

3 October 2017

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|------------------------|----------------------------|
| <b>Committee</b>       | Executive                  |
| <b>Date</b>            | Wednesday, 11 October 2017 |
| <b>Time of Meeting</b> | 2:00 pm                    |
| <b>Venue</b>           | Committee Room 1           |

**ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND**



**for Sara J Freckleton  
Borough Solicitor**

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| <b>Agenda</b> |
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**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 (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). 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) |
|---|---------|
| <b>3. DECLARATIONS OF INTEREST</b>  |         |
| <p>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.</p> |         |
| <b>4. MINUTES</b>   | 1 - 11  |
| <p>To approve the Minutes of the meeting held on 30 August 2017.</p>  |         |
| <b>5. ITEMS FROM MEMBERS OF THE PUBLIC</b>  |         |
| <p>To receive any questions, deputations or petitions submitted under Rule of Procedure 12.</p> <p><i>(The deadline for public participation submissions for this meeting is 5 October 2017).</i></p>   |         |
| <b>6. EXECUTIVE COMMITTEE FORWARD PLAN</b>  | 12 - 16 |
| <p>To consider the Committee's Forward Plan.</p>  |         |
| <b>7. PERFORMANCE MANAGEMENT REPORT - QUARTER ONE 2017/18</b>   | 17 - 53 |
| <p>To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management information.</p>  |         |
| <b>8. REVIEW OF TEWKESBURY BOROUGH NEWS</b>   | 54 - 73 |
| <p>To consider the recommendation of the Overview and Scrutiny Committee following its review of the Tewkesbury Borough News.</p>   |         |
| <b>9. LOCAL DEVELOPMENT SCHEME</b>  | 74 - 80 |
| <p>To adopt the updated Local Development Scheme for Tewkesbury Borough to take effect immediately</p>  |         |
| <b>10. TEWKESBURY BOROUGH PLAN WORKING GROUP TERMS OF REFERENCE</b>   | 81 - 84 |
| <p>To approve an amendment to the Terms of Reference of the Tewkesbury Borough Plan Working Group in terms of membership</p>  |         |
| <b>11. FIXED PENALTY POLICY AND FINE LEVELS FOR ENVIRONMENTAL OFFENCES</b>  | 85 - 99 |
| <p>To approve the recommended fixed penalty fine levels for environmental offences along with the Fixed Penalty Policy for Environmental Offences</p>   |         |

**DATE OF NEXT MEETING****WEDNESDAY, 22 NOVEMBER 2017****COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: Mrs K J Berry, R A Bird (Vice-Chair), Mrs G F Blackwell, M Dean, R Furolo, Mrs J Greening, Mrs E J MacTiernan, J R Mason and D J Waters (Chair)

**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 Executive Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Wednesday, 30 August 2017 commencing at  
2:00 pm**

**Present:**

|            |                       |
|------------|-----------------------|
| Chair      | Councillor D J Waters |
| Vice Chair | Councillor R A Bird   |

**and Councillors:**

Mrs K J Berry, Mrs G F Blackwell, M Dean, R Furolo, Mrs J Greening, Mrs E J MacTiernan and  
J R Mason

**also present:**

Councillors P W Awford, K J Cromwell, Mrs R M Hatton and H A E Turbyfield

**EX.28 ANNOUNCEMENTS**

- 28.1 The evacuation procedure, as set out on the Agenda, was taken as read.
- 28.2 The Chair welcomed Councillors P W Awford, K J Cromwell, Mrs R M Hatton and H A E Turbyfield as observers to the meeting.

**EX.29 DECLARATIONS OF INTEREST**

- 29.1 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.
- 29.2 There were no declarations of interest received on this occasion.

**EX.30 MINUTES**

- 30.1 The Minutes of the meeting held on 12 July 2017, copies of which had been circulated, were approved as a correct record and signed by the Chair.

**EX.31 ITEMS FROM MEMBERS OF THE PUBLIC**

- 31.1 There were no items from members of the public on this occasion.

**EX.32 EXECUTIVE COMMITTEE FORWARD PLAN**

- 32.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-13. Members were asked to consider the Plan.
- 32.2 Accordingly, it was

**RESOLVED:** That the Committee's Forward Plan be **NOTED**.

**EX.33 FINANCIAL UPDATE - QUARTER ONE PERFORMANCE**

- 33.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 14-22, highlighted the Council's financial performance for the first quarter of 2017/18 and asked Members to consider that information.
- 33.2 The Head of Finance and Asset Management explained that the report before the Committee was the first monitoring report of 2017/18 and provided details to the end of June 2017. Members were advised that the table at Paragraph 2.2 set out a summary of the expenditure position for the Council split between the main expenditure types. Currently there was a £225,836 surplus against the profiled budget which was a good position to be in. The budget position in relation to the Heads of Service responsibility showed an underspend of £157,537 as at the end of June and Paragraph 2.3 provided an explanation of the three main areas of savings which were employee costs £67,150; payments to contractors of £17,809; and income of £47,582. The employee cost savings were generated mainly through staff vacancies and maternity leave where services had managed vacancies in the short term with limited use of agency staff and help from current staff to cover work. The underspend on payments to contractors was generated from small savings across all services, with the most significant saving being on the current Materials Recovery Facility (MRF) recycling contract as a result of a lower than anticipated gate fee per tonne. This was a new contract from April 2017 and would be monitored closely over the next quarter to see if the underspend was carried forward as the market price of recyclable materials fluctuated. In terms of planning income, this continued to be significant. Car parking and licensing were performing well so far this year, however, garden waste was struggling to hit budget which appeared to be as a result of the changes to the charging structure whereby customers were making pro rata payments for this financial year. There was not an indication that the number of users had dipped but would need monitoring over the next quarter to confirm if the lower income was as a result of the one-off move to a single renewal date.
- 33.3 Attention was drawn to Appendix A to the report, which showed the summary position for each Head of Service and the current variance against their budget – a short explanation was provided for variances over £10,000. Detailed under the corporate budgets was the retained income from the business rates scheme which showed a surplus of £97,000; this was a prudent prediction of the year-end position although it should be noted that so far there had been very little activity with regard to processing appeals either from past appeal listings or those against the new 2017 list. The Council had set aside a significant provision to cover additional appeals and it was hoped this would be sufficient in meeting successful appeals thereby allowing the Council to benefit from wider increases in business rates income. Appendix B to the report set out the capital budget position which was currently showing a significant underspend against the profiled budget as a result of projects such as the purchase of new waste vehicles – which had not been completed within the expected timescales - and disabled facilities grants being underspent against what had been expected. In terms of the waste vehicles all had now been delivered and this would be shown in the figures for the next quarter. Appendix C showed the reserves position but did not take account of reserves which had been committed but not yet paid. The quarter one position showed a significant balance on the reserves but it was the expectation that those balances would be spent in the future. The Head of Finance and Asset Management drew particular attention to Note 4 on Appendix C and indicated that it should read “£837,000 of the reserve is being used to support the base budget in 2017/18 with £330,000 available for future years”.

33.4 During the discussion which ensued, a Member questioned whether the elections reserve of £63,000 would be sufficient if another general election was called. In response, the Head of Finance and Asset Management explained that, if a general election was called, the government would pay the costs of that election. The Council's reserve was specifically for its own Borough and Parish elections which were due in 2019. In response to a further query regarding Neighbourhood Development Plan Referendums, the Head of Finance and Asset Management confirmed that funding was drawn down from the government to finance part of those expenditure requirements. In terms of car parking fees, Members were advised that they had been reviewed in 2014. During 2015/16 income had exceeded expectations and had continued to grow due to increased usage and dwell times but there had been no increase in fees and charges. Referring to the amount of time that business rates appeals took, the Head of Finance and Asset Management explained that it could take a couple of years before they were finalised but the Valuation Agency was working slightly quicker now than in previous years. There was nothing registered on the appeals list for this year as yet but Officers were expecting some so had set aside substantial provisions which it was hoped would be sufficient. In response to a Member's query regarding ICT, the Head of Finance and Asset Management confirmed that there were further monies available for ICT through the New Homes Bonus funding if it was needed. The finance team worked closely with the ICT Manager and his team to ensure the correct amount of resources were available.

33.5 Accordingly, it was

**RESOLVED:** That the financial performance information for the first quarter of 2017/18 be **NOTED**.

#### **EX.34 MANAGING CONTRACTORS SAFELY POLICY**

34.1 The report of the Environmental Safety Officer, circulated at Pages No. 23-37, sought to provide guidance to all staff within the Council who were directly involved in the appointment, use and management of contractors on the health and safety guidelines that all parties must follow to ensure their responsibilities were managed during the course of business. The Committee was asked to adopt the Policy.

34.2 The Head of Community Services explained that the Council was committed to the management of health and safety for both client officers and all contractors engaged by it. The aim of the policy was to set out a framework which provided a safe and healthy workplace and systems of work which prevented and reduced the risk of illness and injury equally for employees and contractors; provided a practical, consistent and relevant system for Council staff managing and overseeing the work of contractors and/or their sub-contractors; integrated health and safety requirements into contractor management; and fulfilled the Council's legal health and safety requirements when managing contractors.

34.3 Members thanked Officers for developing such an easy to read policy and felt it was extremely useful. One Member questioned whether this was something that Parish and Town Councils which employed contractors should have and, in response, the Head of Community Services indicated that they could consider something similar. He undertook to share the Policy with Parish and Town Councils so they had a template to work from.

34.4 Accordingly, it was

**RESOLVED:** That the Managing Contractors Safely Policy be **ADOPTED**.

**EX.35 ENVIRONMENTAL HEALTH ENFORCEMENT POLICY**

35.1 The report of the Head of Community Services, circulated at Pages No. 38-57, provided a framework for Officers to operate within as well as information for businesses and the general public about the enforcement policy in respect of environmental health. Members were asked to adopt the policy.

35.2 The Head of Community Services advised that this was a simple policy which explained how the environmental health and licensing teams carried out their enforcement work and clearly explained to the public and businesses how, what and when the Council would enforce. Members were advised that the government was committed to reducing regulatory burdens and supporting compliant business growth through the development of an open and constructive relationship between regulators and those they regulated. The current environmental health and prosecution policy was an interim policy and did not reflect the modern day focus of supporting business and working in partnership with compliant businesses; the new environmental health enforcement policy addressed this and ensured the policy was fit for purpose and in line with the Regulators Code.

35.3 During the brief discussion which ensued, a Member questioned whether it was correct that businesses did not have to publish the 1-5 rating that they received from environmental health inspections. In response, the Head of Community Services advised that this was the case; although the government was considering whether this should be changed so that there was a requirement that the certificates be displayed. Referring to Page No. 41, a Member questioned what was meant by Tewkesbury Borough Council's Environmental Health Services "delivering water supplies". In response, the Head of Community Services advised that this referred to the quality of water not waterways. Another Member felt that clarification was required at Page No. 49 to refer to Tewkesbury Borough rather than just Tewkesbury. In terms of waterways, a Member questioned whether the obligations of riparian owners should be included in the enforcement document. In response, the Head of Community Services indicated that he would investigate what powers the Council had to enforce against riparian owners who were not meeting their responsibilities and provide a briefing note on this to Members.

35.4 Accordingly, it was

**RESOLVED:** That the Environmental Health Enforcement Policy be **ADOPTED**.

**EX.36 COUNCIL TAX, HOUSING BENEFIT AND COUNCIL TAX SUPPORT PENALTY AND PROSECUTION POLICY**

- 36.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 58-68, asked the Committee to approve the Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy.
- 36.2 The Head of Finance and Asset Management indicated that in January 2017 the Council had approved Tewkesbury Borough Council's participation in the establishment of a permanent Counter Fraud Unit and, following similar discussions at other authorities across the County, a permanent service had been established. A major part of the Unit's work programme for the year was to review all related policies across the partner Councils and coordinate updated policies. The Policy before Members consolidated and extended the Council's current approach and set out clearly its position in terms of dealing with examples of fraud and error. The Policy would offer a consistent framework to the Counter Fraud Unit and had already been considered by the Audit Committee and been positively received.
- 36.3 During the brief discussion which ensued, a Member noted that people were cautioned for non-payment of Council Tax and she questioned whether this was a criminal offence that would show up on a person's Disclosure and Barring Service (DBS) check. In response, the Head of Revenues and Benefits explained that the caution was a civil action rather than a criminal one so the Council kept the details within the Revenues and Benefits Section but did not share them with the Police.
- 36.4 Accordingly, it was

**RESOLVED:** That the Council Tax, Housing Benefit and Council Tax Support Penalty and Prosecution Policy be **APPROVED**.

**EX.37 BUSINESS RATES POLICY FOR NEW RELIEF - CHANGES TO THE EXISTING DISCRETIONARY RELIEF POLICY**

- 37.1 The report of the Head of Revenues and Benefits, circulated at Pages No. 69-120, asked Members to adopt the new policy for awarding reliefs to ratepayers facing significant increases in business rates bills following the 2017 revaluation.
- 37.2 Members were advised that the government had made several announcements to reduce the burden of business rates on business rate payers and, in addition, there was a need to change the regularity of reviews for recipients of charitable discretionary reliefs to once every four years and to remove the need for mini reviews in between. The detailed proposals included three new reliefs designed to reduce the burden of business rates on those facing the steepest increases in their bills: a discretionary relief that would be available to local newspapers over a two year period; an increase to the mandatory relief for recipients of rural rate relief from 50% to 100% from 1 April 2017; and the removal from the discretionary relief policy of the need to carry out mini reviews.
- 37.3 The policy document was split into four sections: supporting small business relief; new discretionary relief scheme; business rate relief scheme for pubs; and local newspaper relief. The 'supporting small businesses relief' would help those ratepayers who, as a result of a change in their rateable value at the revaluation, were losing some or all of their small business or rural rate relief and, accordingly, were facing large increases in their bills. In terms of the new discretionary relief scheme, the Council would consider awarding relief in circumstances where rateable values were below £200,000; the eligible ratepayer was the ratepayer



occupying the affected property on 31 March 2017 and continued to be the ratepayer; and where the 2017/18 net bill exceeded the 2016/17 gross rates bill by over 12.5% - in those circumstances the ratepayer would be eligible to receive new discretionary relief reducing the increase by 40%. In terms of the rate relief scheme for pubs, this would apply to those with a rateable value of below £100,000 and would mean those pubs received a discount of £1,000 off their bill for the 2017/18 financial year. The local newspaper relief meant a discount of £1,500 in business rates per year for office space that was occupied by local newspapers. The relief would run for two years from 1 April 2017 and would be assessed and calculated on a daily basis – there were currently no such establishments within Tewkesbury Borough.

