduct investigations (obtain witness statements, liaise with Police / Environment Agency, formal interviews etc). Sanctions available include:

- seizure and forfeiture of vehicles / other property used;
- fines of up to £50,000 or up to five years imprisonment;
- other fines for obstruction offences (common);
- fines or £300 Fixed Penalty Notices for duty of care / waste carrier offences;
- eviction if offender is a resident of a Council traveller site;
- Criminal Behaviour Warning / Order;
- Community Protection Warning / Order;
- revocation of waste carrier licence;
- secure recovery of prosecution costs (under Environmental Protection Act 1990 Section 33A).

Any proposed enforcement action would be dependent on a number of factors as detailed in the Environmental Health and Licensing Enforcement Policy, including;

- the seriousness of the offence;
- the likely effectiveness of the various alternative enforcement options;
- the public interest, public expectation and the importance of the case in setting a precedent;
- the application of any national or local guidance to the matter in question;
- information received following liaison with other external enforcing agencies; and
- the reliability of witnesses.

4.5 The final stage would be to publicise any actions taken through all available channels, including publishing a 'rogues gallery' for unidentified offenders, and then to place fly-tipping bollard signs at hot spots (only after phase 1).

4.6 As this is a 'live' project, the inclusion of further detail in this report could compromise the effectiveness of the operation. Nevertheless, Members can be reassured that the project has been appropriately prioritised, is progressing well and the Lead Member for Clean and Green Environment is being kept regularly updated on its progress.

5.0 ABANDONED VEHICLES

5.1 The sharpest increase in reported enviro-crimes has been that of abandoned vehicles. There are no trends in the types of vehicles, locations and owners. This picture is replicated within the County and nationally, with BBC Gloucestershire recently highlighting the increases reported in each local authority area.

5.2 The reasons why people abandon vehicles are numerous, but include more complex and costly vehicle maintenance, tighter MOT standards including emissions testing causing a higher failure rate, falls in the price of scrap metal often resulting in vehicle breakers or scrap metal operators charging to take unwanted vehicles away and the simple fact that as more cars are being produced, more need to be disposed of.

5.3 Tewkesbury Borough Council always seek to recover the costs of dealing with abandoned vehicles from the owners of the vehicles.

5.4 The cost of disposing of vehicles (should it come to that) is the responsibility of the local waste disposal authority which is Gloucestershire County Council. An agreement within the County means that Tewkesbury Borough Council manage the process locally and is recompensed by the County Council for the cost of vehicle disposal. Therefore the cost to the Council associated with abandoned vehicles has been negligible, mostly being the cost of Officer time.

6.0 DOG FOULING

- 6.1** Fixed penalty notices have been served regarding cases of dog fouling where evidence has been obtained although there have been no prosecutions. However, in each case where a suspect has been identified a letter is sent to the alleged perpetrator to make them aware of the accusation and the sanctions available to the Council should they be caught.
- 6.2** On Monday 23 November 2015, Officers from Tewkesbury Borough Council, Churchdown Parish Council and Innsworth Parish Council patrolled in Churchdown and Innsworth, looking for enviro-crime 'hot spots' and talking to residents about concerns. Officers were also on hand at GL3 Community Hub to talk to concerned residents about reporting enviro-crimes and taking action against anti-social behaviour. There was a low turnout at the Community Hub, but patrolling officers reported some successes when discussing issues with dog walkers. Another 'Day of Action' is being considered, possibly in the summer.

7.0 PROMOTION

- 7.1** There have been a number of cases reported in the local press; each time it has been an opportunity to promote the actions available to Tewkesbury Borough Council to tackle the issue and the way the public can help.
- 7.2** A number of articles have been published in recent editions of Tewkesbury Borough News; the summer edition will contain an article on abandoned vehicles.
- 7.3** The Lead Member for Clean and Green Environment and Environmental Health Manager have spoken on the radio about the abandoned vehicle situation and dog fouling in the Borough, giving information on how such issues can be reported, the sanctions and what can be done to help.
- 7.4** Articles have been produced at the request of Parish and Town Councils for local newsletters and notice boards.
- 7.5** Promotional leaflets are available and are actively distributed to local Parish offices and at appropriate events.
- 7.6** The dog fouling posters produced as a result of the Working Group report have proved to be very popular, with good feedback from those who have downloaded and posted them saying that they have noticed a difference shortly after.
- 7.7** The Council's website has step-by-step instructions on how to report enviro-crimes. Those witnessing enviro-crimes are always encouraged to report the issue by whatever means necessary.
- 7.8** The Environmental Health Manager has visited numerous Town and Parish Council meetings, speaking to Councillors and local residents on the full range of enviro-crime issues.

8.0 OTHER OPTIONS CONSIDERED

- 8.1** Members have previously suggested re-establishing the Enviro-Crimes Working Group to address the increase of reported incidents. As the findings of the Group are still relevant, much of the background information is already available and all of the actions within the previous report have been carried out with many ongoing.

9.0 CONSULTATION

9.1 Parish Councils are regularly consulted on the extent of dog fouling in their area. This information is useful to establish trends which help inform possible proactive actions, for example repeating the 'Churchdown Day of Action' suggested above.

10.0 RELEVANT COUNCIL POLICIES/STRATEGIES

10.1 Environmental Health Enforcement Policy

11.0 RELEVANT GOVERNMENT POLICIES

11.1 There are many pieces of national legislation that can be used to tackle enviro-crimes

12.0 RESOURCE IMPLICATIONS (Human/Property)

12.1 As detailed in the report.

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

13.1 Any reductions in enviro-crimes result in an improvement in the local environment.

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

14.1 When the review of enviro-crimes was carried out in 2014, an Equality Impact Assessment was completed. All enviro-crimes pose a risk to health in various ways, fly tipping and dog faeces in particular can pose serious risks to health with children being at particular risk.

15.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

15.1 Overview and Scrutiny Committee: 10 June 2014 "Enviro-Crimes Review Report"

Executive Committee: 16 July 2014 "Review of Environmental Crimes"

Overview and Scrutiny Committee: 19 January 2016 "Enviro-Crimes Review Monitoring Report"

Background Papers: None

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Appendices: Appendix 1 – Enviro-Crimes Working Group Final Report

A report of the Overview and Scrutiny Enviro-Crimes working group

A review of environmental crimes



“The working group felt that the most significant enviro-crimes to affect communities within the borough were dog fouling and fly-tipping”

May 2014

Executive Summary

The Members of the working group received a presentation from officers on the legislation and procedures currently used for the investigation of environmental crime and additional legislation available to the Authority for adoption. The working group felt that the most significant enviro-crimes to affect communities within the borough were dog fouling and fly-tipping. There is currently no enforcement action taken against fly-tippers due to a lack of resource at Direct Services, and there have been few dog fouling prosecutions due to the lack of evidence in relation to the offenders.

The group received an overview from Lloyd Griffiths, Environmental Services Manager from Gloucester City Council, on how they have been dealing with enviro-crimes since adopting the Clean Neighbourhoods and Environment Act 2005. He reported that in the city, they had served around 50 fixed penalty notices in the last 4 years, and only 5 of these were served by the Police, despite spending a considerable amount of time training and authorising Police personnel. Gloucester City Council has recently adopted a new approach where officers are encouraging people to have more pride in the area they live through education and awareness raising, rather than taking active enforcement action.

The group felt there should be more education on dog fouling including:

- Clearer and more prominent signs advising that enforcement officers are in the area.
- Paws on Patrol to be launched in the summer.
- Further training for the Police on dog fouling.
- Harder hitting campaigns.
- Contact to parish councils to ensure all complaints are reported to ensure reporting is accurate.
- School Campaigns.

The group wanted preventative action to be taken in relation to fly-tipping. This would involve the transfer of a resource from Direct Services to Environmental Health. Environmental Health staff are trained and proficient at taking enforcement action. It was also thought that abandoned vehicles should be dealt with by Environmental Health.



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“Environmental crime is defined as crime that
adversely affects the environment.
Any action that has a negative effect on surroundings”.

Introduction

At a meeting of the Overview and Scrutiny Committee held on 5th November 2013, it was agreed that a working group be formed to carry out a review of the way that Tewkesbury Borough Council investigates environmental crimes (“enviro-crimes”). The Committee requested the working group examine how enviro-crimes were being investigated and if more could be done to address the issues.

The points to be considered were as follows;

- What types of crime are categorised as ‘enviro crimes’ and which are perceived to significantly impact upon the Borough?
- What is the extent of the problem within the Borough and the effect upon communities?
- How robust is the intelligence gathering e.g. logging of complaints, identification of hotspots?
- To consider the council’s current approach in tackling enviro crimes in particular the effectiveness of prevention measures and educational initiatives.
- To consider what legislative powers are available to the council and the impact of adopting any new legislation.
- To look at practice elsewhere.

The Members of the working Group included:

- Councillor Mrs G F Blackwell
- Councillor Mrs J E Day
- Councillor B A Jones
- Councillor M H Rowcliffe-Quarry (Resigned from the Council on 28 March 2014)
- Councillor P D Surman
- Councillor M G Szymiak

- Councillor M J Williams
- Councillor J R Mason (in his capacity as Lead Member for Clean and Green Environment)
- David Steels (Environmental Health Manager)
- Kathryn Griffiths (Environmental Health Officer)
- Nick Firkins (Direct Services Manager)
- Graeme Simpson (Group Manager Policy and Performance)

Background

Environmental crime is defined as crime that adversely affects the environment. Any action that has a negative effect on surroundings is considered an environmental crime. Although local authorities have been enforcing legislation related to environmental matters since Victorian times, the phrase “enviro-crime” has become more common parlance in recent years to describe a group of crimes as defined by statutory guidance and legislation in the last 20-30 years.

Environmental crime can include:

- littering
- fly-tipping
- fly-posting
- graffiti
- abandoned vehicles
- dog fouling
- noise (it was decided by the working group, that noise would not be reviewed as there are suitable and sufficient powers and resources in place)

The visual impact of environmental crimes, such as litter in the streets and graffiti on buildings, can alter the perception people have of the area, potentially devaluing neighbourhoods and

“...most significant environmental crimes were **fly-tipping and dog fouling** and therefore these would be their main focus.”

encouraging other crime. There is a direct link between the state of the environment we live in and our overall happiness (Harvard, School of Public Health).

From speaking to officers and members, it is clear that fly-tipping and dog fouling are consistently at the top of residents’ concerns and impact on their quality of life. The working group investigated what Tewkesbury Borough Council does to tackle these issues, how resources are allocated and how current actions affect open spaces and ‘street scene’.

The current resource allocation for investigating environmental crimes is split between staff working at Direct Services at Swindon Lane, Cheltenham and the Environmental Health department. Direct Services staff deal with abandoned vehicles, fly-tipping, littering, fly-posting and graffiti, and the Environmental Health team investigates dog fouling.

The staffing provisions within Direct Services, have been in a transitional phase since 2010 pending discussions regarding shared services. The team dealing with environmental crimes consists of 1 Technical Assistant, 4 Street Cleansing Crews (3 fixed routes and 1 floating to follow up on reports) plus 2 Roadsweepers. The technical assistant post is currently covered by a temporary member of staff.

The staffing provisions in environmental health consists of 1 Environmental Health Officer and 2.5 Environmental Protection Officers. Two dog warden posts were deleted in the financial year 2005/ 2006, since then Environmental Health staff share enforcement of dog fouling.

Recent 2013-14 figures show a significant increase in the overall numbers of environmental crimes reported. Environmental crime figures from the previous 3 years show steadily increasing numbers.

Year	Total number of reported Environmental Crimes
2010-2011	734
2011-12	739
2012-13	722
2013-14	862

The following table shows environmental crime reports in quarter 3 and 4 in 2013/14. Note: the number of fly-tipping reports is significantly higher.

Type of Environmental Crime Complaint	Number of Complaints received 1/10/13 and 31/12/13	Number of Complaints received 1/1/14 and 31/03/14
Noise	42	38
Dog Fouling	20	12
Fly-tipping,	125	186
Abandoned Vehicles,	11	16
Graffiti,	0	0
Fly-posting	0	0
Street Littering	9	0
Total	207	252

Members of the working group considered the figures and determined that the most significant environmental crimes affecting our communities were fly-tipping and dog fouling and therefore these would be their main focus.

Fly-tipping

Fly-tipping is the illegal deposit of waste on land. Fly-tipping differs from littering in that it involves the deliberate aim of disposing of it unlawfully, or as a result of legitimate outlets not being available.

"Fly tipping can have
adverse effects on an area
including environmental, social and economic damage."

The offence of fly-tipping and the additional offences of 'knowingly causing' or 'knowingly permitting' fly-tipping are set out in s.33(1)(a) of the Environmental Protection Act 1990. The maximum penalties for fly-tipping on summary conviction are a £50,000 fine and/or twelve months' imprisonment. On conviction in a Crown Court the maximum penalties are an unlimited fine and/or five years imprisonment.