37.4 In response to a query regarding the funding that was provided by the government, the Head of Revenues and Benefits explained that the Council was given a ringfenced sum of £191,000 for year one and then £40,000 for year two; if the Council spent more than that it would have to pay the extra. There were many Districts with huge business rate numbers so those authorities would get a higher percentage of the government funding pot. It was intended that the Council would award relief in line with the policy and then write to the ratepayer to advise them; they would then need to indicate if they were not eligible. In terms of the funding provided by the government, the Head of Revenues and Benefits advised that the Department for Communities and Local Government had looked at the Council's rateable value list and come up with the figures which it said the Council was entitled to from the central pot; if the Council wanted a higher figure it would have to put forward a business case but, at the moment, Officers felt the amount would be appropriate.

37.5 Accordingly, it was

**RESOLVED:**

1. That the new policy for awarding reliefs to ratepayers facing significant increases in business rates bills following the 2017 revaluation and local newspaper relief be **ADOPTED**.
2. That the changes to the existing charitable discretionary relief policy for recipients of rural rate relief be **NOTED**.
3. That the new review period for discretionary reliefs be **ADOPTED**.

**EX.38 FLOOD AND WATER MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT**

38.1 The report of the Head of Development Services, circulated at Pages No. 121-264, attached a draft Flood and Water Management Supplementary Planning Document which Members were asked to approve for the purposes of consultation. In addition, the Committee was asked to delegate authority to the Head of Development Services to make any necessary minor amendments as considered appropriate prior to its publication for consultation.

38.2 Members were advised that in November 2014, the Council had approved the adoption of a Flood and Water Management Supplementary Planning Document; however, since that time there had been significant updates to national guidance surrounding flood and water management and a review of the Council's document had been undertaken. The revised Supplementary Planning Document was attached to the report at Appendix 1. The updated document aimed to provide more in-depth guidance and achieve a higher standard of water and flood risk management than the Council currently had. It provided an update on legislative

and policy background primarily around the National Planning Policy Framework and National Planning Policy Guidance which, most notably, included changing guidance around the approach to climate change. A key change to the revised Supplementary Planning Document was a requirement for all major development to provide a detailed flood risk assessment which included a 70% allowance added to peak river flows to account for climate change. That approach was also recommended for non-major development where possible and provided a precautionary approach to assessing flood risk on potential development sites. The draft document also proposed comprehensive guidance on the application of Sustainable Drainage Systems (SuDS) and guidelines on topics such as SuDS design principles, place-making, surface water management, water reuse and maintenance.

38.3 Members were advised that, if approved, the draft Supplementary Planning Document would be published for a six week consultation period in September and October 2017. Following that period, a consultation response report would be produced and any appropriate amendments made – it was envisaged that the final document would be reported to the Executive Committee and Council later in 2017.

38.4 During the discussion which ensued, a Member indicated that, as Chair of the Council's Flood Risk Management Group, she had pushed for the document to be revised and updated however she was concerned that the draft had not been considered by the Flood Risk Management Group prior to being submitted to the Executive Committee. She fully understood the urgency for the Council to approve the document as soon as possible and as such it needed to be approved for consultation so she did not want its progress to be held up. In addition, she was of the view that, whilst it was a strong document, she had noted a number of typographical errors which would need to be addressed prior to it being released for consultation. Another Member expressed a similar view, that large parts of the document worked well but that he would like to feed into it prior to the consultation – particularly as a number of key concerns had been expressed by members of the public during the Joint Core Strategy inquiry and he wanted to ensure those had been taken into account. Members felt the matter was urgent and they did not want to see the document delayed; however, they were also of the view that the Flood Risk Management Group should be consulted. It was suggested that a colour version of the document be sent, electronically and in hard copy format, to that Group for their comments to come back to the Head of Development Services by Friday 8 September 2017 with a caveat that, should no comments be received, it would be assumed they were happy for the consultation to take place. It was also suggested that any amendments made to the document prior to consultation be made by the Head of Development Services in consultation with the Chair of the Flood Risk Management Group. One Member was not happy that the document had not been considered by the Flood Risk Management Group at its meeting and asked that her view be recorded.

38.5 Accordingly, it was

**RESOLVED:**

1. That, subject to 2 and 3 below, the Flood and Water Management Supplementary Planning Document, as set out in Appendix 1 and 1a, be **APPROVED** for the purposes of public consultation.
2. That the draft document be circulated to the Flood Risk Management Group for consultation with any comments being forwarded to the Head of Development Services by Friday 8 September 2017.

3. That authority be delegated to the Head of Development Services, in consultation with the Chair of the Flood Risk Management Group, to make any necessary amendments to the draft document as considered appropriate prior to its publication for consultation.

### **EX.39 PERRYBROOK DEVELOPMENT, BROCKWORTH**

- 39.1 The report of the Head of Development Services, circulated at Pages No. 265-270, recommended proposals to discharge the provisions of a Section 106 Agreement in respect of an outdoor sports area and proposed changing facility.
- 39.2 Members were advised that the Perrybrook development had been permitted by the Secretary of State following a public inquiry. The development was subject to a Section 106 Agreement which contained a number of clauses relating to the provision of on-site and off-site sports and recreational facilities as well as community infrastructure. Within the Section 106 Agreement there were two sets of assets; specifically a changing facility and an outdoor sports area which could potentially be transferred to the Brockworth Sports Foundation - this was a company limited by guarantee which existed to promote community participation in healthy recreation for the benefit of the inhabitants of Brockworth and the surrounding areas. The current position was that the Section 106 Agreement provided for either a fitted-out changing facility to be constructed by the developer or the payment of a changing facilities contribution of £685,000 (index-linked) to be used by the Council towards the provision of a new eight team sports changing facility on the development site, rebuilding of the clubhouse or other sports changing facilities within Brockworth. Under the terms of the Section 106 Agreement, before the 135<sup>th</sup> dwelling on the site was occupied, the Council had to notify the developer if it wished to take the contribution for the changing facilities instead of the developer constructing it itself. If the Council decided to take that option, the contribution had to be paid prior to the occupation of the 255<sup>th</sup> dwelling. In terms of the outdoor sports pitch, the laying out was to commence prior to the occupation of the 135<sup>th</sup> dwelling and completed so that the outdoor sports area was ready for its intended use prior to the occupation of the 255<sup>th</sup> dwelling.
- 39.3 Whilst Brockworth Sports Foundation was not currently ideally placed to take the outdoor sports area or the commuted sum as its application for charitable status was not yet concluded, it was anticipated that it would be completed in the near future. On 17 May, the applicant had formally offered the outdoor sports area and changing facility to the Council (not currently built) but also indicated that there would be no problem with the Council electing to accept the changing facility contribution in place of the changing facility if it so wished. The proposal would enable the Council to exercise greater control over the situation for the short term in order to achieve a sustainable option for sport within the Brockworth community. Following the grant of charitable status to the Brockworth Sports Foundation, the Council could transfer the outdoor sports area to it and provide the changing facilities contribution in the form of a grant agreement; a charge would also be put on the outdoor sports area/facility/existing clubhouse to secure compliance with the grant.

39.4 During the discussion which ensued, a Member questioned whether there was a time limit for Brockworth Sports Foundation to gain charitable status. In response, the Head of Development Services indicated that the reserved matters application was being negotiated now and it was understood that the first developer was looking to get on site as soon as possible. It was difficult to advise of a time limit although it would probably be at least a couple of years in terms of the general build out process. However, it was good practice to ensure the details were addressed as early as possible. The decision the Council needed to make was whether it should ask for the building or the money and the recommendation allowed for a delegation to the Head of Development Services, in consultation with Members, if it was decided to take the funding rather than the building. On the basis of the report before the Committee, it would be desirable for Brockworth Sports Foundation to aim to gain charitable status as soon as possible as that was how the Section 106 Agreement was designed. There were provisions to ensure the money was not lost if the Foundation did not achieve charitable status and the report sought to ensure this was understood.

39.5 In response to some concerns, the Chief Executive explained that the Council relied on community organisations to run facilities as it engaged local communities; however, this did come with risks. It was considered, particularly on larger developments such as these, that it was helpful to engage people that moved in and then it would be easier in the future for the community to take over the running of the facility. There were some first class organisations operating within communities around the Borough which was great news.

39.6 Having considered the details within the report, it was

**RESOLVED:**

- 1(a) That the outdoor sports area and, subject to (b) below) the changing facilities referred to in the S106 Agreement, be transferred direct from the developer to Brockworth Community Sports and Recreation Limited, subject to:
- i) the company establishing charitable trust status (within the period set out in the S106 Agreement) with the Objects of the charitable trust restricted to the promotion of community participation in sporting and recreational activities for the benefit of the inhabitants of Brockworth and the surrounding areas; and
  - ii) the Council being satisfied in all other regards.
- (b) That, notwithstanding the provisions in resolution (a) above, the Head of Development Services, in consultation with local Ward Members, the Lead Members for Health and Wellbeing, Finance and Asset Management and Built Environment, the Head of Finance and Asset Management and the Borough Solicitor may, at any time, exercise the election under the S106 Agreement to receive the changing facilities contribution in lieu of the changing facilities being constructed.

2. That, in the event of charitable status not being obtained within the period required set out in the S106 Agreement, the Council takes the transfer of the outdoor sports area, shown on the plan appended to the report, and elects to receive the changing facilities contribution.
3. That, subsequent to the transfer of the outdoor sports area to the Council, and receipt by the Council of the changing facilities contribution, the Head of Development Services:
  - takes steps to identify an appropriate recipient of the outdoor sports area and the changing facilities contribution;
  - reports back to Executive Committee on the legal status of the proposed recipient, any undervalue implications and any representations received as a result of any statutory notices of the proposed disposal considered necessary; and
  - reports back to Executive Committee on the proposed measures for ensuring that the changing facilities contribution is properly applied.

#### **EX.40 GROWTH HUB**

40.1 The report of the Economic Development Officer, circulated at Pages No. 271-275, provided information on the Growth Hub proposals and asked the Committee to recommend to Council that delegated powers be given to the Deputy Chief Executive to approve and sign any agreements relevant to the expedient delivery of the Hub.

40.2 Members were advised that in Autumn 2016 a successful funding bid had been made to GFirst Local Enterprise Partnership to establish a Business Growth Hub within Tewkesbury Borough Public Service Centre. The Growth Hub would be a place where businesses could meet, network, get access to important resources and secure grant funding. It was hoped the Hub would drive economic success right at the heart of Tewkesbury Borough which was the fastest growing part of Gloucestershire. The original funding bid for £385,000 had been approved by both the Local Enterprise Partnership and Growth Hub Boards. Since approval, the Borough Council had developed a brief and commissioned architects to look at the whole refurbishment project including the Growth Hub. The concept plans developed by the architects indicated an area of 84.5m<sup>2</sup> was required whereas the original bid had proposed an area of 46.45m<sup>2</sup>; it was felt the larger area would allow flexibility of space and incorporation of all elements proposed in the original brief – a meeting room, three incubators and a wider touchdown/resource centre area - the increased space would provide improved flexibility for the delivery of growth hub services, achievement of proposed outputs in the original bid and encourage business engagement. To facilitate the refurbishment of the extra space, and to ensure consistency of look and feel, an increased funding request of £80,068.50 had been proposed to the Local Enterprise Partnership. The revised amount had received approval in principle from the Sub-Group Board but would need to be confirmed by the whole Board in due course.

40.3 In terms of the timetable, the Council was working closely with the Local Enterprise Partnership for all Hub agreements to be signed/approved by Tewkesbury Borough Council for signature in September/October 2017; Local Enterprise Partnership Board agreement/approval on 10 October 2017; draw down of the first allocation of funding in December 2017; and for the Growth Hub to open in Spring 2018.

40.4 In response to a query regarding the plans, the Chief Executive advised that the Transform Working Group would get regular updates on the design of the Hub. With regards to the new size, Officers had been assured that the square meterage could be accommodated with no problem. Car parking was obviously a concern for Members going forward especially given the Leisure Centre use and the expansion of the Public Services Centre; however, car parking allowance would be catered for within the plans and Officers were continuing to look at the anticipated demand for parking on site in the future.

40.5 Accordingly, it was

- RESOLVED:**
1. That the information and updates within the report be **NOTED**.
  2. That it be **RECOMMENDED TO COUNCIL** that authority be delegated to the Deputy Chief Executive, in consultation with the Lead Member for Economic Development/Promotion, the Head of Finance and Asset Management and the Borough Solicitor, to implement the Growth Hub, including entering into appropriate agreements.

#### **EX.41 SEPARATE BUSINESS**

41.1 The Chair proposed, and it was

- RESOLVED** That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12(A) of the Act.

#### **EX.42 SEPARATE MINUTES**

42.1 The separate Minutes of the meeting held on 12 July 2017, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 3:35 pm

**EXECUTIVE COMMITTEE FORWARD PLAN 2017/18**

**REGULAR ITEM:**

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

**Addition to 11 October 2017**

- Timetable for Local Development Scheme.
- Fixed Penalty Notice Policy.
- Tewkesbury Borough Plan – Terms of Reference.

**Committee Date: 22 November 2017**

| <b>Agenda Item</b>   | <b>Overview of Agenda Item</b>  | <b>Lead Officer</b>                                    | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
|--|---|--|---|
| Financial Update – Quarter Two 2017/18 Performance (Annual). | To consider the quarterly budget position.  | Simon Dix, Head of Finance and Asset Management.       | No.   |
| Housing Strategy Review Action Plan (Annual)                 | To approve the Housing Strategy Review Action Plan on an annual basis.  | Paula Baker, Housing Services Manager.                 | No.   |
| 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.   |
| <b>Waste Policy.</b>   | <b>To consider the Waste Policy following consideration by the Overview and Scrutiny Committee.</b>   | <b>Peter Tonge, Head of Community Services.</b>        | No.   |

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Agenda Item 6

| <b>Committee Date: 22 November 2017</b>   |  |   |   |
|---|--|---|---|
| <b>Agenda Item</b>  | <b>Overview of Agenda Item</b>                                       | <b>Lead Officer</b>                                     | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
| <b>Confidential Item: Spring Gardens/Oldbury Road Regeneration.</b>   | <b>To consider the information provided and agree a way forward.</b> | <b>Simon Dix, Head of Finance and Asset Management.</b> | <b>Yes deferred from 11 October 2017.</b>   |
| <b>(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).</b> |  |   |   |
| <b>Confidential Item: Disposal of Land at Bishops Cleeve.</b>   | <b>To consider the information provided and agree a way forward.</b> | <b>Simon Dix, Head of Finance and Asset Management.</b> | <b>No.</b>  |
| <b>(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).</b> |  |   |   |
| <b>Confidential Item: Disposal of Land at Staverton.</b>  | <b>To consider the information provided and agree a way forward.</b> | <b>Simon Dix, Head of Finance and Asset Management.</b> | <b>No.</b>  |
| <b>(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).</b> |  |   |   |



| <b>Committee Date: 3 January 2018</b>                                |   |  |   |
|--|---|--|---|
| <b>Agenda Item</b>   | <b>Overview of Agenda Item</b>  | <b>Lead Officer</b>                            | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
| Performance Management Report – Quarter Two 2017/18 (Annual).        | To receive and respond to the findings of the Overview and Scrutiny Committee’s review of the quarter two performance management information. | Graeme Simpson, Head of Corporate Services.    | No.   |
| Tewkesbury Borough Plan Consultation.                                | To approve the Tewkesbury Borough Plan for consultation purposes.   | Annette Roberts, Head of Development Services. | No.   |
| Flood and Water Management Supplementary Planning Document Adoption. | To recommend the Flood and Water Management Supplementary Planning Document to Council for adoption.  | Annette Roberts, Head of Development Services. | No.   |
| <b>Workforce Development Strategy.</b>                               | <b>To approve the Workforce Development Strategy.</b>   | <b>Janet Martin, Human Resources Manager.</b>  | <b>Yes deferred from 11 October 2017.</b>   |

| <b>Committee Date: 31 January 2018</b>                          |   |  |   |
|---|---|--|---|
| <b>Agenda Item</b>  | <b>Overview of Agenda Item</b>                    | <b>Lead Officer</b>                              | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
| Budget 2017/18 (Annual) including Treasury Management Strategy. | To recommend a budget for 2017/18 to the Council. | Simon Dix, Head of Finance and Asset Management. | No.   |
| Financial Update – Quarter Three 2017/18 Performance (Annual).  | To consider the quarterly budget position.        | Simon Dix, Head of Finance and Asset Management. | No.   |
| Data Protection Policy.   | To approve the Council's Data Protection Policy.  | Shirin Wotherspoon, Principal Solicitor.         | No.   |
| Risk Management Strategy.                                       | To approve the Risk Management Strategy.          | Graeme Simpson, Head of Corporate Services.      | No.   |

| <b>Committee Date: 14 March 2018</b> |                                   |   |   |
|--------------------------------------|-----------------------------------|---|---|
| <b>Agenda Item</b>                   | <b>Overview of Agenda Item</b>    | <b>Lead Officer</b>                         | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
| Equalities Policy.                   | To approve the Equalities Policy. | Graeme Simpson, Head of Corporate Services. | No.   |

| <b>Committee Date: 25 April 2018</b>  |   |   |   |
|---|---|---|---|
| <b>Agenda Item</b>  | <b>Overview of Agenda Item</b>  | <b>Lead Officer</b>                         | <b>Has agenda item previously been deferred? Details and date of deferment required</b> |
| Performance Management Report – Quarter Three 2017/18 (Annual).                     | To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter three performance management information. | Graeme Simpson, Head of Corporate Services. | No.   |
| <del>Flood Risk Management Group Terms of Reference and Action Plan (Annual).</del> | <del>To undertake an annual review of the Terms of Reference of the Flood Risk Management Group and action plan.</del>                          | <del>Peter Tonge, Head of Community.</del>  | Updated in line with the term of the Council instead.                                   |
| Council Plan Update 2016/17 – Year Three (Annual).                                  | To consider the Council Plan and make a recommendation to Council.  | Graeme Simpson, Head of Corporate Services. | No.   |
| High Level Service Plan Summaries (Annual).   | To consider the key activities of each service grouping during 2017/18.   | Graeme Simpson, Head of Corporate Services. | No.   |
| ICT Strategy.   | To approve the ICT Strategy.  | Graeme Simpson, Head of Corporate Services. | No.   |

## TEWKESBURY BOROUGH COUNCIL

|                              |   |
|------------------------------|---|
| <b>Report to:</b>            | Executive Committee   |
| <b>Date of Meeting:</b>      | 11 October 2017   |
| <b>Subject:</b>              | Performance Management – Quarter 1 2017-18                                  |
| <b>Report of:</b>            | Councillor Phil Awford, Chair of Overview and Scrutiny Committee            |
| <b>Corporate Lead:</b>       | Mike Dawson, Chief Executive  |
| <b>Lead Members:</b>         | Lead Member for Organisational Development,<br>Councillor Mrs G F Blackwell |
| <b>Number of Appendices:</b> | Two   |

**Executive Summary:**

New Council Plan priorities (2016-2020) were approved by Council on 19 April 2016. Supporting the priorities is a set of objectives and actions. Progress in delivering the objectives and actions are reported through a Council Plan performance tracker. The tracker is a combined document which also includes performance on a key set of performance indicators. The tracker is reported to Overview and Scrutiny Committee on a quarterly basis and the outcome of the review is then reported to Executive Committee by the Chair of Overview and Scrutiny.

At Overview and Scrutiny Committee on 5 September 2016, consideration was given to the 2017/18 quarter one performance management information. The observations made by the Committee can be found in Appendix 1. The tracker document that was presented at Overview and Scrutiny Committee can be found in Appendix 2.

**Recommendation:**

**To review and, if appropriate, take action against the observations of the Overview and Scrutiny Committee resulting from its review of the 2017/18, quarter one performance management information.**

**Reasons for Recommendation:**

The Overview and Scrutiny Committee examine the work of the Executive Committee and hold it to account in order to help the Council achieve its priorities.

**Resource Implications:**

None directly associated with this report.

**Legal Implications:**

None directly associated with this report.

**Risk Management Implications:**

If delivery of the Council's priorities is not effectively monitored then the Council cannot identify where it is performing strongly or where improvement in performance is necessary.

**Performance Management Follow-up:**

Performance management information is reported to Overview and Scrutiny Committee on a quarterly basis. The outcome of each quarterly review is then reported to Executive Committee.

**Environmental Implications:**

None directly associated with this report.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1** New Council Plan priorities (2016-2020) were approved by Council on 19 April 2016. Supporting the priorities is a set of objectives and actions. Progress in delivering the objectives and actions are reported through a Council Plan performance tracker. The tracker is a combined document which also includes performance on a key set of performance indicators. The tracker is reported to Overview and Scrutiny Committee on a quarterly basis and the outcome of the review is then reported to Executive Committee by the Chair of Overview and Scrutiny.
- 1.2** At Overview and Scrutiny Committee on 5 September 2016, consideration was given to the 2017/18 quarter one performance management information. The observations made by the Committee can be found in Appendix 1. The tracker document that was presented at Overview and Scrutiny Committee can be found in Appendix 2.

**2.0 COUNCIL PLAN PERFORMANCE TRACKER**

- 2.1** The Council Plan (2016-2020) has four priorities which contribute to the overall Council Plan vision "Tewkesbury Borough, a place where a good quality of life is open to all". The priorities are:
- Finance and Resources.
  - Economic Development.
  - Housing.
  - Customer Focused Services.

Each of the four priorities is supported by a number of objectives and actions which will focus activity on delivery of the priorities. The tracker has been developed and contains a set of key performance measures to monitor delivery of each Council Plan action. The actions are reviewed and where appropriate refreshed on an annual basis.

- 2.2** For monitoring the progress of the Council Plan actions the following symbols are used:

☺ – action progressing well.

☹ – the action has some issues or delay by there is no significant slippage in the delivery of the action.

⊗ – significant risk to not achieving the action or there has been significant slippage in the timetable or performance is below target.

Grey – project has not yet commenced.

✓ – action complete or annual target achieved.

For monitoring of key performance indicators the following symbols are used:

↑ - PI is showing improved performance on previous year.

↔ - PI is on par with previous year performance.

↓ - PI is showing performance is not as good as previous year.

**2.3** The majority of actions are progressing well, for example, key activities to bring to Members' attention include;

- Installation of signage for three walks in Tewkesbury is now complete.
- Introduction of a new business grants scheme – with a new online form being made available.
- Thinking Place has been appointed to create a vision for the J9 area, and consultation with community representatives, business and infrastructure groups is being arranged.
- Consultants BDP have been appointed to produce a masterplan for the J9 area.
- A successful business event (60+ attendees) was held at Porsche at J9, including the launch of a new business video.
- 59 affordable homes built across the Borough – 12 social rent, 36 affordable rent, 11 shared ownership.
- Four successful fly-tipping/duty of care prosecutions.
- A tenant has been secured for a third of the Public Services Centre top floor.

**2.4** Due to the complex nature of the actions being delivered then inevitably some may not progress as smoothly or quickly as envisaged. Actions with either a ☹ or ☺ are highlighted below: -

| Action  | Status and reason for status  |
|---|---|
| Undertake a discretionary trade waste service to ensure it is operating on a viable commercial level. | ☹ The APSE review commissioned by UBICO is in the final stages and should be with the Council by the end of August. |

### **3.0 KEY PERFORMANCE INDICATORS (KPIs)**

**3.1** The set of Key Performance Indicators (KPIs) are a combination of contextual indicators and target related indicators. The set of KPIs must remain flexible to ensure they meet our needs. The data reported is the position at the end of June 2016.

**3.2** Of the 16 indicators with targets, their status as at the end of quarter 1 is :

| ☹ (achievement of target is unlikely) | ☺ (on target) | ☺ (target likely to be achieved by the end of the year) |
|---------------------------------------|---------------|---|
| 0                                     | 15            | 1   |

And in terms of the direction of travel i.e. performance compared to last year, the status for the 16 indicators are:

|                                       |                              |
|---------------------------------------|------------------------------|
| ↑ (better performance than last year) | ↓ (not as good as last year) |
| 13                                    | 3                            |

**3.3** Key indicators of interest include:

KPI 12 – A very successful quarter for preventing homeless applications and homeless acceptances.

KPI 13 – Percentage of major applications determined within 13 weeks – Improved performance on last year, exceeding target. There is now a senior officer focus on major applications so this improvement should be maintained.

KPI 14 – Percentage of minor applications determined within eight weeks – significantly below target, due to senior officer focus on major applications, and reduced capacity at planning officer level. Two planning officer posts currently being advertised should improve this.

KPI 15 – Percentage of ‘other’ applications – excellent performance, the speed of decisions has been improved thanks to new technical officer post.

KPI 22 – Average number of days to process new benefit claims – an excellent start to the year with new claims being delivered in 13.22 days compared to national average of 21 days.

KPI 27 – Number of overall crime incidents – a 15% increase in overall crime compared to Q1 last year.

KPI 28 – Average number of sick days per full-time equivalent – a fall in longer term sickness levels means our overall total working days lost has reduced by 75.5%.

**4.0 OTHER OPTIONS CONSIDERED**

4.1 None.

**5.0 CONSULTATION**

5.1 None.

**6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

6.1 Council Plan 2016-2020.

**7.0 RELEVANT GOVERNMENT POLICIES**

7.1 None directly.

**8.0 RESOURCE IMPLICATIONS (Human/Property)**

8.1 None directly.

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

9.1 Linked to individual Council Plan actions.

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

10.1 Linked to individual Council Plan actions.

**11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**11.1** Council Plan 2012-16 approved by Council 19 April 2016.

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**Background Papers:** None.

**Contact Officer:** Clare Evans, Communications and Policy Manager Tel: 01684 272002  
Email: [clare.evans@teWKesbury.gov.uk](mailto:clare.evans@teWKesbury.gov.uk)

**Appendices:** 1 – O&S Review and Observations of Quarter One Performance Management Information.  
2 – 2017/18 Quarter One Council Plan Performance Tracker.



**Questions raised by Overview and Scrutiny Committee at meeting held on  
5 September 2017**

| <b>Questions raised by Overview and Scrutiny</b>   | <b>Response from officers</b>  |
|--|--|
| <b>Performance Tracker - Priority: Finance and Resources</b>   |  |
| Objective 4 – Action a) Put in place a plan to regenerate Spring Gardens – A Member queried whether this was on track.   | Members were informed that a report would be taken to the Executive Committee in October/November setting out the proposed steps forward, including the potential appointment of a development partner to move this forward in the New Year. It was currently on track in terms of timescales.   |
| Objective 4 – Action b) Deliver the Council's asset plan – A Member raised concern that it had come to light at an East Area Place Programme Meeting that officers were unclear as to who owned the assets in certain areas.   | The Head of Finance and Asset Management provided assurance that the Asset Management team had identified everything owned by the Council at every location across the Borough and work was being done to make this available to assist with grounds maintenance going forward.<br><br>Also, officers did not necessarily know what was owned by others and work was ongoing with the County Council and NHS to plot this information onto one system  |
| Objective 4 – Action b) Deliver the Council's asset plan – A Member sought an update on disposal of the garage sites and questioned when work would be started on the Vineyards play area. He also raised concern that the installation of the three walks signage was incomplete as the old signage had not been removed. | The Head of Finance and Asset Management confirmed that work on the Vineyards has now started in earnest and the old signage has been removed in relation to the three walks.<br><br>In terms of the disposal of the garage sites, this was dependent upon the capacity within the Asset Management team; unfortunately it had not happened as quickly as hoped but a plan was in place to go to the market in the New Year.   |
| <b>Key performance indicators – Priority: Finance and Resources</b>  |  |
| KPIs 1 and 2 – Percentage of creditor payments paid within 30 days of receipt and outstanding sundry debt in excess of 12 months old – A Member questioned whether the arrow was showing a positive or negative performance and whether the debt for £10,973 was likely to be recovered.                                   | The Head of Finance and Asset Management confirmed that performance was very positive with 95.18% of payments within 30 days during quarter 1 of 2017/18 compared to a target of 94%.<br><br>In terms of the sundry debt outstanding, the debt for £10,973 was close to resolution and he was confident of receiving the sum in due course. The total for the quarter was £38,317 and it was noted that this was a low figure having been reduced from approximately £120,000 a few years earlier. |

| <b>Performance Tracker – Priority: Economic Development</b>   |  |
|---|--|
| Objective 1 – Action a) Seek approval and implement year one of the Economic Development and Tourism Strategy – A Member questioned whether officers were aware of the Gwinnett family tomb in Down Hatherley which had been used to launch the Gloucestershire History Festival. | The Head of Development Services indicated that she was looking at a number of tourism assets across the Borough and, whilst she was not aware of that particular asset, she would include it in her work to see what could be done on a wider scale.  |
| <b>Performance Tracker – Priority: Customer-focused services</b>  |  |
| Objective 3 – Action a) Deliver the Public Services Centre refurbishment project – A Member raised concern regarding parking at the site and sought assurance this was being addressed.   | <p>Members were advised that parking was being considered and a final scheme design for the depot was currently being considered to establish how many spaces could be provided.</p> <p>If there was a need for additional parking, there were some areas around the Council Offices site which could be appropriate if necessary. Assurance was provided that officers were well aware of the issue and would be taking it forward.</p> |