Both the Environment Agency and Local Authorities have powers to tackle fly-tipping. Local authorities are responsible for clearing up and investigating most small scale fly-tipping on public land while the Environment Agency investigates larger-scale incidents, those involving hazardous waste or organised crime.

On private land the responsibility for clearance of fly-tipped waste rests with the landowner. Local authorities may serve notice under s59 of the Environmental Protection Act 1990 requiring occupiers or landowners to remove fly-tipped waste. However, depending on the circumstances, local authorities will often provide landowners with advice and guidance on measures which can be taken to prevent further unauthorised waste deposits.

Fly-tipping can have adverse effects on an area including environmental, social and economic damage:

Environmental Damage- Dumped material can leach into the ground, potentially affecting the soil, plants and aquifers below. Animals can ingest items, which may cause serious damage or death to native wildlife and household pets. Black bags containing food waste will also draw vermin and

other small mammals to an area, many of which will carry disease.

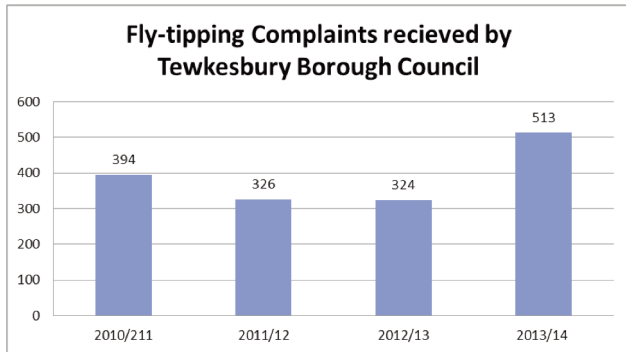
Social Damage- Fly-tipping is unsightly and affects the quality of life of local residents. Studies by DEFRA have indicated that fly-tipping in an area can lead to other social problems which impact on the quality of life of residents, and in particular, make an area more vulnerable to other forms of crime.

Economic Damage- The estimated cost of clearance of fly-tipping to Local Authorities in England in 2012/13 was £36.4 million. In 2012/13, it was estimated that Tewkesbury Borough Council spent £22,414 in clearing fly-tips.

Estimated clearance costs for various sizes of fly-tips:	
Single black bag	£7
Other single item	£29
Car boot load or less	£29
Small van load	£56
Transit van load	£115
Tipper Lorry load	£115
Significant multiple loads	£125

Statistics on fly-tipping incidents in Tewkesbury Borough show that there are over 300 being reported every year. The number of incidents reported in 2013/14 show that the number of reported fly-tips has increased significantly. The rise in fly-tipping may be due to the increased cost associated with disposing of waste- Landfill Tax £80.00 per tonne.

"Dog fouling is an offensive type of litter on the streets and is consistently raised as a public concern in the borough"



The graphs found at Appendix A show a breakdown of fly-tipping incidents reported to Tewkesbury Borough Council alongside graphs taken from the fly-tipping official statistics.

Locations where waste is tipped is as follows:

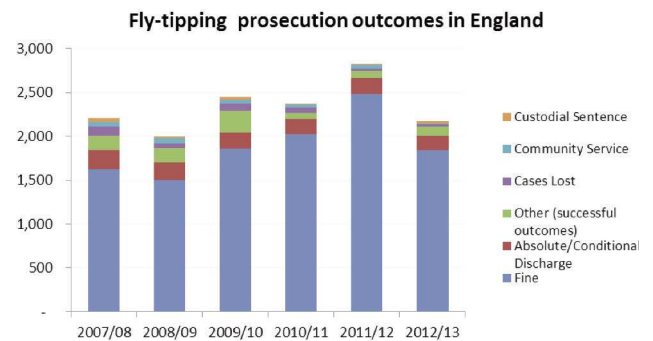
Location	Incidents during 2012 /13
Highway	255
Footpath/bridleway	50
Back alleyway	4
Railway	0
Private residential	1
Council Land	12
Agricultural	0
Private commercial/ industrial	0
Watercourse/ bank	9
Other	0

The most common type of waste being dumped is household waste (excluding black bags) such as sofas, mattresses etc. Tewkesbury Borough also has a higher percentage of construction waste (22%) and green waste (14%) being dumped compared to the national average.

Nationally the average fly-tip is a 'small van load' size, however, in Tewkesbury Borough, a typical 'car boot sized' load (27%) is the most common size for a fly-tip.

Currently, reports of fly-tipping are investigated by Direct Services staff and any waste found is removed. No enforcement action is taken due to lack of resources and lack of knowledge of how to take enforcement action at Direct Services.

Local Authorities carried out over 425,000 enforcement actions in 2012/13, and there were over 2,200 prosecutions, 99% of which resulted in a conviction (see graph below). Members were informed that neighbouring authorities take enforcement action; Members therefore were concerned that Tewkesbury Borough was seen as an "easy target".



Dog foulings

Dog fouling is an offensive type of litter on the streets and is consistently raised as a public concern in the borough. In 2010 the UK dog population was estimated to be 8 million, with dogs producing approximately 1,000 tonnes of excrement each day.

Dog fouling is unpleasant and dangerous. A big threat to public health from dog excrement is toxocariasis which is an infection of the roundworm *toxocara canis*. The eggs of the

parasite can be found in soil or sand contaminated with faeces and, if swallowed, can result in infection that lasts between 6 and 24 months. Symptoms include eye disorders, vague ache, dizziness, nausea, asthma and, in extremely rare cases, seizures/fits. Often the eggs are ingested when passed to the mouth by the hands, but this can also occur through contact with dogs or other inanimate objects including the wheels of toys and the soles of shoes. Toxocariasis most commonly affects children between 18 months and five years.

It is the responsibility of the dog owner or the person in charge of the dog to clear up their dog's excrement. The current legislation for dealing with dog fouling is the Dog Fouling of Land Act 1996. All public footpaths and public open spaces in the borough have been designated under this Act and if someone fails to pick up after their dog they can be fined up to £1000. The offender can also be given a £50 fixed penalty notice. Fixed penalty notices can only be issued by an authorised employee of the Authority.

Dog fouling is enforced by environmental health staff, and any necessary clearance jobs are carried out by Direct Services staff. People rarely offend when others are around, and with changes to the Regulation of Investigatory Powers Act, the Authority is unable to undertake covert surveillance for crimes such as dog fouling as it does not carry a custodial sentence.

Members were informed that the environmental health team recently carried out a number of joint operations with the Police to tackle dog fouling. Signs were erected stating that enforcement officers were patrolling the area and, throughout a week-long period, Council Officers and Police

Community Support Officers (PCSOs) carried out regular patrols both during the day and during hours of darkness. As part of Environmental Health's Service Delivery Plan, the team is planning to carry out 3 operations per year. The team look to work proactively by analysing reporting statistics and highlighting hot spot areas that require attention.

Dog Control Orders were introduced by The Clean Neighbourhoods and Environment Act 2005. The powers under this Act are not automatically delegated to Local Authorities (which is the case for most legislation), and Tewkesbury Borough Council has not adopted the Act.

The Dog Control Orders Regulations provide for five offences which may be prescribed in a dog control order:

- failing to remove dog faeces;
- not keeping a dog on a lead;
- not putting, and keeping, a dog on a lead when directed to do so by an authorised officer;
- permitting a dog to enter land from which dogs are excluded;
- taking more than a specified number of dogs onto land.

The penalty for committing an offence contained in a Dog Control Order is a maximum fine of level 3 on the standard scale (currently £1,000). Alternatively, the opportunity to pay a fixed penalty may be offered in place of prosecution.

The Dogs (Fouling of Land) Act 1996 was repealed with effect from the date that the Clean Neighbourhood Act came into force, so no further land can be designated under that Act. Existing

“...may make an order if there are ‘activities’ that are taking place in a public place which are **having a ‘detrimental effect’** on quality of life.”

bylaws remain in force indefinitely, and can continue to be enforced as normal. However, under subsection (4) if an Authority makes a Dog Control Order in respect of an offence on a specified area of land, any bylaw made by a primary or secondary authority dealing with the **same offence** on the **same land** lapses.

The Authority has previously investigated the adoption (report to the Corporate Management Team by David Steels, October 2012) of the Clean Neighbourhood legislation. The main issue with adopting this legislation is cost; of the legal support required, the public consultation process, training staff (including all local policing staff), replacing all dog fouling legislation information signs throughout the borough and then having to advertise the new powers as is required to take enforcement action successfully. Gloucester City Council reported that since training their officers (including over 70 Police Officers and PCSOs) in 2010, only 50 fixed penalty notices have been issued, 5 of these being issued by Police personnel, therefore averaging just over 1 fixed penalty charge notice served per month.

In March 2014, the Government published the Anti-Social Behaviour, Crime and Policing Act 2014 which should come into force in October 2014. The Act specifies that Dog Control Orders are to be repealed and replaced with Public Spaces Protection Orders. A local authority may make an order if there are "activities" that are taking place in a public place which are having "a detrimental effect" on quality of life. It may apply to:-

- all persons; or
- only to persons in specified categories; or
- to all persons except those in specified categories.

Failure to comply with a Public Space Protection Order will be a criminal offence which can be dealt with by a Fixed Penalty Notice (of up to £100), or by prosecution (maximum fine of £1,000). Public Space Protection Orders will last for a period of 3 years.

In 2012/13 there were 35 incidents of dog fouling reported. Members recognised that this figure does not necessarily give a true reflection on the extent of the problem in the Borough.

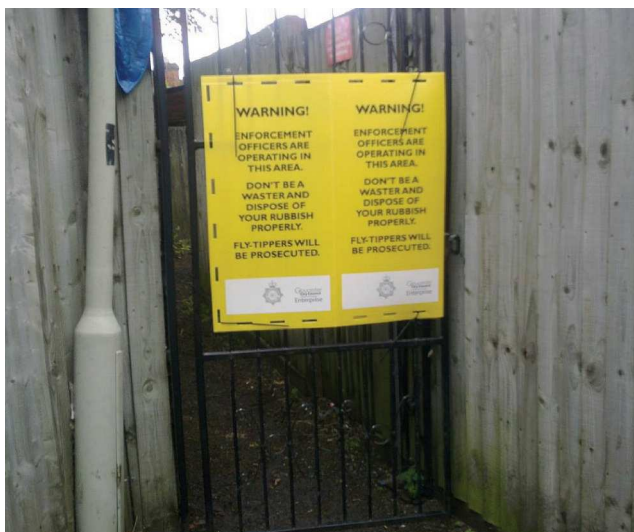
The Authority has not taken any prosecutions for dog fouling over the last 5 years, although a fixed penalty notice has recently been issued. Witnessing dog fouling incidents is difficult for officers as the likelihood of being present when an offence is being committed is low. Dog fouling incidents usually occur when there is no-one around watching or in hours of darkness which could be due to the public stigma attached to not picking up after your dog.

Findings of the working group

The group received a presentation from Lloyd Griffiths, Environmental Services Manager from Gloucester City Council, on how they have been dealing with enviro-crimes since adopting the Clean Neighbourhoods and Environment Act 2005. He reported that in the city, officers had served around 50 fixed penalty notices in the last four years since adopting the legislation, with five being served by the police. This figure was perceived as being small given the size of the city and the considerable amount of time training and authorising police personnel. Gloucester City Council has recently adopted a new approach

“...if enforcement action were to be taken, this should be carried out by the environmental health team who have the training and experience...”

where they are encouraging people to have more pride in the area they live, through education and awareness raising, rather than taking active enforcement action. The council has also purchased a number of ‘tri-signs’ (approximate cost of £1250 for 40) which are installed in hot-spot areas, which have resulted in a short term reduction of fly-tipping and dog fouling incidents in those areas.



Fly-tipping

Members of the working group requested that officers look into the possibility of investigating all fly-tipping cases, where there was evidence of who had carried out the fly-tip, and taking any necessary enforcement action.

Members agreed that if enforcement action were to be taken, this should be carried out by the environmental health team, who have the training and experience in gathering evidence, taking court cases etc.

Based on the 6 months between September 2013 and February 2014 it was calculated that an average of 8.8 fly-tipping cases per calendar month may have the necessary evidence to take proceedings against the perpetrator. Of these 8.8 cases, it was calculated that around a third of these cases would come back as requiring further follow-up action.

Based on these figures it has been calculated that, to carry out fly-tipping enforcement in Tewkesbury Borough, it would require the following resource:

Action	Team	Hours per task	Predicted Hours required
Additional work in relation to investigation e.g. taking photographs etc.	Direct Services Staff	0.5 – 1	4.4 - 8.8 hours
Office investigatory work and sending letter	Environmental Health	1	8.8 hours
Invitation and preparation for Pace interview	Environmental Health	2	6 hours
Pace interview	Environmental Health	1- Two members of staff	6 hours
Outcome- 2 x warning letters/caution	Environmental Health	1	2 hours
1x prosecution file		6 hours	6 hours
Total	Direct Services Staff		4.4-8.8 hours per month
	Environmental Protection Staff		28.8 hours per month (7.2 hours per week)

“Members were encouraged that a **fixed penalty notice had recently been served** under the current legislation and that the media had picked up on the success”

The working group agreed that a request be made of the staffing review in Direct Services (which is due to take place in April/May 2014) that 29 officer hours per month be made available to support Environmental Health to enable fly-tipping enforcement to be carried out.