# Council Plan Performance Tracker and Key Performance Indicators 2017-18 Progress Report (Quarter 1)



| Council Plan tracker actions/ KPI progress key: |  | KPI direction of travel key: |   |
|---|--|------------------------------|---|
| 😊   | Action progressing well/ PI on or above target   | ↑                            | PI is showing improved performance on previous year       |
| 😐   | Action has some issues/delay but not significant slippage/ PI below target but likely to achieve end of year target  | ↔                            | PI is on par with previous year performance               |
| 😞   | Significant risk to not achieving the action or there has been significant slippage in the timetable, or performance is below target/ PI significantly below target and unlikely to achieve target | ↓                            | PI is showing performance is not as good as previous year |
|   | Project has not yet commenced/ date not available or required to report  |                              |   |
| ✓   | Tracker action is complete or annual target achieved   |                              |   |

## PRIORITY: FINANCE AND RESOURCES



| Actions   | Target date             | Responsible Officer/Group   | Progress to date | Comment   |
|---|-------------------------|---|------------------|---|
| <b>Objective 1. Start on the path to being financially independent of the government's core grants.</b> |                         |   |                  |   |
| a) Deliver the council's transformation programme.  | Target date: March 2018 | Corporate Leadership Team (CLT)<br><br>Gill Blackwell<br>Lead Member for Organisational Development | 😊                | Delivery is monitored by the Transform Working Group. There are a number of projects across the key themes of the programme which all have different delivery dates. Significant projects in progress include the refurbishment of the Public Service Centre (incl Growth Hub), Spring Gardens/Oldbury Road regeneration, review of garden waste, new on-line forms and review of the planning service. |

|  |   |  |          |  |
|--|---|--|----------|--|
| <p>b) Implement a Fees and Charges Strategy to maximise return in the medium term.</p>     | <p>Target date: <del>February 2018</del><br/>April 2017</p> | <p>Head of Finance &amp; Asset Management</p> <p>Ron Furolo<br/>Lead Member for Finance and Asset Management</p> | <p>✓</p> | <p>Strategy approved by Executive in April 2017. Timetable for ensuring fees and charges are reviewed and considered by each service on an annual basis aligns with the budget cycle and allows for publicity and communication with customers prior to their implementation on 1 April.</p> |
| <p>c) Produce a balanced budget in light of elimination of the revenues support grant.</p> | <p>Target date: February 2018</p>                           | <p>Head of Finance and Asset Management</p> <p>Ron Furolo<br/>Lead Member for Finance and Asset Management</p>   | <p>😊</p> | <p>Ongoing work with Transform Working Group throughout the year to identify the issues around local government finance and plan the delivery of a balanced budget in the medium term. Budget proposals will go to Council in February 2018.</p>   |

**PRIORITY: FINANCE AND RESOURCES**

| Actions   | Target date                | Responsible Officer/Group  | Progress to date  | Comment   |
|---|----------------------------|--|---|---|
| <b>Objective 2. Maintain a low council tax.</b>   |                            |  |   |   |
| a) Produce a medium term strategy which ensures that council tax remains in the lowest quartile nationally. | Target date: December 2017 | Head of Finance & Asset Management<br><br>Ron Furolo<br>Lead Member for Finance and Asset Management   |    | Annual Medium Term Financial Strategy is scheduled to go to Council in December 2017.   |
| <b>Objective 3. Investigate and take appropriate commercial opportunities.</b>                              |                            |  |   |   |
| a) Deliver the aims and objectives of the commercial property investment strategy.                          | Target date: March 2018    | Corporate Leadership Team (CLT)<br><br>Gill Blackwell<br>Lead Member for Organisational Development and Ron Furolo<br>Lead Member for Finance and Asset management |  | Lambert Smith Hampton has been appointed to support the Council in developing the strategy and identifying investment opportunities. The strategy has been reviewed in order to target investments that provide balance to our overall portfolio and meet our risk appetite. One property has been subject to a formal bid but was unsuccessful. Currently reviewing two other opportunities. |

**PRIORITY: FINANCE AND RESOURCES**

| Actions  | Target date  | Responsible Officer/Group   | Progress to date   | Comment  |
|--|--|---|--|--|
| <b>Objective 3. Investigate and take appropriate commercial opportunities.</b>   |  |   |  |  |
| b) Undertake a review of the discretionary trade waste service to ensure it is operating on a viable commercial level. | Target date: <del>April 2017</del> <del>July 2017</del><br><br>August 2017 | Head of Community Services<br><br>Jim Mason Lead Member for Clean and Green Environment             |   | The APSE review commissioned by UBICO is in the stages on finalisation and should be with the Council by the end of August 2017. This will provide a direction of travel on the trade waste service.   |
| <b>Objective 4. Use our assets to provide maximum financial return.</b>  |  |   |  |  |
| a) Put in place a plan to regenerate Spring Gardens  | Target date:<br>December 2017  | Head of Finance and Asset Management<br><br>Ron Furolo Lead Member for Finance and Asset Management |  | Ongoing discussions with a number of potential developers have been encouraging and officers are currently reviewing opportunities. Securing the council's preferred retailer has proved to be difficult but latest signs are again encouraging. Anticipated delivery of report to Executive has been delayed until the Autumn to allow the plans to develop and consideration to be given to the options. Planning brief being developed to advise developers of council requirements for the site. On-going interest from later living providers for the site. |

|                                      |                         |  |   |  |
|--------------------------------------|-------------------------|--|---|--|
| b) Deliver the council's asset plan. | Target date: March 2018 | Head of Finance & Asset Management<br><br>Ron Furolo<br>Lead Member for Finance and Asset Management | ☺ | Delivery of plan in first quarter has included: <ul style="list-style-type: none"> <li>• Reports to Executive on Priors Park and Winchcombe garage sites as well as land disposal at Lincoln Green Lane, Tewkesbury and Churchdown play areas</li> <li>• Disposal of the Gazebo, Tewkesbury</li> <li>• Installation of three walks signage in Tewkesbury</li> <li>• Additional tenant – Gloucestershire VCS Alliance – added to Public Service Centre</li> <li>• Relocation of IT Services to first floor of PSC</li> <li>• Public consultation for Vineyards play area, Tewkesbury undertaken and contractor appointed</li> <li>• Rent review undertaken for current investment properties</li> </ul> |
|--------------------------------------|-------------------------|--|---|--|

#### Key performance indicators for priority: Finance and resources

| KPI no. | KPI description   | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment  | Portfolio Lead / Head of service                       |
|---------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|--|--|
| 1       | Percentage of creditor payments paid within 30 days of receipt. | 94.74%          | 94.00%         | 95.18%             |                    |                    |                    | ↑                   | ☺                  | With half of the council now using the new purchasing system this has resulted in a slight improvement in the indicator. | Lead Member Finance and Asset Management/<br>Simon Dix |

|   |   |         |         |         |  |  |  |  |   |   |   |   |
|---|---|---------|---------|---------|--|--|--|--|---|---|---|---|
| 2 | Outstanding sundry debt in excess of 12 months old. | £33,566 | £50,000 | £38,317 |  |  |  |  | ↓ | 😊 | One debt is for £10,973 and Legal are close to a resolution. Another one for £8,154 is with the service manager for a final decision which leaves the underlying debt at £19,190. | Lead Member Finance and Asset Management/ Simon Dix |
|---|---|---------|---------|---------|--|--|--|--|---|---|---|---|

**PRIORITY: ECONOMIC DEVELOPMENT**

| Actions  | Target date            | Reporting Officer/Group   | Progress to date | Comment  |
|--|------------------------|---|------------------|--|
| <b>Objective 1. Be the primary growth engine of Gloucestershire's economy.</b>           |                        |   |                  |  |
| a) Seek approval and implement year one of the Economic Development and Tourism Strategy | Target date: June 2018 | Head of Development Services<br>Rob Bird Lead Member for Economic Development/Promotion | 😊                | <p>The Economic Development and Tourism Strategy was approved at Executive in June 2017.</p> <p>Implementation of annual delivery plan – activities to date:</p> <ul style="list-style-type: none"> <li>• Appointment of consultants BDP to progress a development masterplan for M5 J9/A46 area.</li> <li>• Successful business event held in J9 Business park areas, improving communication with businesses. Number of follow up 1-2-1 meetings with businesses organised.</li> <li>• Programme of business engagement meetings underway and actions being recorded. Many exploring business expansion needs.</li> <li>• New business grant scheme- forms being made available online.</li> <li>• New better-connected for business success investment prospectus and video launched and being promoting to potential investors.</li> <li>• Production of tourism marketing plan for Winchcombe in progress.</li> </ul> |



|   |                          |   |   |   |
|---|--------------------------|---|---|---|
| b) Develop and launch a business growth hub in the Public Services Centre | Target date: Spring 2018 | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion | ☺ | The Due Diligence business case has been submitted to the Local Enterprise Partnership (LEP) and is currently going through the assessment process.<br><br>A further £80,000 has been applied for from the LEP, to enlarge the Growth Hub. This will allow flexibility of space and incorporation of all elements proposed in the original brief. |
|---|--------------------------|---|---|---|

**PRIORITY: ECONOMIC DEVELOPMENT**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 2. Identify and deliver employment land within the borough.**



|   |                                       |   |   |   |
|---|---------------------------------------|---|---|---|
| 30 a) Allocate and deliver employment land through the JCS and Tewkesbury Borough Plan. | JCS target date: Winter 2017          | Head of Development Services<br><br>Elaine MacTiernan Lead Member for the Built Environment | ☺ | Evidence has suggested a need to support delivery of a minimum of 192ha of B class employment land and 39,500 jobs over the plan period to 2031.<br><br>Main Modifications to the JCS were approved by each council in January/February 2017 and they were subsequently subject to public consultation which closed on 10 April 2017. The Inspector held further examination hearing sessions on the main modifications from 11 to 21 July 2017. Following these hearing sessions it is anticipated that we will receive the Inspector's final report in autumn 2017. Final adoption of the plan is targeted for winter 2017.   |
|   | Borough plan target date: Winter 2018 |   | ☺ | The JCS will set out the strategic employment needs and will also note that some of this need is to be met through the delivery of the Borough Plan. The Employment Land Review study provides the evidence about the potential for new and existing employment sites to meet this need.<br><br>As part of the development of the next stage of the Borough Plan the potential employment sites are now being assessed to see if they would make sustainable allocations. Much of this work has already been undertaken by officers, but further evidence base studies (Green Belt, flood risk, landscape) have been commissioned to provide further information to develop a set of preferred options. |

|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  | It is anticipated that Council approval for the Preferred Options Borough Plan will take place in December 2017 before going out to public consultation in early 2018. |
|--|--|--|--|--|

**PRIORITY: ECONOMIC DEVELOPMENT**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 3. Maximise the growth potential of the M5 junctions within the borough.**

|    |   |  |   |   |
|----|---|--|---|---|
| 31 | a) Produce a vision for the J9 area.  | Target date: <del>March 2017</del> March 2018                              | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion |  <p>Thinking Place has been appointed to create a vision. They will be consulting with community representatives, business and infrastructure groups during quarter 2.<br/><br/>In addition, consultants BDP have been appointed to produce a masterplan for the J9 area.</p>  |
|    | b) Work with our partners, including the JCS partners and the LEP, to promote the M5 Growth Zone. | Target date: Ongoing as part of County Strategic Economic Plan (ends 2022) | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion |  <p>The council recently held a business event at the Porsche at Junction 9 including launching the new business video; focussed on the new economic development and tourism strategy, and the work undertaken on the visioning and master planning for Junction 9.<br/><br/>The event concentrated on the important and pivotal role that these areas played in the development of the growth zone. The event was attended by 60+ businesses.</p> |

|   |   |   |   |   |
|---|---|---|---|---|
| c) Work with partners to build a case for an all-ways M5 junction 10. | Target date:<br>2021 (approved business case) | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion | ☺ | Conversations have been initiated with County Highways and other partners and a bid for Forward Funding from the Housing Infrastructure Fund is being prepared with a view to a bid being submitted to seek funding to create an all ways M5 junction 10 with associated improvements. This will be submitted by the County prior to the deadline of 28 <sup>th</sup> September 2017. |
|---|---|---|---|---|

**PRIORITY: ECONOMIC DEVELOPMENT**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 4. Deliver regeneration for Tewkesbury town.**

|   |                                |   |   |   |
|---|--------------------------------|---|---|---|
| a) Develop a regeneration plan for Tewkesbury Town.   | Target date: April 2018        | Head of Development Services<br><br>Elaine MacTierman Lead Member for Built Environment     | ☺ | The existing Action Plan (adopted 2010) for the Town Centre is being worked into a detailed implementation plan. This will also involve detailed work on a number of key sites (Healings Mill and Spring Gardens).  |
| b) Deliver a programme with partners to progress Healings Mill and other key sites to support the regeneration of Tewkesbury. | Target date:<br>September 2017 | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion | ☺ | Healings Mill is currently marketed for sale by the owners through agents Fisher German and Allsop.<br><br>The property is to be sold by Private Treaty although in the event that a sale is not agreed, the property will go to auction on 20 July 2017. |

|  |   |   |   |   |
|--|---|---|---|---|
| c) Explore the potential for the formation of a retail group to support the vitality and regeneration of the town.                   | Target date: September 2017                     | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion | ✓ | A retail group has been formed in Tewkesbury and is led by local businesses. Two meetings have been held to date and an action plan is currently being developed.   |
| d) Explore with partners – including the Battlefield Society – the potential to increase the heritage offer at the Battlefield site. | Target date: Complete feasibility -December 17. | Head of Development Services<br><br>Rob Bird Lead Member for Economic Development/Promotion | ☺ | A meeting with landowners has been held. The landowners were positive about making the most of the battlefield in terms of its heritage offer.<br><br>As a result a feasibility assessment is now in progress investigating the potential heritage offer. In addition a meeting has been held with the Heritage Lottery Fund. |