	Recommendation	Timescale
6	That the Borough Council investigates the use of private companies for the purpose of issuing fixed penalty notices on their behalf.	June 2014

Dog fouling

The Working Group discussed the cost of implementing any new legislation in relation to dog fouling. It was estimated that to replace the current dog fouling signs throughout the Borough (approximately 3,000 signs) it would cost approximately £35,000- £40,000. The only benefit that the new legislation would bring to the Authority would be that Police Officers and PCSOs would be able to serve fixed penalty notices on behalf of the Authority. Taking into account the experience from Gloucester City Council and the low numbers of fixed penalty notices served by the Police, many Members did not think the estimated cost of implementing the new legislation would be value for money. It was agreed that other measures to reduce dog fouling should be explored rather than considering adoption of the new legislation at this present time.

	Recommendation	Timescale
1	Where appropriate, fly tipping enforcement action will be undertaken by Tewkesbury Borough Council. Successful prosecutions will be communicated to the local press. That the Borough Council transfers the responsibility of fly-tipping enforcement from Direct Services to the Environmental Health. That a resource from Direct Services is identified as part of the staffing review, and is transferred to Environmental Health. That Environmental Health allocates resources to enable enforcement of fly-tipping cases.	August 2014
2	That the Borough Council produces a procedure document on how fly-tipping is dealt with by key staff members. This procedure should also include partnership working with the Community Development Team when dealing with particular hotspot areas, to ensure that pride is incorporated into the basis of all projects.	August 2014

The working group also requested similar signs to those used in Gloucester City, to warn people that action will be taken against fly-tippers.

	Recommendation	Timescale
3	Provide portable signs warning residents and visitors that fly-tipping will not be tolerated, and enforcement action will be taken	September 2014

Enforcement of abandoned vehicles is currently being carried out by temporary staff who do not have the requisite skills or knowledge. Therefore it was recommended that Environmental Health also be given responsibility for the authority’s statutory duty to deal with abandoned vehicles.

	Recommendation	Timescale
4	Abandoned vehicle enforcement be transferred from Direct Services to the Environmental Health Department.	August 2014
5	Produce a procedure document to assist officers in dealing with abandoned vehicles.	August 2014

In addition to the measures detailed above, it was recommended that the Authority should explore the option of using a private company to issue fixed penalty notices on their behalf. An example is a company 3GS working on behalf of the City and County of Swansea Council.

Members were encouraged that a fixed penalty notice had recently been served under the current legislation, and that the media had picked up on the success. Members were also supportive of the joint initiatives that the Borough was carrying out in conjunction with the Police. It was agreed that these continue so as to encourage as many communities to tackle dog fouling as possible. It was agreed that it was important that the hot-spot areas were identified using reliable and up to date information. It was discussed that the number of complaints reported directly to the Borough Council did not reflect the true extent of the problem throughout the Borough, and that some complaints may be being received by the Parish

“A number of recommendations have been made that may help **improve the effectiveness of our response to dog fouling and fly-tipping** in the community”

and Town Councils and not forwarded to the Borough Council. Members agreed that it would be a good idea to contact Parish and Town Councils to ensure that all dog fouling incidents are being reported through to the Borough Council.



(Example poster of a hard hitting media campaign in Torbay)

	Recommendation	Timescale
7	Continue to work closely with the Police on joint operations to tackle dog-fouling in hot-spot areas.	Ongoing
8	To continue to investigate reports of dog fouling and take enforcement action where appropriate. Issue press releases when fixed penalty notices/enforcement action is taken against dog fouling.	Ongoing
9	Work closely with Parish Councils to tackle dog fouling. Facilitate the reporting of incidents of dog fouling to the Borough by contacting Parish Councils on a quarterly basis to help inform the number of complaints received and reported through the council plan performance tracker, to enable a better picture of the 'hot-spot' areas to be established.	Quarter 2- July-Sept, then ongoing
10	Enviro-crimes to be added as agenda item at a future Parish and Town Council Seminar, to advise on how they can assist in tackling enviro-crimes	Next meeting- Jan 2015

Although Members were pleased with how closely the Environmental Health team worked with the Police, the need for additional training for the Police was queried for them to clearly understand the part they can play in tackling dog fouling. If provided with a witness statement by the Police, the Environmental Health Team can serve a fixed penalty notice or prosecute for dog fouling.

	Recommendation	Timescale
11	Organise a training session tailored to the Police, explaining how they can help in tackling dog fouling.	October 2014

Gloucester City Council has launched a campaign called 'Paws on Patrol' where dog walkers who spot suspicious activity, including dog fouling, can report it quickly to the police and the authorities.. Members were very keen for a similar campaign in Tewkesbury Borough.

	Recommendation	Timescale
12	Launch a 'Paws on Patrol' type initiative to encourage witnesses to report dog fouling.	September 2014

The group discussed the use of more hard hitting media campaigns to help spread the message of the health implications associated with dog fouling.

	Recommendation	Timescale
13	Promote the dangers of dog fouling and consider the use of more hard hitting visual campaigns.	October 2014

Members also requested talks to school children on dog fouling, as children very often tried to educate their parents on what they had learnt at school. Other Local Authorities have teamed up with charities such as People's Dispensary for Sick Animals (PDSA), the Dogs Trust, local vets etc. to work in partnership on projects such as this.

	Recommendation	Timescale
14	Carry out educational campaigns at local schools to make them aware of the dangers of dog fouling. Explore partnership working with other agencies.	January 2015

Members thought that the use of prominent signs advising that enforcement officers were patrolling in a particular area might provide short-term solutions.

	Recommendation	Timescales
15	Procure portable signs warning that dog fouling will not be tolerated and enforcement action will be taken.	September 2014

Conclusion

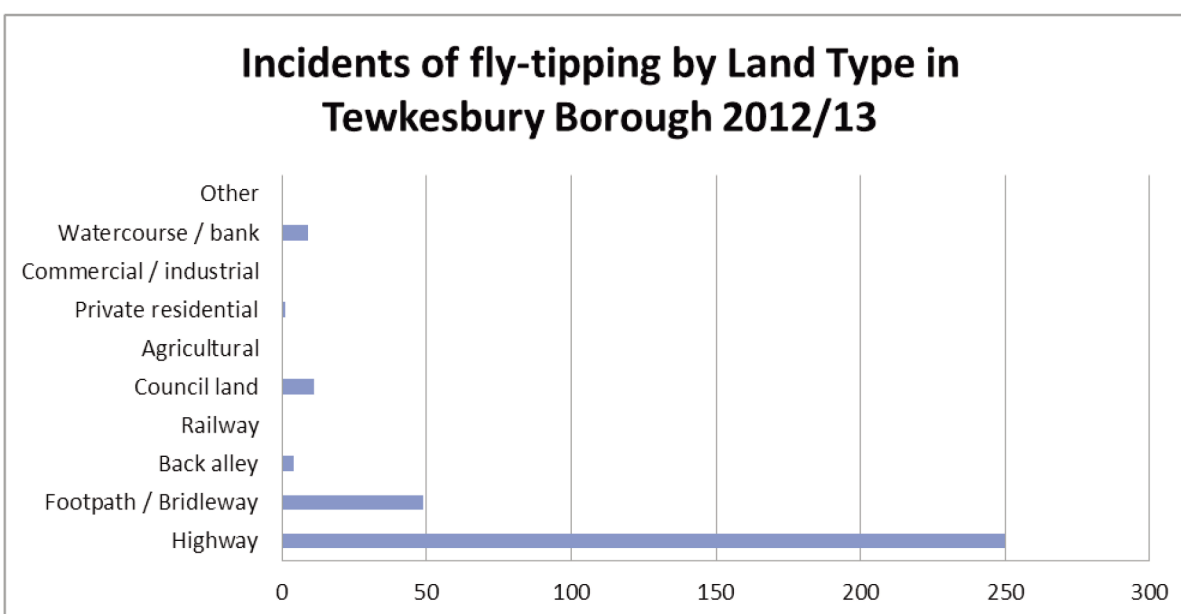
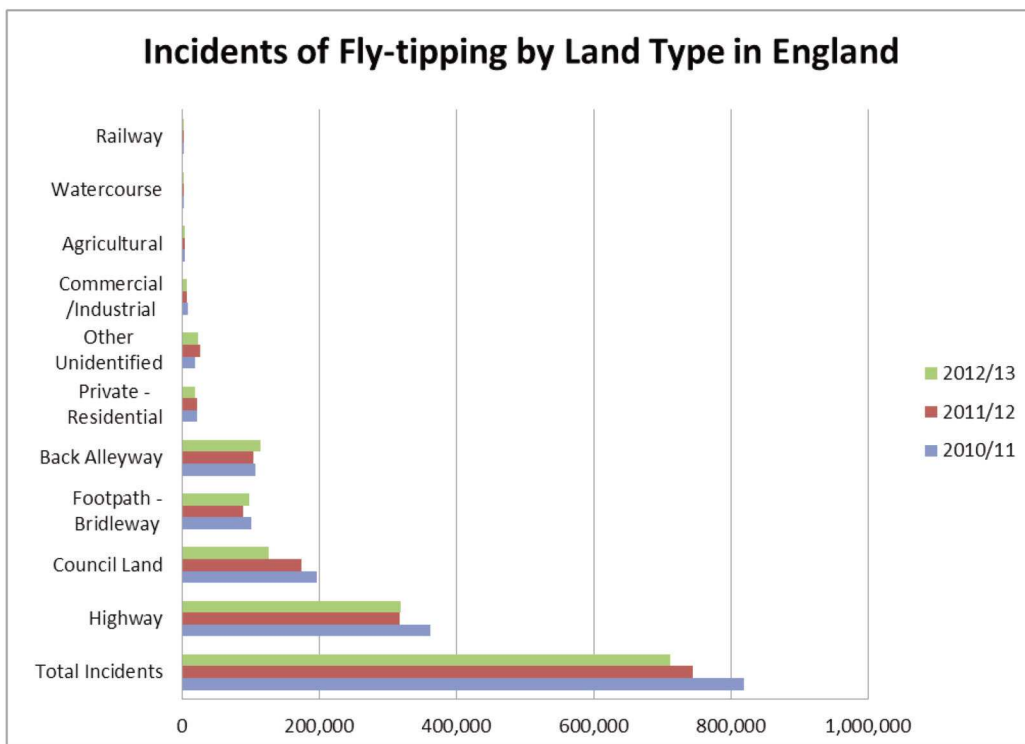
The Working Group looked into how environmental crimes were investigated within Tewkesbury Borough. A number of recommendations have been made that may help improve the effectiveness of our response to dog fouling and fly-tipping in the community.

Appendix A

The following graphs illustrate data taken from the “fly-capture” database. A number of the Tewkesbury Borough graphs are displayed alongside the corresponding graph from the fly-tipping official statistics database to illustrate the comparison between Tewkesbury Borough and the national trend.

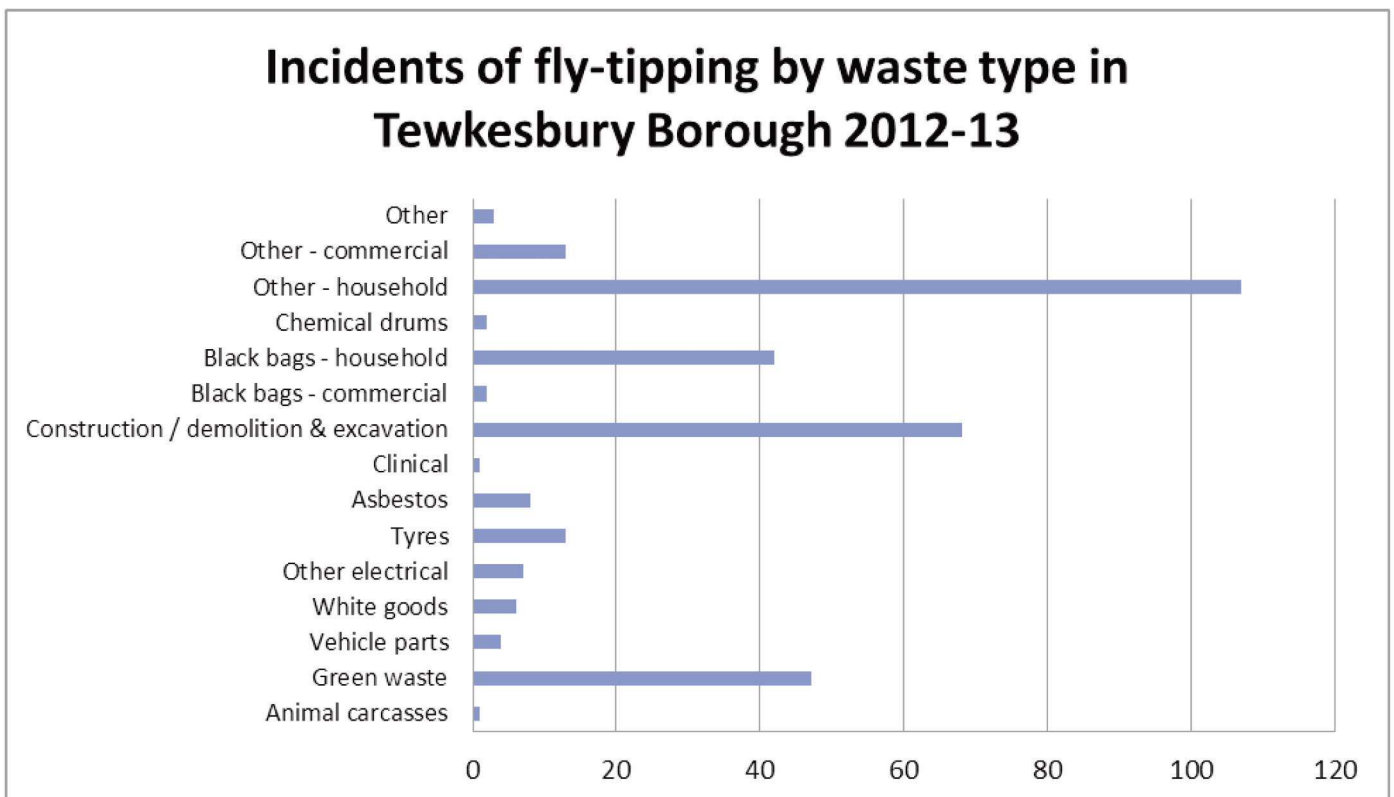
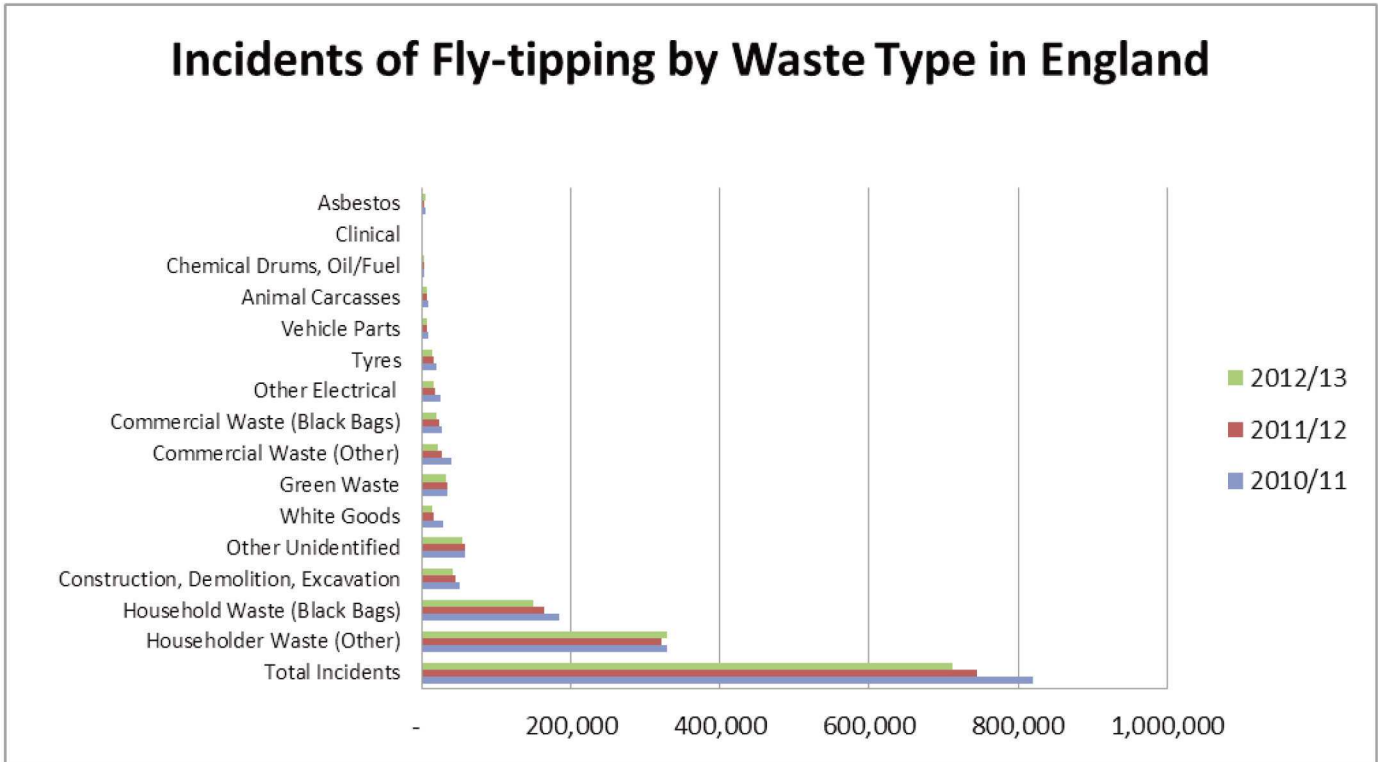
Whilst Government require information to be submitted in relation to fly-tipping, this unfortunately is not the case for dog fouling, and therefore national statistics are not available for the numbers of dog fouling complaints.

Comparing type of land waste was dumped on



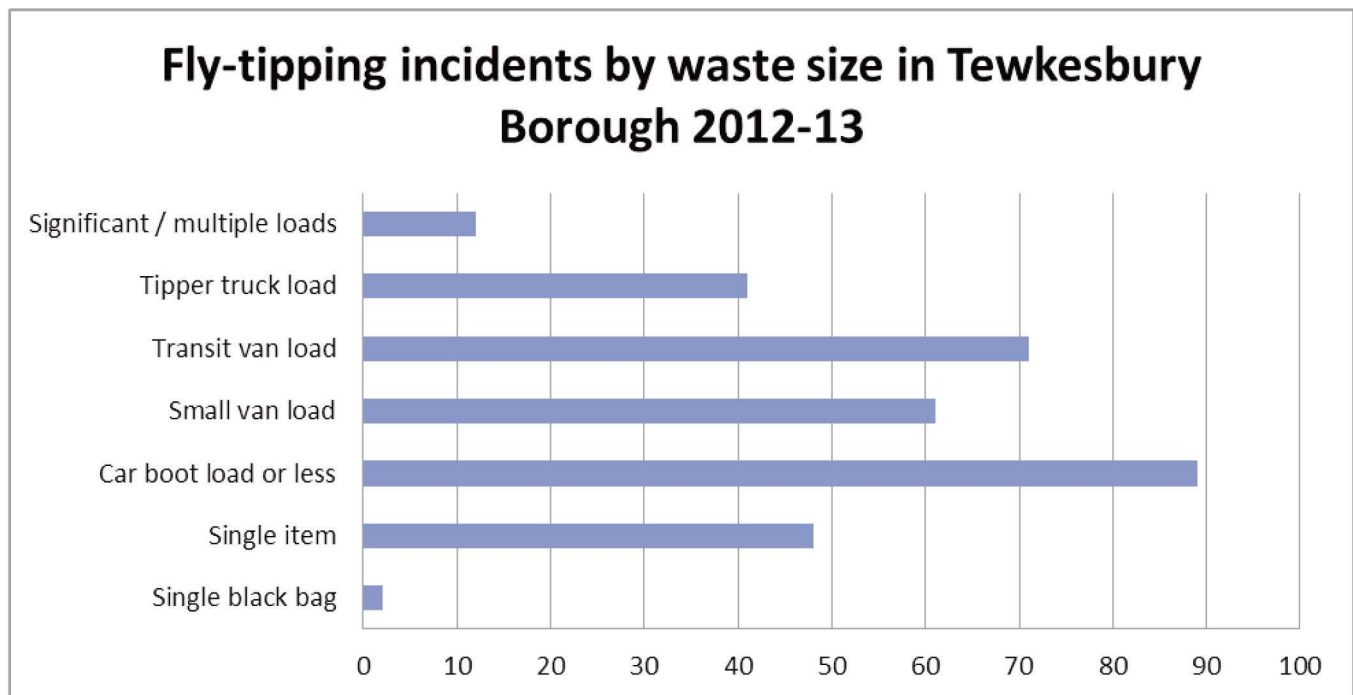
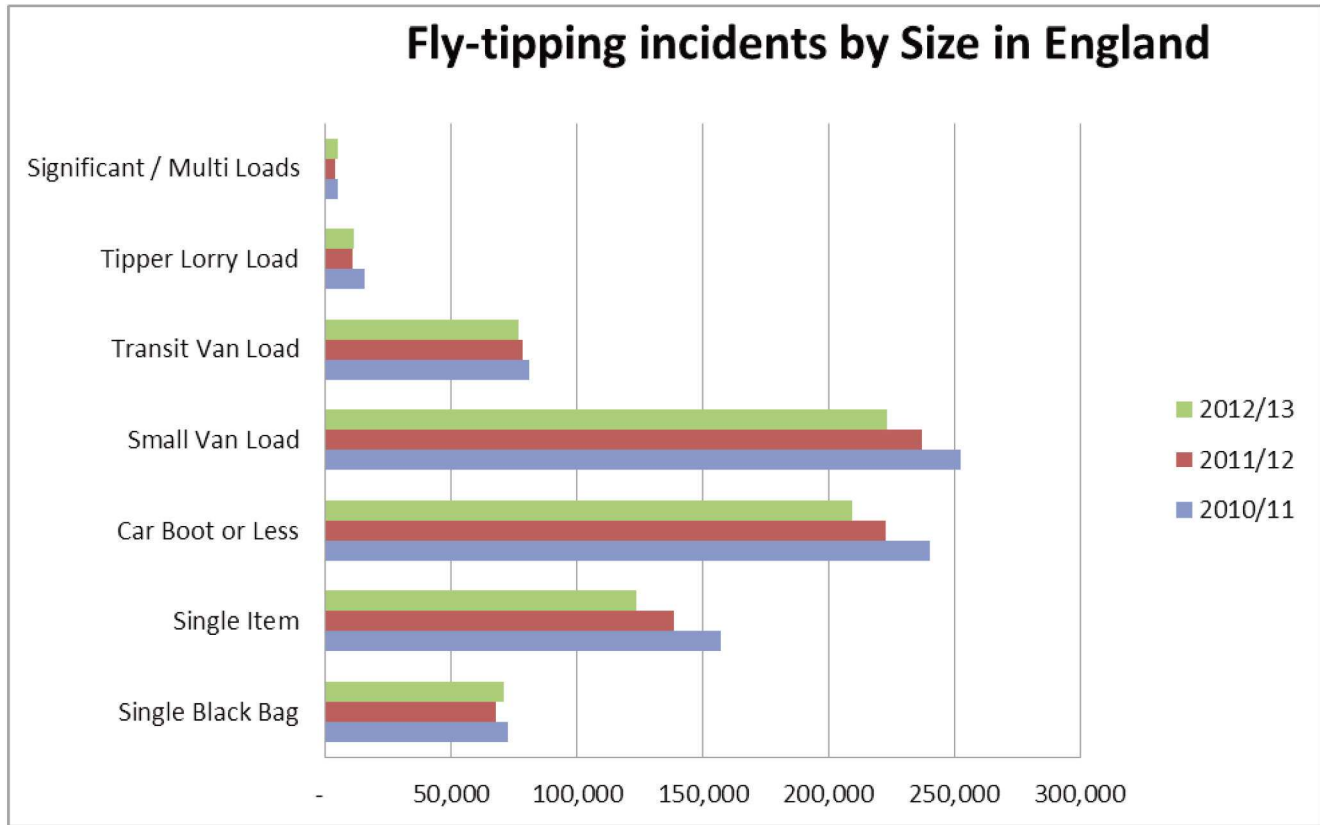
Appendix A