33

### Key performance indicators for priority: Economic development

| KPI no. | KPI description                  | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                       |
|---------|----------------------------------|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|--|
| 3       | Employment rate 16-64 year olds. | 83.7%           |                | 74.3%              |                    |                    |                    |                     |                    | 74.3% relates to 40,800 people within the borough. This is just above the national rate of 74.2%.<br><br>(Source: ONS April 2016 – Mar 2017. Current figures) | Leader Member Economic Development/<br>Annette Roberts |

|         |   |                      |        |       |  |  |  |   |   |   |  |
|---------|---|----------------------|--------|-------|--|--|--|---|---|---|--|
| 4       | Claimant unemployment rate.                                       | 1.0%                 |        | 0.9%  |  |  |  |   |   | 0.9% relates to 510 people within the borough. This rate is below with the county rate of 1.0%<br>(Source: ONS June 2017) | Leader Member Economic Development/<br>Annette Roberts |
| 5       | Number of business births.  | 460<br>(2015 figure) |        |       |  |  |  |   |   |   | Leader Member Economic Development/<br>Annette Roberts |
| 6       | Number of business deaths   | 335<br>(2015 figure) |        |       |  |  |  |   |   |   |  |
| 34<br>7 | Number of visitors to Tewkesbury Tourist Information Centre (TIC) | 32,270               | 31,000 | 9,751 |  |  |  | ↑ | 😊 | In addition there were 807 visitors to the Heritage Centre.   | Leader Member Economic Development/<br>Annette Roberts |
| 8       | Number of visitors to Winchcombe Tourist Information Centre (TIC) | 10,316               | 10,000 | 4,002 |  |  |  | ↓ | 😊 | Slightly down on last year figures but still hoping to reach the annual target.   | Leader Member Economic Development/<br>Annette Roberts |

**PRIORITY: HOUSING**

| Actions   | Target date              | Reporting Officer/Group  | Progress to date | Comment  |
|---|--------------------------|--|------------------|--|
| <b>Objective 1. Increase the supply of suitable housing across the borough to support growth and meet the needs of our communities.</b> |                          |  |                  |  |
| a) Continue working with our partner councils to ensure the Joint Core Strategy is adopted.   | Target date: Winter 2017 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺                | Main Modifications to the JCS were approved by each Council in January/February 2017 and they were subsequently subject to public consultation which closed on 10 April 2017. The Inspector held further examination hearing sessions on the main modifications from 11 to 21 July 2017. Following these hearing sessions it is anticipated that we will receive the Inspector's final report in Autumn 2017. Final adoption of the plan is targeted for Winter 2017.  |
| b) Develop the Tewkesbury Borough Plan.   | Target date: Winter 2018 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺                | <p>The timetable for the Borough Plan has been inextricably linked to the JCS. Focus has been on progressing the JCS and this has had the knock-on impact of delaying progress of the plan. A number of Neighbourhood Plans are also being progressed which require significant resource from the team.</p> <p>The Policy team, however, is now well underway in the development of a new draft of the plan which will include the preferred options for housing and employment allocations and an extensive suite of local policy guidance. As part of this a number of evidence base studies have been commissioned and are underway to support the plan.</p> <p>A member working group has also been established to inform the development of the plan.</p> <p>It is anticipated that Council approval for the Preferred Options Borough Plan will take place in December 2017 before going out to public consultation in early 2018.</p> |

|   |                         |  |   |   |
|---|-------------------------|--|---|---|
| c) Support Neighbourhood Development Plans across the borough where communities bring them forward. | Target date: March 2018 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺ | <p>A total of 13 neighbourhood areas have now been designated across 16 parishes.</p> <p>The Gotherington NDP was subject to examination in April 2017 and was successfully voted through at its referendum on 20 July 2017. The NDP will now be put to the Council to be formally made.</p> <p>A number of other plans are also advancing and officers have been working with Alderton, Ashchurch Rural, Churchdown and Innsworth, Down Hatherley, Norton and Twigworth, and Twyning neighbourhood plan groups. Two new neighbourhood areas have been designated recently at The Leigh and Stoke Orchard and Tredington.</p> |
|---|-------------------------|--|---|---|

**PRIORITY: HOUSING**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 2. Achieve a five year supply of land.**

|  |                          |  |   |  |
|--|--------------------------|--|---|--|
| a) Ensure adequate land is allocated within the Joint Core Strategy and Tewkesbury Borough Plan to meet housing needs. | Target date: Winter 2017 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺ | <p>The JCS is required to demonstrate how the housing requirement will be met and ensure that there is a five year supply of housing land. The JCS identifies larger Strategic Allocation sites that will contribute significantly to meeting these needs. However, the TBP will also be required to allocate land for smaller-scale non-strategic growth at the Rural Service Centres and Service Villages and Tewkesbury town.</p> <p>Main Modifications to the JCS were approved by each Council in January/February 2017 and they were subsequently subject to public consultation which closed on 10 April 2017. The Inspector held further examination hearing sessions on the main modifications from 11 - 21 July 2017. Following these hearing sessions it is anticipated that we will receive the Inspector's final report in Autumn 2017. Final adoption of the plan is targeted for Winter 2017.</p> <p>It is anticipated that Council approval for the Preferred Options Borough Plan will take place in December 2017 before going out to public consultation in early 2018.</p> |
|--|--------------------------|--|---|--|

|  |                          |  |   |  |
|--|--------------------------|--|---|--|
|  |                          |  |   | The most recently published Housing Land Supply Statement (June 2017) sets out that the Borough currently has at least a 5.3 year supply of housing land.  |
| b) Continue to promote sustainable development throughout the borough. | Target date: Winter 2017 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺ | Through the JCS and TBP the strategy for growth and the identification of sustainable sites to deliver it will be identified. The plans will also provide general development management policies that, in accordance with the National Planning Policy Framework, will enable to ensure that any additional growth is delivered in a sustainable way and against the objectives of the plans. |

**PRIORITY: HOUSING**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 3. Deliver the homes and necessary infrastructure to create new sustainable communities in key locations.**

|   |                         |  |   |  |
|---|-------------------------|--|---|--|
| a) Monitor annually the delivery of homes within the borough.   | Target date: March 2018 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ✓ | The 2016/17 monitoring has now been completed and the report was published onto the council's website in June 2017. This report provides information on how many homes have been delivered within this year.<br><br>The most recently published Housing Land Supply Statement (June 2017) sets out that the Borough currently has at least a 5.3 year supply of housing land.                        |
| b) Work with partners, infrastructure providers and developers to progress the delivery of key sites. | Target date: March 2018 | Head of Development Services<br><br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺ | JCS transport strategy (May 2017) has identified key transport infrastructure requirements for strategic allocations.<br><br>Government Growth Deal Funding has been received to fund two programmes; infrastructure for a new Cyber Business Park in West Cheltenham and improvements to traffic flow and release of land for housing at Longford. The total amount of funding received is £26.53m. |



|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  | M5 J9/Ashchurch masterplanning project has started and consultants have been appointed to undertake a concept masterplan as phase 1. This will be important piece of work in determining development potential in the area that will feed into the JCS review. |
|--|--|--|--|--|

**PRIORITY: HOUSING**

| Actions | Target date | Reporting Officer/Group | Progress to date | Comment |
|---------|-------------|-------------------------|------------------|---------|
|---------|-------------|-------------------------|------------------|---------|

**Objective 4. Deliver affordable homes to meet local need.**

|    |  |                                     |  |   |  |
|----|--|-------------------------------------|--|---|--|
| 38 | a) Implement year one of the Housing and Homelessness Strategy | Target date: 31 March 2018          | Head of Community Services<br>Julie Greening<br>Lead Member for Health and Wellbeing     | ☺ | We are currently on target to implement our actions for year one of the homeless strategy. The current action plan and updates for quarter one are on the public website, and delivery of actions is subject to review by Overview and Scrutiny.   |
|    | b) Deliver 150 affordable homes each year.                     | Target date: 31 March 2018          | Head of Community Services<br>Elaine MacTiernan<br>Lead Member for the Built Environment | ☺ | Q1 has seen 59 new affordable homes built across the Borough; Alderton, Bishop's Cleeve, Longford and Brockworth. Of these homes 12 are social rent, 36 are affordable rent and 11 are shared ownership.   |
|    | c) Work in partnership to prevent residents becoming homeless. | Target date: on-going no end target | Head of Community Services<br>Julie Greening<br>Lead Member for Health and Wellbeing     | ☺ | Housing services is actively participating in partnerships with other local districts, other public agencies such as the PCC, Glos County, and the CCG to provide a housing first model for rough sleepers, leading on many of the actions in our multi agency Tewkesbury BC financial inclusion partnership, as well as working closely within internal partners such as Revenues and Benefits to make best use of the DHP funds. |

## Key performance indicators for priority: Housing

| KPI no. | KPI description   | Outturn 2016-17   | Target 2017-18 | Outturn Q1 2017-18   | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                 |
|---------|---|---|----------------|--|--------------------|--------------------|--------------------|---------------------|--------------------|---|--|
| 9       | Total number of homeless applications presented             | 119   |                | 28   |                    |                    |                    | ↔                   |                    | The number of households presenting as homeless during the first quarter remains at the same levels as previous quarters.   | Lead Member Health and Wellbeing/<br>Peter Tonge |
| 39      | Total number of homeless applications accepted              | 61  |                | 16   |                    |                    |                    | ↔                   |                    | The number of accepted homeless applications remains similar to previous quarters   | Lead Member Health and Wellbeing/<br>Peter Tonge |
| 11      | Total number of active applications on the housing register | <b>2196</b><br>1196 – 1 bed<br>668 – 2 bed<br>231 – 3 bed<br>83 – 4 bed<br>15 – 5 bed<br>3 – 6 bed<br>+ |                | <b>2367</b><br>1283 – 1 bed<br>725 – 2 bed<br>245 – 3 bed<br>96 – 4 bed<br>15 – 5 bed<br>3 – 6 bed |                    |                    |                    |                     |                    | The breakdown of bands is:<br>Gold – 124<br>Silver – 685<br>Bronze – 1508<br>Emergency - 50<br>Housing applications to CBL have continued to rise – this is an ongoing trend over the past 2 years. | Lead Member Health and Wellbeing/<br>Peter Tonge |

**Key performance indicators for priority: Housing**



| KPI no. | KPI description                           | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment  | Portfolio Lead / Head of service                 |
|---------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|--|--|
| 12      | Total number of homeless prevention cases | 187             |                | 62                 |                    |                    |                    | ↑                   |                    | This has been a very successful quarter for preventing both homeless applications and homeless acceptances through positive interventions. The team has achieved more preventions this quarter than previously recorded. | Lead Member Health and Wellbeing/<br>Peter Tonge |

**Key performance indicators for priority: Housing**

| KPI no. | KPI description  | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                  |
|---------|--|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|---|
| 13      | Percentage of 'major' applications determined within 13 weeks or alternative period agreed with the applicant. | 82.50%          | 80%            | 90.90%             |                    |                    |                    | ↑                   | 😊                  | Improved performance to date on last year, exceeding target. Senior officer focus on major applications should ensure that the improvement is maintained. | Lead Member Built Environment/<br>Annette Roberts |
| 14      | Percentage of 'minor' applications determined within 8 weeks or alternative period                             | 70.55%          | 90%            | 66.04%             |                    |                    |                    | ↓                   | ☹️                 | Significantly below target and small decrease on last year's performance. This is reflective of the senior  | Lead Member Built Environment/<br>Annette Roberts |

|          |   |        |     |        |  |  |  |  |   |  |   |  |
|----------|---|--------|-----|--------|--|--|--|--|---|--|---|--|
|          | agreed with the applicant.  |        |     |        |  |  |  |  |   | officer focus on major applications and the reduced capacity at Planning Officer level. This indicator is expected to improve significantly following recruitment to two planning officer posts currently being advertised and improvement work currently being undertaken with PAS. |   |  |
| 41<br>15 | Percentage of 'other' applications determined within 8 weeks or alternative period agreed with the applicant. | 88.66% | 90% | 90.19% |  |  |  |  | ↑ | 😊  | Excellent performance, exceeding target and improvement on last year's out-turn. Speed of decisions has been positively impacted by the new technical officer post which provides support to officers and carries out the validation of applications. | Lead Member<br>Built<br>Environment/<br>Annette<br>Roberts |

**PRIORITY: CUSTOMER FOCUSED SERVICES**

| Actions  | Target date               | Reporting Line  | Progress to date  | Comment  |
|--|---------------------------|---|---|--|
| <b>Objective 1. Maintain and improve our culture of continuous service improvement.</b>          |                           |   |   |  |
| a) Deliver improvements through a review of the Revenues and Benefits service                    | Target date: January 2018 | Head of Revenues and Benefits<br><br>Gill Blackwell<br>Lead Member for Organisational Development |    | Following on from its successful review, the Revenues and Benefits team continues to achieve top quartile performance in benefits processing and staff savings.<br><br>The service is currently being restructured due to the impact of Universal Credit. The go-live date for Universal Credit is the 6 December 2017. From that date, new claims to Housing Benefit will be filtered across to Universal Credit.<br><br>Meetings are taking place with DWP as part of the handover process.<br><br>At the moment, we are on target to achieve the 6 December 2017 start date.                                    |
| b) Deliver the enviro-crimes action plan, with a particular focus on fly-tipping and dog fouling | Target date: March 2018   | Head of Community Services<br><br>Jim Mason Lead Member for the Clean and Green Environment       |  | We are currently on target to deliver this action plan.<br><br>Q1 achievements include: <ul style="list-style-type: none"> <li>• Four successful fly-tipping/duty of care prosecutions</li> <li>• FPN policy developed</li> <li>• Collaborative enviro crime days scheduled with partner organisations such as Glos Constabulary – to begin in Q2</li> <li>• Increased issue of FPNs for fly-tipping and abandoned vehicles</li> <li>• Signage and focused intervention at hot spot areas has resulted in decrease in number of fly-tipping incidents in these areas (e.g Elmstome Harwicke, Sandhurst)</li> </ul> |

|  |                         |   |   |   |
|--|-------------------------|---|---|---|
| c) Review garden waste arrangements to improve the renewal and payment process | Target date: March 2018 | Head of Corporate Services<br><br>Jim Mason Lead Member for the Clean and Green Environment | 😊 | The project is progressing in accordance with key milestones. Specific project actions include the design of bin stickers, drafting new terms and conditions and implementation of a communications strategy. 2017/18 renewals have been pro-rated to allow all customers to transition to one renewal date of 1 April. |
|--|-------------------------|---|---|---|

**PRIORITY: CUSTOMER FOCUSED SERVICES**

| Actions | Target date | Reporting Line | Progress to date | Comment |
|---------|-------------|----------------|------------------|---------|
|---------|-------------|----------------|------------------|---------|