Comparing type of waste dumped



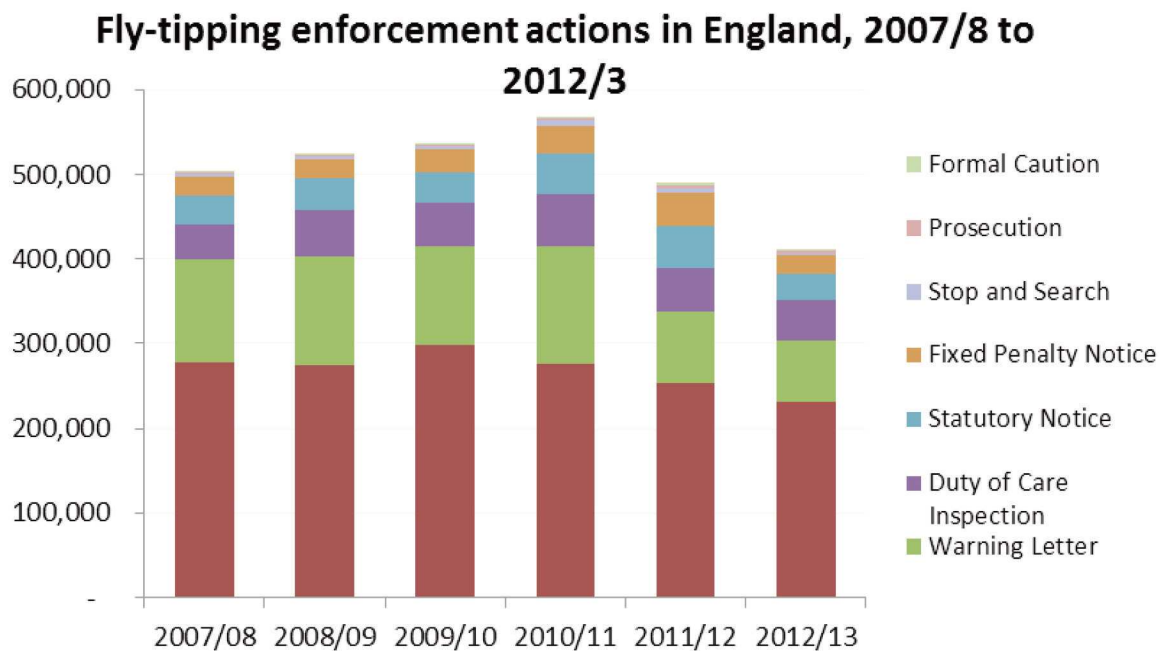
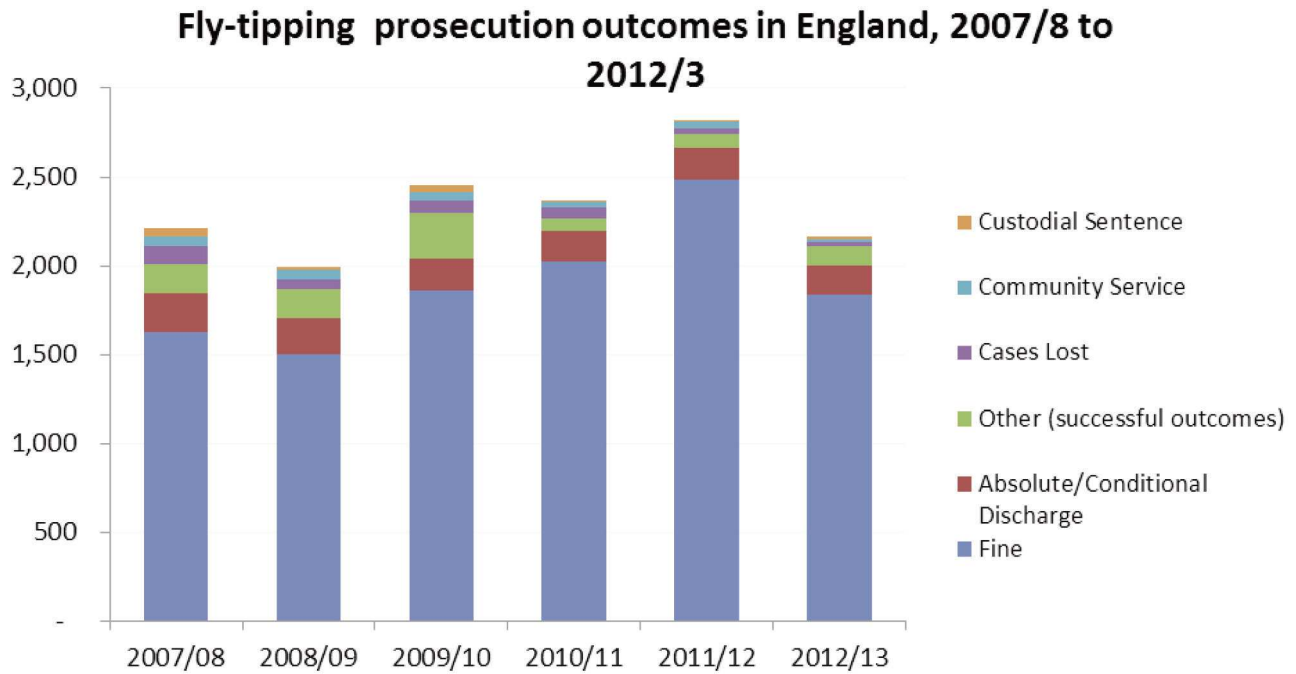
Appendix A

Comparing size of incidents



Appendix A

Enforcement action



Appendix B - Summary of recommendations

	Recommendation	Timescale
1	Where appropriate, fly tipping enforcement action will be undertaken by Tewkesbury Borough Council. Successful prosecutions will be communicated to the local press. That the Borough Council transfers the responsibility of fly-tipping enforcement from Direct Services to the Environmental Health. That a resource from Direct Services is identified as part of the staffing review, and is transferred to Environmental Health. That Environmental Health allocates resources to enable enforcement of fly-tipping cases.	August 2014
2	That the Borough Council produces a procedure document on how fly-tipping is dealt with by key staff members. This procedure should also include partnership working with the Community Development Team when dealing with particular hotspot areas, to ensure that pride is incorporated into the basis of all projects.	August 2014
3	Provide portable signs warning residents and visitors that fly-tipping will not be tolerated, and enforcement action will be taken	September 2014
4	Abandoned vehicle enforcement be transferred from Direct Services to the Environmental Health Department.	August 2014
5	Produce a procedure document to assist officers in dealing with abandoned vehicles.	August 2014
6	That the Borough Council investigates the use of private companies for the purpose of issuing fixed penalty notices on their behalf.	June 2014
7	Continue to work closely with the Police on joint operations to tackle dog-fouling in hot-spot areas.	Ongoing
8	To continue to investigate reports of dog fouling and take enforcement action where appropriate. Issue press releases when fixed penalty notices/ enforcement action is taken against dog fouling.	Ongoing
9	Work closely with Parish Councils to tackle dog fouling. Facilitate the reporting of incidents of dog fouling to the Borough by contacting Parish Councils on a quarterly basis to help inform the number of complaints received and reported through the council plan performance tracker, to enable a better picture of the 'hot-spot' areas to be established.	Quarter 2- July-Sept, then ongoing
10	Enviro-crimes to be added as agenda item at a future Parish and Town Council Seminar, to advise on how they can assist in tackling enviro-crimes	Next meeting- Jan 2015
11	Organise a training session tailored to the Police, explaining how they can help in tackling dog fouling.	October 2014
12	Launch a 'Paws on Patrol' type initiative to encourage witnesses to report dog fouling.	September 2014
13	Promote the dangers of dog fouling and consider the use of more hard hitting visual campaigns.	October 2014
14	Carry out educational campaigns at local schools to make them aware of the dangers of dog fouling. Explore partnership working with other agencies.	January 2015
15	Procure portable signs warning that dog fouling will not be tolerated and enforcement action will be taken.	September 2014

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Produced by Tewkesbury Borough Council. May 2014

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	19 July 2016
Subject:	Housing Strategy Review
Report of:	Paula Baker, Housing Services Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Derek Davies, Lead Member for Built Environment
Number of Appendices:	1

<p>Executive Summary:</p> <p>Tewkesbury Borough Council’s current Housing Strategy ends in 2017 and thus a new document which can pull together the Council’s strategic priorities around housing, including homelessness and tenancy management, for the period 2017 – 2020, needs to be developed over the next six months for consideration by the Council.</p> <p>Given the strategic importance of this work to delivering the Council Plan, the Overview and Scrutiny Committee agreed in June 2016 that Members would be involved to support the development of this work. Officers are confident that the statutory requirement to produce a Homelessness Strategy and Tenancy Management Policy can be combined into one overarching Housing Strategy document within the necessary timescales.</p> <p>This report suggests the creation of a Member Working Group to work with Officers on this strategy development and asks Committee for nominations to allow this work to begin.</p>
<p>Recommendation:</p> <ol style="list-style-type: none"> 1. To establish an Overview and Scrutiny Working Group, comprising six Members plus the Lead Member for Built Environment, to develop a new Housing Strategy. 2. To APPROVE the proposed Terms of Reference for the Working Group as set out at Appendix 1.
<p>Reasons for Recommendation:</p> <p>The Homelessness Act 2002 and Local Government Act 2003 require all Councils to develop a strategy that sets out the Council’s policies, commitments and programme for a wide range of housing matters.</p>

<p>Resource Implications:</p> <p>None.</p>
<p>Legal Implications:</p> <p>The production of a Housing Strategy, Homelessness Strategy and Tenancy Management Policy are statutory requirements on the Council.</p>

Risk Management Implications:

None.

Performance Management Follow-up:

The strategy will include an Action Plan of key tasks which will be monitored on a six monthly basis by the Overview and Scrutiny Committee.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

- 1.1 At the last meeting of the Overview and Scrutiny Committee, Members expressed a wish to be more directly involved in the development of housing policy within the Council.
- 1.2 At this time it was felt that the timescales to deliver a full Housing Strategy made it difficult to combine this work with the more pressing need for a new Homelessness Strategy which is required by February 2017 to support the Council's scheduled assessment under the Gold Standard for Home Options Services.
- 1.3 Officers have assessed the necessary work and are now confident that both pieces of work can be done together, which has significant advantages given the necessary crossover between these two elements of the Council's strategic approach to housing.
- 1.4 Officers also agree strongly that a Member Working Group would be of considerable benefit in helping shape the emerging strategy document and the Council's overall housing priorities. This report sets out Terms of Reference for a Working Group for consideration.

2.0 TERMS OF REFERENCE

- 2.1 The suggested Terms of Reference are attached to the report in Appendix 1 and adhere to the Overview and Scrutiny Committee's standard approach to the creation of working groups.
- 2.2 A schedule of meetings is also included to provide Members with more information about the nature of the work and the expected level of participation.

2.3 Suggested dates are as follows:

	Provisional Date	Purpose
Member Working Group 1	18 August 2016	The Housing Strategy overall; an opportunity to talk through key issues, present the National Policy context, local challenges and emerging priorities.
Member Working Group 2	w/c 19/09/2016	Consideration of strategic priorities 1 and 2.
Member Working Group 3	17, 18 or 19 October 2016	Consideration of priorities 3 and 4 and the consultation feedback.
Member Working Group 4	w/c 14 November 2016	Meeting to approve the Strategy.
O&S Committee	29 November 2016	Committee agreement.
Member Working Group 5	w/c 5 December 2016	Additional meeting if necessary.
Council	24 January 2017	Council sign off of Strategy.

2.4 The Overview and Scrutiny Committee is asked to nominate six Members to serve on this Working Group. The Lead Member for Built Environment will also be invited to attend.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 Consultation with key stakeholders and the public will be a feature of the Housing Strategy development.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Joint Core Strategy
Tewkesbury Borough Plan

6.0 RELEVANT GOVERNMENT POLICIES

6.1 Homelessness Act 2002
Local Government Act 2003
Localism Act 2011

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 Officer time.

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

8.1 None at this stage.

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

9.1 None at this stage.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

Background Papers: None

Contact Officer: Erin Davies, Strategic Housing & Enabling Officer
01684 272162 Erin.Davies@tewkesbury.gov.uk

Appendices: Appendix 1 - Housing Strategy Working Group Terms of Reference

Housing Strategy Working Group – Terms of Reference

Introduction

To prepare and present to Council in January 2017 a Housing Strategy document to 2020 which includes a homelessness strategy and strategic tenancy policy.

Process

1. To consider the national strategy and policies for housing, affordable housing and development of new homes across England.
2. To consider how the Council will work at a local level to make a real difference to our communities across Tewkesbury Borough.
3. To understand the local picture for housing and determine aims and objectives that achieves Tewkesbury Borough's vision.
4. To ensure that a strategy is developed that meets the housing needs of all the Borough's communities to look at, inter alia:
 - i. the supply and delivery of new homes including affordable housing to include the policies of the Joint Core Strategy¹ and Tewkesbury Plan²
 - ii. how we will meet local housing need and the needs of specific groups
 - iii. tackling homelessness and homelessness prevention
 - iv. the quality of the housing stock, including housing standards

Who should we consult?

- Lead Member for Built Environment and Borough Councillors
- Parish Councils
- Relevant Council departments (e.g. Environmental Health, Community Development, Planning, Planning Policy, Revenues and Benefits, Policy, Finance, One Legal).
- Other agencies involved in the delivery of housing and housing related services (e.g. Occupational Therapists, Adult Social Care, Children's Services, St Mungo's)
- Housing providers (e.g. Registered Providers)
- House builders and their agents
- Neighbouring authorities/good practice authorities
- Service user representatives

Outcomes of the Strategy

- To deliver an effective housing service and have a clear strategic direction for housing in Tewkesbury Borough.
- To ensure best value for the Council.
- To ensure housing needs of the Borough's residents are met.
- To achieve the Council's Corporate Plan objectives.