**Objective 2. Develop our customer service ethos to ensure that we deliver to the needs of residents.**

|    |   |   |  |   |  |
|----|---|---|--|---|--|
| 49 | a) Improve the quality of our website self-serve forms  | Target date: March 2018                           | Head of Corporate Services<br><br>Mike Dean Lead Member for Customer Focus | 😊 | Phase one of the project will be to develop and implement improved forms on missed bins and bulky waste collections. Sessions have been held with members and Ubico so stakeholder feedback can be built into the project.   |
|    | b) Roll out a programme of customer services training for staff across the council, including an appraisal of our complaint system. | Target date: <del>March</del> 2017-September 2017 | Head of Corporate Services<br><br>Mike Dean Lead Member for Customer Focus | 😊 | To ensure we remain committed to our customer services standards, customer services training for all front line staff is being organised for September 2017.<br><br>A review of our complaints system is currently underway, and complaints handling training has recently taken place for operational managers. |

**Objective 3. Further expansion of the Public Services Centre (bring in other partners).**

|   |                                |   |          |   |
|---|--------------------------------|---|----------|---|
| <p>a) Deliver the Public Services Centre refurbishment project.</p> | <p>Target date: March 2018</p> | <p>Head of Finance &amp; Asset Management<br/>Ron Furolo<br/>Lead Member for Finance and Asset Management</p> | <p>☺</p> | <p>RRA Architects appointed to the project. Initial feasibility design, based on stakeholder feedback, has been agreed and demonstrates the concept works. A cost plan based on this design has also been agreed and although currently over budget, the project team are confident that it will be brought back in line with financial parameters through the detailed assessment phase. Programming is currently taking place to work out phasing required to deliver the priority needs of the project whilst keeping the building open to the public and minimising disruption to building users.</p> |
| <p>b) To let out the top floor of the Public Services Centre.</p>   | <p>Target date: March 2018</p> | <p>Head of Finance and Asset Management<br/>Ron Furolo<br/>Lead Member for Finance and Asset Management</p>   | <p>☺</p> | <p>Top floor has been placed on open market and has so far attracted one potential tenant for occupation of a third of the top floor. Heads of Terms for a five year lease have been agreed and the tenant is keen to be in the building by early January. Priority will therefore be given to ensuring the top floor is refurbished before Christmas.</p>  |

**PRIORITY: CUSTOMER FOCUSED SERVICES**

| Actions   | Target date  | Reporting Line   | Progress to date | Comment   |
|---|--|--|------------------|---|
| <b>Objective 4. Improve and expand our partnership both public and private sector and explore opportunities to do this.</b> |  |  |                  |   |
| a) Look at collaborative options for the planning and environmental health services   | Target date:<br>Environmental health – December 2017<br><br>Planning - December 2017 | Head of Development Services and Head of Community Services<br><br>Elaine MacTiernan Lead Member for Built Environment and Jim Mason Lead Member for Clean and Green | ☺                | Environmental Health - Interim EH Manager secondment extended to end of Sept 2017. Collaborative opportunities continue to be explored with Cheltenham Borough Council with current focus on licensing service.<br><br>Planning - Options for better collaboration will be considered following the review of the service area.   |
| b) Work with partners to improve digital links between public services to make life simpler for customers.                  | Target date: March 2018  | Head of Corporate Services<br><br>Mike Dean Lead Member for Customer Focus   | ☺                | 'Join forces with our partners' is one of three key priorities in our Digital Strategy. Initiatives include ;<br><br><ul style="list-style-type: none"> <li>• New online forms are being developed to improve the way the council works with Ubico.</li> <li>• The reception redesign may open up potential digital opportunities between partners.</li> <li>• The introduction of Office 365 will provide collaborative working opportunities.</li> <li>• The property services help desk is accessible to all PSC customers.</li> </ul> |



**PRIORITY: CUSTOMER FOCUSED SERVICES**

| Actions  | Target date                | Reporting Line   | Progress to date | Comment   |
|--|----------------------------|--|------------------|---|
| <b>Objective 5. To improve customer access to our services and service delivery through digital methods.</b> |                            |  |                  |   |
| a) Deliver a Digital Strategy.   | Target date: March 2018    | Head of Corporate Services<br><br>Mike Dean Lead Member for Customer Focus           | ☺                | The Digital Strategy was approved at Executive Committee on 6 April 2016. The strategy is still at an early stage but actions delivered include the new website, property services help desk, ICT helpdesk, new complaints and FOI monitoring. Projects currently in progress include new HR system, electronic purchase order system, improvement in on line forms, Office 365 and garden waste.   |
| 49 b) Improve and increase the range of digital payment channels available for our customers                 | Target date: March 2018    | Head of Finance and Asset Management<br><br>Mike Dean Lead Member for Customer Focus | ☺                | Implementation of Paypoint system is expected by November with sundry debts going live first followed by Revenues in the new year. This will require the bar coding of all invoices with payments being taken at various shops across the Borough. This will replace the expensive Giro payment system which is being withdrawn later this year and reduce dependence on a central cash office function.<br><br>Replacement of income system will offer increased ability for the council to offer other forms of payment including the completion of on-line Direct Debit mandates and recurring card payments. Anticipated that these aspects of the new system will go live in the new year. |
| c) To improve business continuity, migrate to cloud based Office 365   | Target date: December 2017 | Head of Corporate Services<br><br>Mike Dean Lead Member for Customer Focus           | ☺                | Migrating all staff and members to Office 365 is progressing well with all to be migrated by August. Phase two of the project will be to look at the remaining features and what will work best for each service. The overall project to be completed by the end of the calendar year.  |

**Key performance indicators for priority: Customer focused services**

| KPI no. | KPI description  | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment  | Portfolio Lead / Head of service              |
|---------|--|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|--|---|
| 16      | Total enquiries logged by the Area Information Centre (AIC). | 1595            |                | 338                |                    |                    |                    |                     |                    | Bishops Cleeve 72<br>Brockworth 147<br>Churchdown 53<br>Winchcombe 66<br><hr/> Total 338 | Lead Member Customer Focus/<br>Graeme Simpson |

**Key performance indicators for priority: Customer focused services**

| KPI no.  | KPI description   | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                              |
|----------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|---|
| 47<br>17 | Total number of people assisted within the borough by Citizens Advice Bureau (CAB). | 1372            |                | 383                |                    |                    |                    |                     |                    | Heaviest demand was for Brockworth at 54 (14%).<br><br>The following five wards represent 195 (51%) of all clients seen:<br><br>Brockworth: 54 clients<br><br>Churchdown St Johns: 40 clients<br><br>Cleeve St Michaels: 39 clients<br><br>Tewkesbury Priors Park: 36 clients<br><br>Ashchurch with | Lead Member Economic Development /Promotion / Annette Roberts |

|    |   |          |  |         |  |  |  |  |  |   |
|----|---|----------|--|---------|--|--|--|--|--|---|
|    |   |          |  |         |  |  |  |  | <p>Walton Cardiff: 26 clients</p> <p>685 issues raised compared to 645 for the same period last year, with 78% being about:</p> <p>Benefits 26%<br/>Debt 22%<br/>Employment 11%<br/>Relationships 11%<br/>Housing 8%</p> <p>Please note that statistics have also been requested at a parish level, in line with members' requests. Full information will be provided through a Member Update.</p> |   |
| 18 | Financial gain to clients resulting from CAB advice | £390,717 |  | £77,593 |  |  |  |  | During the quarter, clients have benefitted from £77,593 of financial gains.   | Lead Member Economic Development /Promotion / Annette Roberts |

**Key performance indicators for priority: Customer focused services**

| KPI no.  | KPI description                               | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                              |
|----------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|---|
| 19       | Number of reported enviro crimes              | 1359            | 1000           | 353                |                    |                    |                    | ↑                   | ☺                  | Figures for Q1 down compared with same time frame for previous year   | Lead Member Clean and Green Environment/ Peter Tonge          |
| 49<br>20 | Community groups assisted with funding advice | 349             |                | 46                 |                    |                    |                    |                     |                    | <p>Since 2015 community groups have been supported by the Borough to receive £760,093 in grants from external funders.</p> <p>In quarter 1 of 2017-2018 the council supported groups to raise £36,970 in external grants.</p> <p>In addition the council organised a funding fair with 112 attendees.</p> | Lead Member Economic Development /Promotion / Annette Roberts |

|    |  |                |  |                |  |  |  |  |  |   |   |
|----|--|----------------|--|----------------|--|--|--|--|--|---|---|
| 21 | Benefits caseload:<br>a) Housing Benefit<br>b) Council Tax Support | 3,974<br>4,552 |  | 3,971<br>4,536 |  |  |  |  |  | The number of benefit claimants continues to fall albeit slowly. The trend is downwards. It is anticipated that the Housing Benefit case load will continue to fall but at a faster rate from 6 December 2017 as new claims are filtered across Universal Credit. | Lead Member Finance and Asset Management / Richard Horton |
|----|--|----------------|--|----------------|--|--|--|--|--|---|---|

**Key performance indicators for priority: Customer focused services**

| KPI no. | KPI description   | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                          |
|---------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|---|
| 22      | Average number of days to process new benefit claims      | 16.19           | 16.19          | 13.22              |                    |                    |                    | ↑                   | ☺                  | The benefits team has made an excellent start to the year and new claims are being processed well below last year's times. The national average is 21 days. | Lead Member Finance and Asset Management / Richard Horton |
| 23      | Average number of days to process change in circumstances | 5.30            | 5.30           | 4.27               |                    |                    |                    | ↑                   | ☺                  | Currently performing at 4.27 days which is very healthy. The national average is 9 days.  | Lead Member Finance and Asset Management / Richard Horton |

|    |                                     |        |     |        |  |  |  |   |   |   |   |
|----|-------------------------------------|--------|-----|--------|--|--|--|---|---|---|---|
| 24 | Percentage of council tax collected | 98.24% | 98% | 29.63% |  |  |  | ↑ | 😊 | Council tax collection is up on last year (29.45%) seeing a significant growth in new properties. Well on target to achieving the final years target. | Lead Member Finance and Asset Management/<br>Richard Horton |
| 25 | Percentage of NNDR collected        | 98.97% | 98% | 33.85% |  |  |  | ↑ | 😊 | Business rates collection is up on last year 32.01%. Well on target to achieving the final years target.  | Lead Member Finance and Asset Management/<br>Richard Horton |

**Key performance indicators for priority: Customer focused services**

| KPI no. | KPI description                           | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service      |
|---------|---|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|---------------------------------------|
| 26      | Number of anti-social behaviour incidents | 2443            |                | 598                |                    |                    |                    | ↑                   |                    | ASB incidents were reduced in April and May but an increase of incidents in June resulted in a 3% decrease overall (16/17) when compared to the same like for like period in the previous year. | Lead Member Community/<br>Peter Tonge |
| 27      | Number of overall crime incidents         | 3070            |                | 858                |                    |                    |                    | ↓                   |                    | In line with the recently reported national statistics there has been a 15% increase in overall crime when compared to the like for like period of the previous year.                           | Lead Member Community/<br>Peter Tonge |

|    |  |      |     |      |  |  |  |  |   |   |   |  |
|----|--|------|-----|------|--|--|--|--|---|---|---|--|
| 28 | Average number of sick days per full time equivalent | 7.79 | 7.0 | 1.31 |  |  |  |  | ↑ | 😊 | Overall total working days lost has reduced by 75.55% (228.1 days to 436.2 in 16/17). This is due to a fall in long term sickness levels. The average number of days lost per employee is 1.31 days (2.56 days in 16/17). Equating to 5.25 days per year. | Lead Member Organisational Development/ Graeme Simpson |
|----|--|------|-----|------|--|--|--|--|---|---|---|--|

**Key performance indicators for priority: Customer focused services**

| KPI no. | KPI description  | Outturn 2016-17 | Target 2017-18 | Outturn Q1 2017-18 | Outturn Q2 2017-18 | Outturn Q3 2017-18 | Outturn Q4 2017-18 | Direction of travel | Traffic light icon | Comment   | Portfolio Lead / Head of service                     |
|---------|--|-----------------|----------------|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------|---|--|
| 29      | Percentage of waste recycled or composted              | 53.29%          | 52%            | 58.44%             |                    |                    |                    | ↑                   | 😊                  | Both outturns are positive and a good start to the year despite problems with the missed collections. Missed collections can often be collected by a sweep-up vehicle resulting in a reduction in performance so it is promising that despite the collection issues, the performance has not suffered. The extra publicity carried out in the press, social | Lead Member Clean and Green Environment/ Peter Tonge |
| 30      | Residual household waste collected per property in kgs | 411kg           | 430kg          | 92.72kgs           |                    |                    |                    | ↑                   | 😊                  |   | Lead Member Clean and Green Environment/ Peter Tonge |

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|    |                                     |                         |             |      |  |  |  |  |   |  |   |   |
|----|-------------------------------------|-------------------------|-------------|------|--|--|--|--|---|--|---|---|
|    |                                     |                         |             |      |  |  |  |  |   | media, borough news, and the calendar / information mail out has most likely given the recycling and landfill diversion a boost as a secondary side effect to the important information which was the primary reason for the communications. The council will benefit financially from additional recycling credits from landfill diversion. |   |   |
| 31 | Food establishments hygiene ratings | Not measured previously | 5% baseline | 4.82 |  |  |  |  | ↑ | 😊  | Food premises with two star ratings and below are not compliant with food safety requirements, and our target is for only 5% of businesses to fall within this non-compliance.<br><br>These premises require focused intervention to increase compliance. | Lead Member Clean and Green Environment/<br>Peter Tonge |



## TEWKESBURY BOROUGH COUNCIL

|                              |   |
|------------------------------|---|
| <b>Report to:</b>            | Executive Committee   |
| <b>Date of Meeting:</b>      | 11 October 2017   |
| <b>Subject:</b>              | Review of Tewkesbury Borough News                                 |
| <b>Report of:</b>            | Councillor M Dean, Chair of Tewkesbury Borough News Working Group |
| <b>Corporate Lead:</b>       | Mike Dawson, Chief Executive                                      |
| <b>Lead Member:</b>          | Leader of the Council, Councillor D J Waters                      |
| <b>Number of Appendices:</b> | Three   |

**Executive Summary:**

A member workshop was held on 10 October 2016 to gain feedback on corporate communications. One specific area discussed was Tewkesbury Borough News and this generated a lot of discussion, such as cost, quality, regularity of production and format, without reaching any formal conclusion.