¹ <http://www.gct-jcs.org/>

² <http://tewkesbury.gov.uk/index.aspx?articleid=2321>

Timetable

	Provisional Date	Purpose
Member Working Group 1	18 August 2016	The Housing Strategy overall; an opportunity to talk through key issues, present the National Policy context, local challenges and emerging priorities.
Member Working Group 2	w/c 19/09/2016	Consideration of strategic priorities 1 and 2.
Member Working Group 3	17, 18 or 19 October 2016	Consideration of priorities 3 and 4 and the consultation feedback.
Member Working Group 4	w/c 14 November 2016	Meeting to approve the Strategy.
Member Working Group 5	w/c 05 December 2016	Additional meeting if necessary.

Support

Paula Baker
Erin Davies
Corporate Services
Democratic Services

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	19 July 2016
Subject:	Peer Challenge Action Plan
Report of:	Graeme Simpson - Corporate Services Group Manager
Corporate Lead:	Mike Dawson, Chief Executive
Lead Member:	Councillor R J E Vines, Leader of the Council
Number of Appendices:	Two

Executive Summary:

The peer challenge took place during 11-14 November 2014 and was facilitated by the Local Government Association (LGA). The process was an excellent learning opportunity for the Council, providing an external health check of where the Council is 'in life' and how we are set up to meet our future challenges, namely the delivery of our Transformation Programme.

Over four days, a challenge team interviewed nearly 80 staff and Members and over 40 partners. The findings of the team were very positive and overall they concluded that we are a council that 'is punching above its weight'. Following the challenge, a formal report was received which summarises the findings of the challenge team. This report included a number of recommendations where we can improve further.

The report and action plan were approved at Council on 19 February 2015. Council also approved that monitoring of the action plan should be undertaken by the Overview and Scrutiny Committee.

Recommendation:

Members are asked to CONSIDER the progress made in delivering the recommendations within the Peer Challenge Action Plan.

Reasons for Recommendation:

It was a resolution by Council that the Overview and Scrutiny be tasked with monitoring delivery of the peer challenge recommendations. Implementation of the recommendations will support the Council on its improvement journey.

Resource Implications:

None directly arising from this report.

Legal Implications:

None directly arising from this report.

Risk Management Implications:

If the Council does not implement the recommendations made by the peer challenge team then this will be a lost opportunity for improvement.

If the Council does not implement the recommendations made by the peer challenge team then there will be a reputational risk in ignoring advice from a credible external assessment.

Performance Management Follow-up:

Progress in delivering the peer challenge recommendations will be reported to Overview and Scrutiny Committee on a six monthly basis.

Environmental Implications:

None directly arising from this report.

1.0 INTRODUCTION/BACKGROUND

- 1.1** As part of its approach to sector led improvement, the Local Government Association (LGA) offered, until Autumn 2014, every Council in the country a free peer challenge. Peer challenges are improvement focused, carried out to the specification of individual Councils and are aimed at improving, not judging, Councils.
- 1.2** This Council's peer challenge took place during 11-14 November 2014. The process was an excellent learning opportunity for the Council, providing an external health check of where the Council is 'in life' and how we are set up to meet our future challenges, namely the delivery of our Transformation Programme.
- 1.3** The challenge team comprised of senior officers and a Member from other Councils. The team was led by a Chief Executive supported by an LGA challenge manager. Over four days, the team interviewed nearly 80 staff and Members and over 40 partners. The findings of the team were very positive and overall they concluded that we are a Council that 'is punching above its weight'. Following the challenge, a formal report was received which summarises the findings of the challenge team. This report included a number of recommendations where we can improve further.

2.0 SCOPE AND FOCUS OF THE PEER CHALLENGE

2.1 The scope of all peer challenges undertaken by the LGA includes a review of five core components:

- **Understanding of local context and priority setting:** Does the Council understand its local context and has it established a clear set of priorities?
- **Financial planning and viability:** Does the Council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
- **Political and managerial leadership:** Does the Council have effective political and managerial leadership and is it a constructive partnership?
- **Governance and decision making:** Are effective governance and decision-making arrangements in place to respond to key challenges and manage change and transformation?
- **Organisational capacity:** Are organisational capacity and resources focused in the right areas in order to deliver the agreed priorities?

2.2 In addition to the five core themes, the scope was tailored with a particular focus on the Council's approach to business transformation through addressing the following questions:

- Is there a clear and understandable message – is the narrative on the kind of council we want to be clear to staff, stakeholders and the community?
- Do people own it and are signed up to the changes the council is embarked upon?
- Will the programme to manage, engage and develop the council deliver the transformation desired?
- Have we missed anything?

3.0 PEER CHALLENGE OUTCOME

3.1 As a reminder for Members, in particular new Members, the final report is attached at Appendix 1. The report gives much that the Council can be proud of. A summary of the positive feedback includes:

- An energetic and active approach towards its service delivery
- Developing itself as an effective organisation with a strong emphasis on value for money
- Very good relationship with partner organisations
- High levels of resident satisfaction
- Strong sense of community leadership
- Pioneering a multi service and partner approach to its activities
- A good corporate understanding and ownership of transformation activities
- Good financial management

The review team concluded that the Council 'punches above its weight' at a local, county and regional level.

3.2 As with all organisations, there will always be room for improvement. The challenge team made eight formal recommendations (Page 16 of its final report) where they consider the Council can develop the strengths needed to help progress the improvement journey. The report also contains other opportunities for improvement that can be translated into formal recommendations.

4.0 PEER CHALLENGE ACTION PLAN

4.1 An action plan to progress these recommendations was approved at Council on 11 February 2015. Council also resolved that monitoring the delivery of the action plan would be undertaken by the Overview and Scrutiny Committee. Progress reports are provided to the Committee on a six monthly basis.

4.2 The action plan and a summary of progress in delivering the recommendations can be found in Appendix 2. The majority of actions are being, or have been, progressed through the ongoing work around development of the new Council Plan, individual service reviews, project management, financial management, Overview and Scrutiny and Member development. A small number of the targeted implementation dates have been extended to reflect the work being undertaken.

5.0 OTHER OPTIONS CONSIDERED

5.1 None

6.0 CONSULTATION

6.1 The undertaking of a peer challenge was approved at Executive Committee on 4 June 2014. A significant number of officers, Members and partners were consulted during the peer challenge. The peer challenge report and action plan were approved at Council on 11 February 2015.

7.0 RELEVANT COUNCIL POLICIES/STRATEGIES

7.1 Council Plan 2012-16, Business Transformation Strategy

8.0 RELEVANT GOVERNMENT POLICIES

8.1 None

9.0 RESOURCE IMPLICATIONS (Human/Property)

9.1 None directly arising from this report.

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

10.1 None directly arising from this report.

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

11.1 Implementation of recommendations will improve the efficiency of the Council.

12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

12.1 None.

Background Papers: Executive Committee 4 June 2014 – Approval of peer challenge approach.

Council 11 February 2015 – Approval of final peer challenge report and action plan.

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

Appendices: Appendix 1- Final peer challenge report
Appendix 2- Progress of peer challenge recommendations

Mike Dawson
Chief Executive
Tewkesbury Borough Council
Council Offices
Gloucester Road
Tewkesbury
GL20 5TT

17 December 2014

Dear Mike

**Tewkesbury Borough Council Corporate Peer Challenge 11th-14th
November 2014**

On behalf of the peer team I would like to say what a pleasure and privilege it was to be invited into Tewkesbury Borough Council to deliver the recent corporate peer challenge as part of the Local Government Association (LGA) offer to support sector led improvement.

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected your requirements and the focus of the peer challenge. Peers were selected on the basis of their relevant experience and expertise and agreed with you. The peers who delivered the peer challenge at Tewkesbury were:

- **John Robinson**, Chief Executive, Gedling BC
- **Gill Elliott**, Peer Support Adviser, LGA
- **Val Green**, Head of Organisational Development, Tunbridge Wells BC
- **Mike Hammond**, Director of Transformation at Babergh DC and Mid Suffolk DC
- **Councillor Lynda Turner**, Deputy Leader and Executive Member for Communities & Environmental Services at Breckland DC
- **Bob Ross**, LGA Peer Challenge Manager

Local Government House, Smith Square, London SW1P 3HZ
T 020 7664 3000 F 020 7664 3030 E info@local.gov.uk www.local.gov.uk
Chief Executive: Carolyn Downs

Scope and focus of the peer challenge

You asked us to provide an external 'health-check' of your organisation in the context of your plans for the future. In particular you asked for peer observations on your programme of transformation. We have done this by considering the following core components looked at by all corporate peer challenges:

1. Understanding of the local context and priority setting: Does the council understand its local context and has it established a clear set of priorities?
2. Financial planning and viability: Does the council have a financial plan in place to ensure long term viability and is there evidence that it is being implemented successfully?
3. Political and managerial leadership: Does the council have effective political and managerial leadership and is it a constructive partnership?
4. Governance and decision-making: Are effective governance and decision-making arrangements in place to respond to key challenges and manage change, transformation and disinvestment?
5. Organisational capacity: Are organisational capacity and resources focused in the right areas in order to deliver the agreed priorities?

In addition and in relation to your programme of transformation we looked at the following questions that you asked us to consider

- Is there a cohesive and understandable message as to the kind of council that you want to be and is it clear to staff, stakeholders and the community?
- Do people own this and are they signed up to the changes the Council is embarked upon?
- Will the programmes to manage, engage and develop the council deliver the transformation desired?
- Have you missed anything?

The peer challenge process

It is important to stress that this was not an inspection. Peer challenges are improvement-focused and tailored to meet individual councils' needs. They are designed to complement and add value to a council's own performance and improvement focus. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared for the peer challenge by reviewing a range of documents and information to ensure they were familiar with the Council and the challenges it is facing. The team then spent 4 days on-site at Tewkesbury, during which they:

- Spoke to a wide range of people including a range of council staff together with councilors and external partners and stakeholders
- Gathered information and views from meetings, workshops and additional research and reading
- Collectively spent more than 250 hours to determine their findings – the equivalent of one person spending more than 7 weeks in Tewkesbury

This letter provides a summary of the peer team's findings. It builds on the feedback presentation provided by the peer team at the end of their on-site visit (11th – 14th November 2014). In presenting feedback to you, they have done so as fellow local government officers and members, not professional consultants or inspectors. By its nature, the peer challenge is a snapshot in time. We appreciate that some of the feedback may be about things you are already addressing and progressing.

Summary of feedback: overall observations and messages

The Council has an energetic and active approach towards its service delivery and in developing itself as an effective organisation with a strong emphasis on value for money. It has not only undertaken many internal transformation activities to achieve these aims but it has also maintained an external focus and developed very good relations with partner organisations at all levels of operation. The levels of resident satisfaction both with Tewkesbury Borough and the council itself are very high.

There is a strong sense of community leadership and the Council has an ambitious growth agenda for both business and homes. It is pioneering a multi-service and partner approach to its activities e.g. the impressive public service centre approach in the civic offices. The Council wishes to extend this approach still further and is embarking on a 'Place' initiative which is designed to help ensure that all public services are co-ordinated around the needs of individual communities. This approach will also have benefits within the council itself, helping to discourage silo working and develop the new tier of group managers as a corporate team.

An area for the Council to examine, however, is whether there is a clear enough link between its community engagement activities and the setting of the Council's overall priorities. This examination could also include discussions with business and partner organisations to ensure that there are truly shared outcome priorities.

The Council is ambitious and wishes to improve still further. To assist this it has put in place a wide ranging multi – activity transformation programme. Staff and other stakeholders understand and own these transformation activities. The emphasis on transformation has been so fully embraced by the Council that there are also many transformation activities taking place outside of the formal programme

A possible danger for the Council is that it may actually be trying to do too much in too short a time. A feeling that some staff are becoming overstretched was expressed during various discussions. Given the likely reduction in resources the Council should consider whether it can 'prioritise its priorities' to ensure that it is focusing on the key activities that will continue to transform its services and internal capability. This could include looking to see if there are ways to streamline monitoring activities as a way of increasing officer capacity.

The Council is not unique in having financial pressures. Its capital reserves will be reduced significantly in order to finance a new leisure centre and the Medium Term Financial Strategy (MTFS) identifies a revenue funding gap of around £2.8m over the five years life of the MTFS. However, you have identified your financial pressures well and undertaken good risk analysis. This approach includes prudent use and predictions of New Homes Bonus (NHB) income and your transformation programme should also produce significant savings. You have identified some capital assets that you may be able to sell to boost the capital reserve. Although you are obviously working on tackling your financial pressures it would be prudent to firm up specific actions as soon as possible as to how these pressures will be met.