Given the extent of discussion, and the high profile nature of the newspaper, it was agreed a formal review of the newspaper was required and that an Overview and Scrutiny Committee Working Group could undertake the work.

The report and final recommendations of the Working Group were presented to Overview and Scrutiny Committee in September, and the committee recommended them to Executive Committee for approval.

**Recommendation:**

**To accept the findings and recommendations of the Overview and Scrutiny Working Group and to RESOLVE :**

- 1. That two magazine editions of Tewkesbury Borough News be published per year with a one-flick PDF online version placed in a prominent place on the Council's website.**
- 2. That Head of Corporate Services be authorised to**
  - a) Enter into a contract with Wychavon District Council for a 12-month trial period and to waive the Contract Rules accordingly.**
  - b) Engage with parish councils who do not currently submit news articles.**
  - c) Seek to work to maximise advertising income.**

**Reasons for Recommendation:**

To ensure we have a cost-effective way of communicating with our residents, which is fit for purpose.

**Resource Implications:**

If the Working Group's recommendations are approved by Executive Committee, the overall cost of Tewkesbury Borough News will be reduced by £4,066 per year.

**Legal Implications:**

The contract with Wychavon District Council is in the sum of approx. £21,000. The Council's Contract Rules require such contract values to be subject to a formal competitive process but it is proposed that the Rules be waived for the reasons set out in the report.

**Risk Management Implications:**

None.

**Performance Management Follow-up:**

The 12-month trial will be reviewed by Overview and Scrutiny Committee in 2018.

**Environmental Implications:**

None.

## 1.0 INTRODUCTION/BACKGROUND

1.1 Tewkesbury Borough News is the Council's main proactive communications method, which reaches all households in the Borough. Following a Member workshop held on 10 October 2016 to gain feedback on corporate communications, it was agreed that an Overview and Scrutiny review of the Tewkesbury Borough News would be worthwhile.

The Overview and Scrutiny Review Working Group was made up of the following Members:

Councillors Mrs G F Blackwell, M Dean (Chair), D T Foyle, Mrs S E Hillier-Richardson, Mrs H C McClain and Mrs P E Stokes.

Officer support was provided by the Head of Corporate Services, the Policy and Communications Manager, the Finance Manager, the Economic Development and Community Manager and the Joint Waste Team Officer.

1.2 The review took place over three sessions, as described within the final report, which is attached at Appendix 2. The report and final recommendations were presented to Overview and Scrutiny Committee in September, and they endorsed the findings of the Working Group and recommended them to Executive Committee for approval.

## 2.0 SCOPE OF THE REVIEW

2.1 The Terms of Reference of the review (see Appendix 1) asked the Working Group to investigate three options for the future of Tewkesbury Borough News, which were to:

- retain Tewkesbury Borough News in its current format and circulation;
- retain Tewkesbury Borough News but consider an alternative format and/or circulation e.g. digital options/issue twice-yearly/reduced circulation; or
- stop producing Tewkesbury Borough News.

**2.2** The three Working Group sessions were filled with a range of information and debate on the following:

- Background of Tewkesbury Borough News – including current format and cost.
- Feedback from citizens' panel on their views of Tewkesbury Borough News and what they would like in future.
- Detailed costings and mock-ups from two designers.
- Cost avoidance.
- Advertising.
- The pros and cons of magazine and newspaper formats.

Please refer to Appendix 2 for the details of the review sessions, including cost options.

### **3.0 FINAL RECOMMENDATIONS**

**3.1** Having considered all the information provided during the review, in particular the costings and the mock-up front covers, it was agreed:

- That two magazine editions of Tewkesbury Borough News be published per year with a one-flick PDF online version placed in a prominent place on the Council's website.
- That Head of Corporate Services be authorised to enter into a contract with Wychavon District Council for a 12-month trial period and to waive the Contract Rules accordingly.
- To engage with Parish Councils who do not currently submit news articles.
- To seek to work to maximise advertising income.

**3.2** The reasons for appointing Wychavon District Council are set out below:

- Able to call upon a full team of designers.
- Has experience in magazine design.
- Understands local government issues and challenges.
- Potential for them to support the Council in other areas of communications and design in the future if it was required.

### **4.0 CONTRACT PROCEDURE RULES**

**4.1** The Contract Rules have been waived due to the fact that specialist consultants, solicitor, barrister, agents, artist or professional advisers are required and:

- there is no satisfactory alternative; or
- evidence indicates that there is likely to be no genuine competition; or
- it is, in the opinion of the Authorised Officer, in the Authority's best interest to engage a particular consultant, solicitor, barrister, agent, artist or adviser.

### **5.0 OTHER OPTIONS CONSIDERED**

**5.1** None.

**6.0 CONSULTATION**

**6.1** Two consultations were carried out with the Citizens Panel as part of the review. Operational managers were consulted in terms of the impact reducing to two editions would have on their services.

**7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**7.1** None.

**8.0 RELEVANT GOVERNMENT POLICIES**

**8.1** None.

**9.0 RESOURCE IMPLICATIONS (Human/Property)**

**9.1** None.

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

**10.1** None.

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

**11.1** Attached at Appendix 3.

**12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**12.1** None.

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**Background Papers:** None.

**Contact Officer:** Clare Evans, Communications and Policy Manager Tel: 01684 272002  
Email: [clare.evans@tewkesbury.gov.uk](mailto:clare.evans@tewkesbury.gov.uk)

**Appendices:**

1. Working Group Terms of Reference.
2. Report of the Working Group.
3. Equalities Impact Assessment.

## Review of Tewkesbury Borough News – Terms of Reference

### Introduction

An Overview and Scrutiny Working Group comprising five Members plus the Lead Member for Customer Focus will be asked to work with officers to review Tewkesbury Borough News, the Council's newspaper delivered to all households three times a year.

### Purpose of the review

The Working Group will be asked to consider whether Tewkesbury Borough News is providing the Council with value for money and remains an effective way to engage with our residents.

As part of the review, the Working Group will be asked to investigate three options:

1. To retain Tewkesbury Borough News in its current format and circulation.
2. To retain Tewkesbury Borough News but consider alternative format and/or circulation e.g. digital options/issue twice-yearly/reduced circulation.
3. To stop producing Tewkesbury Borough News.

For each option, the Working Group will need to consider:

- the purpose of the newspaper;
- current costs of design, print and postage;
- examples of other Council magazines/newspapers; and
- cost and effectiveness of alternative communication options

### Who could we consult?

- Citizens' Panel
- Councillors
- Officers who regularly use the paper to promote their news
- Head of Finance and Asset Management

### How long will it take?

Over three meetings, the aim is to start review in May 2017 and complete it by June 2017.

### Outcomes

There will be one of two outcomes:

1. To continue producing Tewkesbury Borough News either as it is now or in a different format.
2. To stop producing Tewkesbury Borough News and use alternative value for money communications methods.

# Tewkesbury Borough News review

## 2017



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| Session 3    | 4 |



## Introduction / Background

Tewkesbury Borough News is the council's main proactive communications method, which reaches all households in the borough.

Following a member workshop held on 10 October 2016 to gain feedback on corporate communications, it was agreed that an Overview and Scrutiny to review Tewkesbury Borough News would be worthwhile.

The overview and scrutiny review working group was made up of the following members:

Cllr Blackwell; Cllr Dean (chair); Cllr Foyle; Cllr Hillier-Richardson; Cllr McClain; Cllr Stokes.

And the following officers:

Head of corporate services; policy and communications manager; finance manager; economic development and community manager; Joint Waste Team officer.

The review took place over three sessions, as described within this report.

## The review session 1

### The first review session took place on 5 June.

It was agreed that the scope of the project would include:

- The format of the publication.
- The frequency of the publication.
- Reducing the cost – or stopping it altogether.

The policy and communications manager presented the working group with information about Tewkesbury Borough News, including its background, current formatting and costs. Members were informed that:

- Tewkesbury Borough News is currently issued three times a year in newspaper format to each household in the borough.
- A 2017 snapshot survey (using Citizens' Panel) revealed 86% of respondents read it in part or in full.
- It promotes all council services
- It provides a significant level of cost-avoidance e.g. Joint Core Strategy and waste and recycling promotion.
- It costs us £23,977 per year.

During the session, a member showed the group a copy of the Cotswold Lion (the magazine of the Cotswolds Area of Outstanding Natural Beauty) and suggested a similar format would be an attractive option for Tewkesbury Borough News.

The communications and policy manager had received a quote from a local authority designer (referred to as Designer 1) and circulated examples of their work. The quote was £2891 per edition, with £1200 received back in advertising. The member indicated that the designer for Cotswold Lion (referred to as Designer 2) would also offset costs through advertising.

A member made clear it was important that we had a good understanding of what residents wanted from Tewkesbury Borough News – do they want a glossy magazine or are they happy with just a basic publication?



Another member suggested that we could do this through the Citizens' Panel and also ask them to give their opinions on what they find valuable information and what edition was most important.

As part of the meeting, the working group heard from three services areas. The economic and development manager explained that his team uses Tewkesbury Borough News as an important vehicle for communicating news in tourism, community sports, health and funding. He also added that people often contacted his team as a direct result of articles in the borough news, such as business grants and community funding.

The Joint Waste Team had submitted a briefing noted detailing why the newspaper is an effective communications method for them, and helped offset significant costs as a result of not having to do alternative marketing.

The finance manager, who reiterated that savings have to be made through this review, made the financial implications of this review clear to the group.

### Following the first session, it was agreed:

- To carry out a survey with the Citizens' Panel.
- To bring back information on cost avoidance.
- To bring back detailed costings for Designer 1 and Designer 2, as examples of what indicative costs would be.

## The review session 2

This meeting, held on 3 July, opened with the communications and policy manager revealing the outcomes of the survey to the Citizens' Panel.

### The responses (60 residents) indicated that:

- The most valuable news was considered to be community news, waste and recycling, and community funding. Followed closely by JCS updates and tourism news.
- Respondents would also like updates on services not run by the council, including transport and crime, as well as ones we are responsible for such as major planning applications.
- The most important edition was considered to be spring (43%) then winter (30%) followed by summer (21.7%).
- There was a split in terms of preference for a magazine (46.7%) or newspaper (53.3%).

The group debated how many editions of Tewkesbury Borough News should be produced in future. Several members felt two editions would be sufficient – spring and winter.

Members agreed that, in terms of format, it would be crucial that the publication remains available online and promoted more prominently than it currently is.

The communications and policy manager took the group through the quotes obtained at this stage, which was for three editions per year.

|                   | Magazine - design, print and delivery | Newspaper - design, print and delivery |
|-------------------|---------------------------------------|--|
| Current designers | n/a                                   | £8500 (£25,000)                        |
| Designer 1        | £9175.10 (£27,525.30)                 | £5511.24 (£16,533.72)                  |
| Designer 2        | £9830 (£29,490)                       | £6910 (£20,730)                        |

Following a discussion, it was agreed that the next session would look at refined quotes for two editions and whether they would both offer a reduction for advertising income, as Designer 2 had not offered that upfront.

A member asked whether advertising could be sourced in-house and the communications and policy manager advised that, while it could be, it is extremely time consuming. The head of corporate services indicated that the majority of businesses advertising in the publication are not based within the borough, and the economic and community development manager suggested his team could help with this through their business contacts.

The working group agreed that cost avoidance is a major benefit of Tewkesbury Borough News. By delivering it to all households in the borough, the council does not have to pay for additional marketing and leaflets.

The working group was given a range of examples of cost avoidance, including for waste and recycling, whereby the council has saved money by using Tewkesbury Borough News to advertise collection round changes (est. saving of £5000) and a food waste collection campaign (£20,000 direct mailing savings). A member of the Joint Waste Team said: "The council has the driest recycling rate in the county – this is not only due to the wide range of materials collected but also due to the

residents' awareness of our scheme, which is promoted in Tewkesbury Borough News"

JCS consultations and updates is another area of cost avoidance, and the group was informed that for the past five years it is anticipated the council saved £3000 per year in media advertising. A member of Joint Core Strategy team "Tewkesbury Borough News has been an invaluable vehicle for us to communicate complicated and sensitive messages, without having to rely on the media which charges a significant amount for coverage."

The group debated the quotes, and how they compared to current costs – and it was suggested that it would be preferable to move to two editions but to adopt a magazine format. It was felt that residents would hold on to a magazine for longer, and would give a more professional impression of the council. A member suggested that it would make Tewkesbury Borough News fit for purpose.

Members were reminded that one of the main objectives of the review is to save money – the head of finance and asset management had included a procurement saving of around £7000. It was noted that the newspaper option for both designers would generate significant savings.

The policy and communications manager then took the group through a list of pros and cons

of magazine and newspaper formats, and the key points were:

**Magazine format:**

**Pros:**

- Can look professional
- Makes excellent use of photography
- Would introduce a new style for TBN.

**Cons:**

- Much pricier
- Can be mistaken for junk mail magazines
- Would not stand out as much as newspaper format.

**Newspaper format:**

**Pros:**

- More cost effective
- Projects more of a 'news' feel
- Is our current recognised brand

**Cons:**

- Cannot be as creative with design
- Does not look as glossy as magazine
- Paper has a disposable feel to it

Members felt that, in addition to the pros and cons identified, a magazine might be more attractive to advertisers and people would likely keep it for longer.

A discussion took place around the circulation of Tewkesbury Borough News. It was agreed that it should continue to be delivered to all households rather than being placed in prominent locations to retain the cost avoidance benefits.

At the end of the meeting, it was agreed:

- To move from three to two editions per year.
- To continue to deliver to every household in the borough.
- For quotes to be obtained from both designers for two editions rather than three.
- Service managers to be consulted in terms of the impact of moving from three to two editions.

**The review session 3**

The session opened with the proposed costings for two editions per year of each format from the two designers:

**Newspaper format two editions per year:**

|   | Designer 1         | Designer 2         |
|---|--------------------|--------------------|
| Design, print, advertising and delivery | £5461<br>(£10,922) | £5885<br>(£11,770) |
| Annual saving                           | £13,978            | £13,130            |

\* (cost in brackets is annual cost for two editions)

**Magazine format two editions per year:**

|   | Designer 1           | Designer 2           |
|---|----------------------|----------------------|
| Design, print, advertising and delivery | £11,167<br>(£20,834) | £10,205<br>(£18,910) |
| Annual saving                           | £4066                | £5990                |

\* (cost in brackets is annual cost for two editions)

The working group noted there were significant savings to be made from newspaper format, with savings substantially reduced for the magazine option.