The written feedback below presents some additional detailed points and further explanation of the key issues arising during the peer challenge. There are, of course, still things to be done but you have already delivered significant achievements and are determined to continue your ambitious improvement journey. The peer team found that there was much for the Council to be proud of and it 'punches above its weight' at a local, county and regional level. It is also suggested that the Council takes time to celebrate what it has already achieved so far.

Summary of feedback: current performance, ability and capacity to deliver future ambitions

Understanding of local context and priority setting

Throughout the peer challenge there was a real feeling of enthusiasm and commitment to Tewkesbury Borough from all the groups and individuals that we met. It was evident that there is pride in the borough and its individual communities. Members spoke knowledgeably about their individual wards and the Council collectively has an ambitious growth programme for homes and businesses in the borough. There is a strong sense of identity and this helps drive the vision for the borough.

You intend to build on this approach and positive steps are being made to get even closer to your communities. This includes embarking upon a 'Place' initiative to develop further cross public sector working for the borough and help ensure a truly local focus. This initiative will enable further partnership working and identify areas where you can facilitate or enable other bodies to deliver prioritised and co-ordinated support to your communities

The recent resident survey demonstrated high levels of satisfaction with both Tewkesbury and the Council itself. These levels are a considerable achievement and would not be possible without proactive development of your services.

Within your five key priorities there is clear evidence that the Council is taking positive action to ensure that change really happens. This change has both an inward and external focus. As mentioned, the growth programme includes both business and housing growth. However, the Council is also transforming itself through a planned and co-ordinated transformation programme, internal streamlining etc. The Council has a strong emphasis on value for money and is reviewing all its services to ensure it delivers good quality services and at low cost. Staff are fully engaged with this.

The peer team did feel that the Council would benefit from a more systematic approach to the gathering and use of customer feedback. There was limited evidence about how local residents had informed the Council Plan and some business and voluntary sector partners would value having more input to the setting of priorities. In addition, more effective use could be made of customer feedback to drive performance improvement. It may be helpful, for example, to consider how residents surveys, such as the one undertaken in 2013, could feed into the annual service and budgetary planning process and be used to drive service improvement.

Allied to this, although the objectives and actions in your Council Plan give an indication of what is meant by each priority, the team felt that the initial statements could have greater impact if they were more explicit in terms of what you were trying to achieve i.e. were more outcome focused. How the current priorities are expressed makes measurement difficult and the peer team felt that there is scope to articulate specific aims to enable the community and staff to have a clearer understanding of the Council's initiatives.

There are significant potential benefits from your growth agenda, but it may be timely to consider whether current levels of service are sustainable and affordable in the future. The growth agenda itself will require additional support in order for it to be delivered successfully. The peer team did not see much evidence of consideration of stopping things or providing lower levels of service. The service reviews are providing an opportunity to look at how services are delivered and whether there are things that can be done differently. There may be opportunities within these reviews to consider whether current performance targets are realistic given future financial constraints.

The peer team felt that the Place initiative is a really exciting development. In the short term this will place further work pressures upon officers etc. and this should be taken into account. The role of the group managers as a team is vital here as they take on new area responsibilities and this will also have benefits in terms of their corporate team development. Care should be taken to ensure this does not create an over-stretched group of officers.

You should also continue to follow your practice of seeking examples of good practice from others when developing this initiative and ensuring that there are clear outcome criteria for measuring its success.

Financial planning and viability

The Council (along with many others) is facing significant financial challenges. You have good awareness of these as a corporate body and these challenges are well articulated in your MTFS which was published in October 2014. The MTFS also sets out a clear summary of your financial objectives and principles.

One of the main planks of your financial strategy is the amount of New Homes Bonus (NHB) that you will receive. Despite the financial pressures you have not taken an unrealistically optimistic approach to this income stream and the MTFS has adopted a prudent principle that the maximum NHB to be utilised for base budget support is 65%.

As stated, the growth agenda for the borough is ambitious. You are also aware that this agenda will help create an increase in the demand for services and will need investment to meet those needs. To help with this you have established a good relationship and influence within your Local Enterprise Partnership (LEP).

Another element on your MTFS is to create savings through your transformation programme. You have identified that this programme will require support and some initial investment. To help ensure that the transformation takes place and savings actually achieved you are creating a transformation reserve of £350k. This is a clear example of both an 'Invest to Save' and "Value for Money ' approach. Aligned with this are the service baseline reviews you are undertaking. These should aid prioritisation for savings potential.

You are also debt free and have a number of capital assets that you are examining for income potential. Although you have a sizeable investment portfolio current interest rates mean that your returns on this are limited and you are seeking ways to improve this and £2m has been set aside with a view to exploring this. You have also undertaken a prudent 'sensitivity analysis' of your overall strategy.

We were made aware that the annual budget process had been refined and would support steps being taken to ensure a closer alignment between the setting of corporate and service priorities and the budget process.

Additionally there was some evidence that not all members are aware of the financial position of the council and the financial position of individual service areas. This financial understanding is very important given the financial pressures facing you, prioritisation etc. and you should consider how to create a more active political awareness and engagement in the financial management of the authority

You have shown your willingness to invest in activities that will produce savings or financial returns. The plans you have for the growth of homes and business in the borough should produce financial returns for you. Consideration should be given as to whether you are able to invest more in the growth agenda to expedite financial returns.

Your MTFS identifies two key immediate financial issues. These are that the current Capital Programme will deplete capital reserves to around £2.33m by March 2017. This is a level that will not meet future ambitions for asset investment, town centre redevelopment and the continuation of the Disabled Facilities Grant (DFG) programme at the current level.

Additionally the MTFS identifies that due to various revenue pressures there may be a funding gap of £2.83m over the five year life of the MTFS including a revenue funding deficit of £807k for the 2015/16 financial year.

You are actively seeking ways to help resolve both of these issues and have already identified some specific actions that should generate around £500k of savings e.g. vehicle replacement, waste services and leisure services management plus an identification of possible capital sales. However, it is necessary to firm up further specific actions as soon as possible as to how these gaps will be met.

Political and Managerial Leadership

It was evident that there are positive relationships and high levels of trust between elected members and officers. There is an officer/ member protocol which is robust and followed. On both sides there is an open, inclusive and honest leadership and management style that has led to good working relations and is reflected in the high levels of commitment by staff. The Chief Executive is very high profile and accessible in conducting staff briefings etc. In addition communication channels such as the 'Myth Busters' facility on the intranet are used to encourage communication.

Care has been taken to streamline the senior management structure with a significant reduction of posts at what is now the Group Manager level. This has been successful in a number of respects including clearer accountability and, swifter decision-making and improved communication. Within the new structure members are fully aware of whom to contact and lead members also work closely with appropriate senior officers to manage their portfolio responsibilities

The leadership and management are very aware that they should not work in isolation and have taken proactive steps to develop good external relationships and are developing these still further. Indeed you are pioneering many elements of public sector reform and already there is an impressive public service centre approach within the civic offices with some partners operational staff being located within the civic offices. Partners spoke highly of the Council's approach to joint working and felt that they had strong relationships with you. The feedback from your community and voluntary sector groups we met and spoke to was that the Council is working with them to benefit residents in all parts of the borough and partners felt they are recognised as assets in this respect.

This approach extends to the County Council and other district councils with the joint core strategy pre-submission and sharing of legal services being given as examples of effective joint working.

As part of continuous improvement, encouraging both internal and external challenge is important. Care should be taken to ensure that the high levels of trust and confidence mentioned above does not 'blunt' such challenge. You may wish to consider how to ensure such challenge explicitly takes place and provide opportunities for this to happen. Several members of the Executive Committee reported that they would personally welcome a greater degree of challenge and more rigorous holding to account of the Executive Committee. One method of achieving this may be for Executive Committee members to personally present reports to Overview and Scrutiny.

Similarly care should be taken to ensure that briefings provided to portfolio holders provide sufficient time-lines, costings and performance indicators to allow for more informed discussion and challenge of officers.

Allied to this is that the culture change that has occurred and is still taking place should include elected members. Although a wide range of member development activities were reported it was noted that these were primarily based around information sharing. The Council should consider whether it can also place greater emphasis on developing the skills of members particularly as new leadership and management skills will arise from your transformation programme and partnership activities. Consideration should be given as to how the induction process for new members can contribute to this and the overall culture change.

Governance and decision-making

The governance arrangements for your Council are sound. Appropriate protocols exist for topics such as member officer relationships and we were not made aware of any standards issues or challenges/ complaints about formal procedures.

The peer team were informed that in the past decision-making could be a protracted process. The Council is now a more confident and less risk averse organisation that has proved itself able to make difficult decisions and to speed up its internal procedures.

The vision of the Council is to ensure 'Tewkesbury is a place where a good quality of life is open to all'. Ward members take this vision very seriously and are clearly champions for their areas and were consistently passionate about trying to make lives better for their communities. Each ward obviously has its own needs and level of support required. Members have good awareness of this and appear realistic in their expectations. It is hoped that the Place initiative will help enhance this localised, co-ordinated approach and actively engage residents and support their pride in their areas.

During the course of the peer challenge there were some comments received regarding the encouragement of participation of ward members and the public. Although it was difficult to examine this in detail during the timeframe of the peer challenge you may wish to consider how you can encourage greater participation in formal and informal meetings. Some members felt that when putting motions forward on behalf of their residents they should be given more prominence and encouraged/ enabled to have a greater level of discussion.

Overview and Scrutiny has proved it can make an impact and contribute well to policy development. A particular example of this is its work on reviewing and making recommendations regarding car park arrangements. The peer team would encourage you to ensure that the committee's contribution is maximised and they are producing more examples of such impact.

Although no governance issues were identified it is understood that the constitution was last totally reviewed 12 years ago. Many parts of the constitution have been reviewed and amended since that time to reflect changes in legislation/circumstances. However, it would be prudent to review it in its entirety to ensure that it is up to date – especially in the light of the Council moving forward its transformation programme at such a pace.

Organisational Capacity

All the staff peers spoke to were proud to work for the Council and keen to provide a good service for residents. They recognise the journey that the Council has been on in recent years and understand why you need to continue the change process. They were all able to articulate what the transformation programme is aiming to achieve and they can already see some of the benefits e.g. less silo working and a better relationship with partners who share the Council building.

The management restructure in 2013 achieved savings of £500k. It also created the opportunity for some of the Heads of Service to step up to the role of Group Manager. This group is a key link between strategic and operational functions. Many staff spoke of how they felt the speed of decision-making and accessibility had been enhanced by the new management structure.

There are good opportunities for staff training and development. A new Personal and Professional Development approach has been introduced and there were good examples of advantage being taken of learning from other local authorities together with a mix of training, mentoring, coaching etc. The Council is investing in management development with an external provider having been commissioned to deliver a management development programme down to Operational Manager level. Phase 1 has been completed and Phase 2 is about to start.

The Public Service Centre and co-location of some key partners is already having benefits and assisting capacity. Partners and Council staff spoke about improved relationships and better opportunities to work together on issues. Examples include fraud investigation between CAB and the Revenues and Benefits team and work on arson between the Council, the Fire Service and the police. All the partners felt welcomed by the Council and that close partnership working was assisting their own services.

In order to assist your transformation activities you have been willing to invest in bringing in specialist resources when necessary to supplement internal capacity. External consultants have assisted with the IT review; development of the Leisure Centre; the Regeneration development and the office refurbishment project. This willingness to invest in specialist support to supplement your own capacity is welcomed.

The Council has a successful apprenticeship scheme. On average six apprentices are taken on each year and many have found permanent jobs. This scheme obviously has a number of benefits for the individual apprenticeships and is also contributing to a younger demographic inside the Council.

The transformation programme and your culture change are developing more agile and flexible working style within the Council. Open plan offices means staff are gaining a better understanding of other teams' work areas. There is also more homeworking use of hot desks and flexible working which is allowing staff to balance their own domestic needs without impairing the delivery of your services.

A more open, creative and customer focused culture is increasingly emerging. This is recognised by having a lead Member for Customer Focus. The Council is looking at how customers access services and encouraging more digital contact via channel shift.

Improvements to the reception area in the Public Service Centre have already been implemented including a joint reception. Further improvements and the use of a floorwalker to assist customers are planned.

Further work is necessary to develop the collective role of the group managers. They are now a corporate team at this level and it is noted that how they operate as such is to be part of the management development programme. There was some evidence of group managers collaborating on projects but some felt that the need to focus on major issues such as Planning, Housing and Waste left little capacity for corporate working as a team. There is scope for group managers to operate in a more corporate way including undertaking more forward thinking activities.

There also appeared to still be some uncertainty amongst the managers as to whether their roles are partly strategic, tactical, partly operational or a combination of all three. It is understood that a review is underway of the pay and grading structure of the Group Manager role to recognise their new responsibilities and ensure that they reflect the structure and role differential between the group and operational managers. This review is welcomed by the peer team.

Similarly, Operational managers are still adapting to their new ways of working with their Group Managers. The Council should ensure that there are no 'un-tapped' talents within this tier and there are opportunities to further up-skill these managers via Phase 2 of the management development programme to maximise their potential. This will also better enable future succession planning.

The Council is managing a number of high profile projects including the economic growth agenda, new leisure centre, the depot services transfer project, delivering the Joint Core Strategy, Place initiative, developing a customer focus with a new Customer Access model, asset management projects. At the same time it is undergoing a significant culture change programme and looking to make savings of almost £3m over the next four years. The peer team is concerned that the Council may be trying to take on too much at one time and that the pace and delivery of all these projects may not be sustainable. Peers heard that some staff are beginning to feel over stretched as a result of the number of transformation activities, restructuring, greater spans of control, loss of admin support etc.

It was noted that there is not an up to date workforce strategy. As you are undertaking a wide transformation programme there will be many effects on your workforce. A workforce strategy should be developed to identify, supply and deal with the new skills, flexibility, ways of working, succession planning and organisational development. At this early stage progressing agile working also appeared inconsistent across the Council and you may wish to consider how the benefits to both the Council and to staff can be widened.

Various IT difficulties were described to the peer team such as hardware being old and dated, homeworking IT interfaces not working consistently, low levels of IT literacy amongst some staff and Members. There is a recognition that better IT will be needed to support a number of business development initiatives including channel shift and the expansion of One Legal. The Council has recognised this need to invest in its IT infrastructure and a review of this is underway with external specialist advice having been commissioned to assist with this.

Transformation

There is a clear commitment to transformation of how the Council manages itself, provides services and works with others. You have embarked upon a wide ranging multi – activity transformation programme and have identified four key streams of activity: Partnerships and Commissioning, Use of Buildings, Using Technology and Sustaining Improvement, People and Culture. There are detailed projects within each stream and the peer team feels that you are focusing on the right areas.

It is important to note, however, that Transformation is also, and as importantly, taking place beyond the formal programme. This is evidence as to how the whole Council has embraced the need to change and transformation is now ‘organic’ as well as managed through the formal programme. Your staff understand and can articulate the need for change in their own language and they own the transformation activities.

It was noted by the peer team that your Transformation activities have already delivered some significant achievements. Impressive examples of actual delivery of projects include the Public Services Centre, very significant improvements in your revenues and benefits processing etc. The management re-structuring exercise has also not just reduced costs but is having benefits in terms of breaking down silos internally and with partners. This is providing a good base for further transformation.

One of the reasons for your success is your willingness to look externally to learn from best practice with visits to other authorities to look at services such revenues and benefits, leisure centre management etc.

As already mentioned your Place initiative will complement and enhance your transformation programme. Although it has a focus upon identifying and meeting specific local needs it also has the potential to achieve many ‘spin-offs’. These include new management ways of working and a significant boost to your culture change programme as Group Managers, partners etc. work together across management boundaries to achieve commonly shared aims.

An area that you asked us to examine was whether there is ‘a cohesive and understandable message as to the kind of council that you want to be’. Without doubt your staff understand why and what changes are being enacted and there is a danger that you are over-complicating a message to an already converted audience. The peer team suggests that you keep your message simple, punchy and with an emphasis on outcomes and avoid too much detail. Consideration should also be given to ensuring that

you are also adopting this same approach with partners and the community itself and that there is a clear and simple message which is well understood by all.

Your ambition for transformation is evident. Care must be taken that the combined growth agenda, service reviews and transformation programme do not become over-stretching. Your staffing and financial resources are reducing but you appear to be trying to increase your range of activities. You should ensure that you have 'prioritised your priorities' and consider how to be certain that you are making sufficiently strategic choices on how best to use your decreasing resources. A way to help this prioritisation may be to develop explicit success measures for the transformation programme expressed in terms of outcomes and identify which activities most contribute to these.

The amount of activity you are undertaking must, of course, be properly managed and monitored. However, the same transformation approach should be applied to these management/ monitoring activities. Care should be taken to ensure that some of the formal agenda led and committee style meetings and paperwork are not using up capacity without adding real value.

Community groups and the private sector advised us that the Council's Web site was difficult to navigate around and 'clunky'. We are aware from comments at other meetings that improvements to the planning information on the web site have been well received. Hence there are mixed messages but it does appear that there is scope to improve the web site.

This will also be important to enable channel shift which is a key part of your transformation strategy and one that you may wish to consider giving a stronger focus to. We heard about initiatives such as the online bulky waste collection forms and we note that the Council has purchased the online forms package from FIRMSTEP, but it was difficult to discern an overall strategy for channel shift. The team felt that this should be an important element of your transformation programme and the improvement of the web site would contribute to this.

Our recommendations: suggestions and ideas for your consideration

In addition to the areas listed above, the peer team suggests you consider the points below. These are based on what we saw, heard and read. Drawing on our experience of the sector and knowledge of local government improvement, the following are things we think will help enable the above transformation and make best use of your skills and experience, deliver some quick wins, and develop the strengths you will need to progress your improvement agenda:

1. Engage local communities and partner organisations more actively in the development of your priorities and objectives
2. Develop a systematic approach to gathering customer feedback and incorporate it within your performance management arrangements
3. At the point you come to review your Council Plan, consider expressing your priorities in a way that is more focused on outcomes
4. Keep under review your capacity to deliver the current level of activity and regularly re-visit your volume and range of priorities
5. Develop specific actions to meet the identified revenue shortfall as a matter of priority
6. Build on the positives of your current culture by encouraging more rigorous challenge including members to members; members to officers and officers to officers
7. Revamp your website and develop a programme that sets out how and when you intend to achieve channel migration
8. Review the member development programme with a view to ensuring that it is aligned with overall organisational culture change

We have attached a set of slides that summarise the above feedback. The slides are the ones used by the peer team to present its feedback at the end of the onsite visit.

Next steps

We have sought to highlight the many positive aspects of the council through the peer challenge process but we have also outlined some areas for further consideration. You will undoubtedly wish to reflect on these findings and suggestions made with your senior managerial and political leadership before determining how the council wishes to take things forward. This might include how and when you communicate the findings of the peer challenge and your response to them, both internally and externally.

As part of the peer challenge process, there is an offer of continued activity to support further development. We will endeavour to signpost you to other sources of information and examples of practice and thinking.

In the meantime we are keen to continue the relationship we have formed with you and colleagues through the peer challenge to date.

I thought it helpful to provide contact details for Andy Bates who, as you know, is our Principal Adviser (South West). Andy can be contacted via email at andy.bates@local.gov.uk (or tel. 07919 562849) and is the main contact between your authority and the LGA. Hopefully this provides you with a convenient route of access to the LGA, its resources and any further support.

All of us connected with the peer challenge would like to wish you every success going forward. Once again, many thanks to you and your colleagues for inviting the peer challenge and to everyone involved for their participation.

Bob Ross – Peer Challenge Manager

On behalf of the peer challenge team

APPENDIX 2 - PEER CHALLENGE ACTION PLAN

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
1. (page 4, para 2)	Engage local communities and partner organisations more actively in the development of your priorities and objectives.	<p>The annual update of Council Plan actions (2015/16) is currently underway – this is the last year of the current plan.</p> <p>The development of the new Council plan will take place during 2015/16. A programme of engagement with key stakeholders will support the development of the new plan.</p>	Chief Executive (Group Manager – Corporate Services)	March 2016	COMPLETE - a new Council Plan (2016-2020) was approved by Council on 19 April 2016. Limited engagement has taken place with key stakeholders in formalising the plan though the plan has been shared with stakeholders following approval. An event is also being planned with the voluntary sector forum to promote the plan.

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
4. (page 6, para 3)	Keep under review your capacity to deliver the current level of activity and regularly re-visit your volume and range of priorities.	<ol style="list-style-type: none"> 1) Use Council Plan to refocus priorities. 2) CLT will regularly review projects, workloads and related sickness absence. 3) Look to improve project management capacity. 	Corporate Management Team	March 2016	<p>COMPLETE</p> <ol style="list-style-type: none"> 1) Approval of new Council Plan (see 1 and 3 above) 2) Sickness absence is monitored and reported through the performance management framework. At O&S Committee on 14 November 2016, it was approved to hold a workshop to review the Absence Management Policy. The Council has recently been accredited as a Timewise Council which will look at innovative ways of flexible working and flexible hiring. 3) Significant projects such as the leisure centre and Tewkesbury Regeneration project have dedicated project support. The internal project management

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
					framework has also been reviewed and updated which will enable greater scrutiny and accountability to individual projects.
5. (page 8, para 4)	Develop specific actions to meet the identified revenue shortfall as a matter of priority.	Transform Working Group with CLT will develop a financial plan with specific actions.	Corporate Leadership Team (Group Manager – Finance and Asset Management)	December 2015	COMPLETE - 5 year plan based on MTFS 2016 -2021 was produced and shared with Members. Updated plan being developed based on latest MTFS assumptions. This will be an ongoing process.

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
6. (page 9, para 3)	Build on the positives of your current culture by encouraging more rigorous challenge including Members to Members; Members to officers and officers to officers (include review of effectiveness of portfolio briefings).	<ol style="list-style-type: none"> 1) Address this through develop member development programme and officer development programme. 2) Build on current review of effectiveness of O&S Committee. 3) Review effectiveness of portfolio briefings with lead Members. 	Corporate Leadership Team	March 2016	<p>COMPLETE</p> <ol style="list-style-type: none"> 1) A comprehensive induction programme has been delivered to Members. The development of the programme is ongoing throughout the term of the Council and further training and development continues to be organised and well attended. 2) The O&S Committee Membership is still relatively new. In February, the Committee held a workshop to review its effectiveness and this included training and development. Areas for further development included an independent person attending and feeding back on and O&S meeting which took place in June and the

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
					<p>introduction of pre-briefings which have taken place on a trial basis at the last three meetings.</p> <p>3) These appear to be working well and will continue as programmed.</p>
7. (page 15, para 3)	Revamp your website and develop a programme that sets out how and when you intend to achieve channel migration.	<p>Develop a new customer services strategy to include:</p> <p>1) Channel shift.</p> <p>2) Review and update of the website.</p>	Deputy Chief Executive (Group Manager – Corporate Services)	<p>March 2016</p> <p>March 2016</p> <p>June 2016</p> <p>November 2016</p>	<p>1) COMPLETE- A Customer Care Strategy including corporate care standards was approved at Executive Committee on 9 March 2016.</p> <p>2) IN PROGRESS – the website project has commenced and regular updates provided to the Transform Working Group.</p>

Formal recommendation ref (listed on page 16)	Recommendation	Action to be taken	Responsible officer	Target Date	Progress to date
8. (page 9, para 5)	Review the Member development programme with a view to ensuring that it is aligned with overall organisational culture change.	Following the Borough Elections, a needs and skills analysis will be offered to all Members leading to personal development plans aligned to the requirements of the Council.	Borough Solicitor (Group Manager – Democratic Services)	December 2015 Jan 2016 September 2016	IN PROGRESS - Skills questionnaire needs to be developed. In lieu of this, development continues, for example Chairing Skills and Speed Reading.

Other identified recommendations	Recommendation	Action to be taken	Responsible Officer	Target Date	Progress to date
11. (page 8, para 1)	Consideration should be given as to whether you are able to invest more in the growth agenda to expedite financial returns.	CLT and Transform Working Group (TWG) to consider opportunities in relation to the growth agenda.	Corporate Leadership Team	March 2016	IN PROGRESS –TWG and senior management are working together to consider commercial opportunities. For example, the Council is currently exploring the potential of a Housing Development Company and investing in new retail units within the Borough. Other opportunities being investigated but returns are limited to the margin over borrowing costs.
12. (page 10, para 5)	Maximise the contribution of Overview and Scrutiny Committee.	O&S have commenced a review of effectiveness and a formal action plan will be developed.	Chief Executive (Group Manager – Corporate Services)	May 2016	COMPLETE - A review of effectiveness workshop was held in February 2016 and an action plan developed. This includes training and development (including peer mentoring)
13. (page 10, para 6)	Review the Constitution in its entirety to ensure it is up to date.	In consultation with Members, review and update the constitution.	Borough Solicitor (Group Manager – Democratic Services)	May 2016 December 2016	NOT YET COMMENCED – the administration of the recent PCC Election and Referendum has taken priority.

Other identified recommendations	Recommendation	Action to be taken	Responsible Officer	Target Date	Progress to date
14. (page 12, para 5)	Further work is necessary to develop the collective role of the group managers.	A programme of management development has been developed and is taking place.	Chief Executive (Group Manager – Corporate Services)	June 2015	COMPLETE – a management development programme for the whole management cohort has been undertaken. Learning experiences from this can be replicated through all tiers of the Council.
15. (page 13, para 3)	Implement an up to date workforce strategy incl a consistent approach to agile working.	A workforce strategy will be developed to support the Council’s transformation agenda.	Chief Executive (Group Manager – Corporate Services)	December 2015 March 2016 September 2016	IN PROGRESS – initial work has started to develop a strategy. Work was delayed due to the sickness absence of the lead officer.