The working group was presented with mock-up front covers from the two designers in both formats, and positive feedback was received for all options. A member expressed the view that a magazine had a psychological value which a newspaper did not – a newspaper is more likely to be thrown away.

To help the group decide on which designer to go with, the policy and communications manager highlighted that while Designer 2 offers good value-for-money, and excellent design, there were concerns that there was no resilience as it is a one-man business and the designer had limited experience with gathering advertising. Designer 1, on the other hand, could call upon a full team of designers, had lots of experience understanding design for local government issues, and there was the potential for them to support the council in other areas of communications and design in the future if it was required.

Following a debate, it was agreed that the benefits of working with another local authority with the added resilience of a team, meant that Designer 1 would be the preferred designers, subject to contract.

In terms of when the two editions should be produced, it was agreed that late October and March would be the best times of year as it would capture Christmas waste/recycling collections as well as budget information for the March edition.

A discussion took place around the tendering process, and it was confirmed that the new designer would be appointed on a 12-month trial basis following which the contract would be put out to tender.

### Final recommendations

Having considered all the information provided during the review, in particular the costings and the mock-up front covers, it was agreed:

- To move from three to two editions per year to be published in March and late October.
- To move to a magazine publication.
- That local-authority Designer 1 be recommended as the preferred designer.
- That the new designer to be appointed on a 12 month trial basis following which the contract would be put out to tender.
- To engage with parish councils who do not currently submit news articles.
- To work to maximise advertising income.
- To introduce a one-flick PDF online.
- To ensure the magazine is placed in a prominent place on our website.
- That the Citizen's Panel be asked for its views on the publication following circulation of the first edition.
- That a report be taken to the Overview and Scrutiny Committee to review the implementation of the recommendations and how the arrangements had worked over the 12 month period.

## Equality impact assessments – for services and policies

### What is an equality impact assessment?

An equality impact assessment is an important part of our commitment to improving equality practice. The form will help us find out what impact or consequences our functions, policies, procedures and practices have on our citizens, employees and potential employees. It should be used alongside the TBC EIA guidance.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

☺ Impact assessment are required by law; within the context of the Equality Act 2010

Our view is that we should be using the results of impact assessment to improve service delivery so that we become more accountable to the people that we serve.

### Initial Impact Assessment

#### Background

|  |   |
|--|---|
| <b>Name of service / policy and date</b>             | <b>Review of Tewkesbury Borough News – communications – September 2017.</b> |
| <b>Lead officer</b>                                  | <b>Clare Evans – Corporate Services Manager</b>                             |
| <b>Other people involved in completing this form</b> | <b>n/a</b>  |

## Step 1 - About the service / policy

|   |  |
|---|--|
| <b>What is the aim of the service / policy and what outcomes is it contributing to</b>            | <p>The council's main communications method to all households in the borough – used to update residents on corporate and service issues, as well as changes within the council.</p> <p>It is a valued vehicle for keeping residents informed; examples include waste and recycling, community news, information on council tax and details of community funding. It is also a useful tool for promotion of business and tourism.</p> |
| <b>Are there any key performance indicators against this service / policy?</b>                    | <p>No</p>  |
| <b>Who will be affected by this service / policy? Who is intended to benefit from it and how?</b> | <p>Services using the communication method and residents who receive it.</p>   |
| <b>Who implements the service /policy? Who is responsible for it?</b>                             | <p>Corporate services</p>  |
| <b>What potential barriers might exist or are known of to achieving the outcomes?</b>             | <p>None – the intention is to keep Tewkesbury Borough News but to reduce it to two magazines per year.</p>   |

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## Step 2 – What do you know already about your existing / potential customers

|  |  |
|--|--|
| <p><b>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</b></p> | <p>A survey held with the Citizens' Panel revealed:</p> <ul style="list-style-type: none"> <li>• The most valuable news was considered to be community news, waste and recycling, and community funding. Followed closely by JCS updates and tourism news.</li> <li>• Respondents would also like updates on services not run by the council, including transport and crime, as well as ones we are responsible for such as major planning applications.</li> <li>• The most important edition was considered to be spring (43%) then winter (30%) followed by summer (21.7%).</li> <li>• There was a split in terms of preference for a magazine (46.7%) or newspaper (53.3%).</li> </ul> |
| <p><b>What does it tell you about who uses your service / policy and those that don't?</b></p>   | <p>It indicates that Tewkesbury Borough News is a valued communication tool.</p>   |
| <p><b>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</b></p>                            | <p>None</p>  |
| <p><b>If no monitoring is undertaken of the service or policy what monitoring is planned for the future?</b></p>   | <p>To carry out regular surveys with the Citizens' Panel – particularly for feedback when the change to magazine takes place.</p>  |

### Step 3 - Assessing Impact

If you have monitoring information and data please fill in below to show what it tells us about the community and different groups in the community. How does your service / policy impact on different groups in the community?

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| Group   | What are you already doing to benefit this group | What are you doing that might disadvantage this group | What could you do differently to benefit this group | No impact on this group |
|---|--|---|---|-------------------------|
| Ethnicity / Race                                  |  |   |   | X                       |
| Gender  |  |   |   | X                       |
| Age   |  |   |   | X                       |
| Disability  |  |   |   | X                       |
| Religion or belief                                |  |   |   | X                       |
| Sexual orientation                                |  |   |   | X                       |
| Marital status                                    |  |   |   | X                       |
| Transgender                                       |  |   |   | X                       |
| Pregnant women and maternity leave                |  |   |   | X                       |
| Any other socially excluded groups or communities |  |   |   | X                       |

NB You may find that the categories for marital status and pregnant women and maternity leave only apply to internal policies for staff and employees.



### Step 4 - what are the differences

|  |  |
|--|--|
| Are any groups affected in different ways to others as a result of the service / policy?           | No   |
| Does your service / policy either directly or indirectly discriminate?                             | No   |
| If yes, what can be done to improve this?  | .  |
| Are there any other ways in which the service can help support priority communities in Tewkesbury? | Yes, it can reach out to all communities in the borough and is often used to communicate messages around support groups and funding opportunities. |

07

### Step 5 – taking things forward

|   |  |
|---|--|
| What are the key actions from this impact assessment to be carried out and how will they be resourced and monitored?  | <ul style="list-style-type: none"> <li>We will ensure the newspaper continues to be made available online as well as hard copies.</li> <li>We will do a follow up survey with the citizens panel to get their feedback on the new format.</li> </ul> |
| Is there need for further work through a fuller impact assessment? If yes please attach the resulting action plan highlighting the issues and steps that need to be explored. | No   |
| Who will play a role in the decision-making process?  | n/a  |

|  |   |
|--|---|
| <p><b>What are your learning and development needs?</b></p>                | <p>n/a</p>  |
| <p><b>How will you capture these actions in your service planning?</b></p> | <p><b>Online option available immediately.<br/>Follow up survey to take place one year after magazine implementation.</b></p> |

**If a full impact assessment is required please use the template and questions below along with the internal EIA guidance (for a more detailed explanation of what is expected from the assessment) to complete the process.**

## Full Impact Assessment

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|  |  |
|--|--|
| <p><b>What are the issues highlighted through the initial assessment that now require further and fuller assessment?</b></p>               |  |
| <p><b>What research / data was used to create a fuller picture i.e. quantitative and qualitative?</b></p>                                  |  |
| <p><b>Who was consulted?</b></p>   |  |
| <p><b>What are the issues or potential equality issues that have been highlighted as part of the process of the fuller assessment?</b></p> |  |
| <p><b>How and who will consider the relevant and necessary decisions to be made against the issues identified?</b></p>                     |  |
| <p><b>What changes have been suggested as a result of the fuller assessment?</b></p>   |  |
| <p><b>How will the changes be implemented and by whom?</b></p>   |  |
| <p><b>If the assessment highlighted any adverse impact were the reasons for this explored? If so what was the outcome?</b></p>             |  |

**What actions now need to be taken to deal with the outcomes of exploring the adverse impact?**

### Equality Objectives and business planning

| Outcome from EIA | Suggested equality objective | Who will be responsible and by when for ensuring action against the objective |
|------------------|------------------------------|---|
|                  |                              |   |
|                  |                              |   |
|                  |                              |   |
|                  |                              |   |

## TEWKESBURY BOROUGH COUNCIL

|                              |  |
|------------------------------|--|
| <b>Report to:</b>            | Executive Committee  |
| <b>Date of Meeting:</b>      | 11 October 2017  |
| <b>Subject:</b>              | Local Development Scheme   |
| <b>Report of:</b>            | Annette Roberts, Head of Development Services                    |
| <b>Corporate Lead:</b>       | Robert Weaver, Deputy Chief Executive                            |
| <b>Lead Member:</b>          | Lead Member for Built Environment, Councillor Mrs E J MacTiernan |
| <b>Number of Appendices:</b> | One  |

**Executive Summary:**

The Tewkesbury Borough Local Development Scheme outlines the timetable for preparing statutory development plan documents in the Borough. The published version (adopted by the Council in April 2013) requires revision as the timetable is now out of date following an extended examination of the Joint Core Strategy and to incorporate the latest timescales for the Tewkesbury Borough Plan.

**Recommendation:**

**That it be RESOLVED that the updated Local Development Scheme for Tewkesbury Borough, attached to the report at Appendix 1, be ADOPTED and take effect immediately.**

**Reasons for Recommendation:**

In order to fulfil the Council's statutory duty to set out to prepare and maintain a Local Development Scheme setting out the project timetable for preparing and revising development plan documents ('Local Plan').

**Resource Implications:**

Resource implications for preparing the statutory development plan documents are not affected by updating the Local Development Scheme (LDS).

**Legal Implications:**

The preparation and maintaining of a Local Development Scheme is required under Section 15 of the Planning and Compulsory Purchase Act 2004. This must specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area and the timetable for the preparation and revision of those documents. The Local Plan, together with Neighbourhood Plans, make the Development Plan for the Borough.

**Risk Management Implications:**

The main risk associated with the Local Development Scheme relates to the failure to reach key milestones in the time specified and the not updating these causing delay to the progression of the development plan documents identified, as such development plan documents when examined need to be prepared in accordance with the Local Development Scheme.

**Performance Management Follow-up:**

To be monitored through the Authority Monitoring Report.

**Environmental Implications:**

The Local Development Scheme provides organisations and individuals with responsibilities/interests in environmental issues with information as to when they can get involved with planning policy processes in the Borough and kept track of progress of the same.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1 Local Planning Authorities are required by law to prepare, publish and maintain a Local Development Scheme (LDS) setting out the timetable for preparing statutory development plan documents, which form the Local Plan.
- 1.2 The Council's first LDS prepared in March 2005 and was subsequently revised in November 2009 and April 2013 (2013 LDS). It had been anticipated in the 2013 LDS, on information available at that time and looking for the shortest timescales possible, that the JCS would be submitted in August 2014 and adopted in December 2014.
- 1.3 The JCS was submitted for examination in November 2014 and has been at examination since that time. Hearings on proposed main modifications took place in July 2017. On the basis that there will be no further hearings and the Inspector will be moving to her Final Report, an updated LDS to incorporate the steps to date and to the anticipated date of adoption is required in order for statutory requirements in respect of the LDS to be met.
- 1.4 With the TBP being dependent on the JCS higher level policy to shape its content and its timetabling needing to follow after the preparation stages of the JCS, the 2013 LDS anticipated submission of the TBP in February 2015 and adoption in August 2015. The LDS now needs to reflect the changes to the timetable.

**2.0 LOCAL DEVELOPMENT SCHEME PURPOSE**

- 2.1 The purpose of the LDS is to set out the documents that will comprise the Local Plan and which will be prepared by Tewkesbury Borough Council. It also needs to give details as to what they will contain and their production schedule. It is important that plans for the future of the Borough are produced in a timely and efficient manner. If they are not, development which is necessary for the Borough's continued growth and prosperity may be delayed or abandoned, the coordination of housing development and infrastructure provision may be difficult to achieve and there is the potential for development to be approved on appeal in locations that the Council does not consider suitable.

- 2.2** The Development Plan Documents that will make up Tewkesbury Borough Council's Local Plan (as already set out in the current LDS) are:
- the Joint Core Strategy (strategic level document allocating large scale housing and employment sites – covers matters relating to Gloucester, Cheltenham and Tewkesbury areas); and
  - the Tewkesbury Borough Plan (Borough level document looking at issues specific to Tewkesbury Borough, for example non-strategic development/site allocations, rural housing and economic strategies).

**2.3** The 2013 LDS presented a timetable that sought to put these plans in place as soon as possible, whilst incorporating a number of statutory consultation stages as well as the production of a robust evidence base within the resources available.

**2.4** Neighbourhood Development Plans also form part of the Development Plan for Tewkesbury Brough and a number of plans have been 'made' or are currently in production. Although eventually adopted by the Borough Council, Neighbourhood Development plans are developed by local communities. Therefore, these plans are not directly progressed by the Borough Council and the timescales for their development is largely dependent on local communities. As such, the LDS does not contain detail on the timetables for any emerging plans.

### **3.0 DEVELOPMENT PLAN PREPARATION STAGES**

**3.1** An updated LDS is presented at Appendix 1 to this report. It contains the latest timetable for the production of the Joint Core Strategy and the Tewkesbury Borough Plan. The key milestones for each are provided below.

**3.2** The key stages for the **Joint Core Strategy** are:

- Inspector's Final Report – Autumn 2017.
- Adoption – Late 2017/Early 2018.

**3.3** The key stages for the **Tewkesbury Borough Plan** are:

- Preferred Options Consultation – Early 2018.
- Pre-Submission Consultation – Summer 2018.
- Submission to Secretary of State – Summer/Autumn 2018.
- Examination – Winter 2018/19.
- Adoption – Spring/Summer 2019.

### **4.0 OTHER OPTIONS CONSIDERED**

**4.1** None.

### **5.0 CONSULTATION**

**5.1** The preparation and maintaining of an LDS does not require public consultation as it is effectively the Council's work plan.

## **6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

- 6.1** Emerging Joint Core Strategy.  
Emerging Tewkesbury Borough Plan.  
Tewkesbury Borough Local Plan to 2011.

## **7.0 RELEVANT GOVERNMENT POLICIES**

- 7.1** Planning and Compulsory Purchase Act 2004.  
Localism Act 2011.  
National Planning Policy Framework (2012).  
Town and Country Planning (Local Planning) (England) Regulations 2012).

## **8.0 RESOURCE IMPLICATIONS (Human/Property)**

- 8.1** The LDS is based upon adequate resources being available to satisfactorily complete each stage of the work. This includes Planning Policy Team and other staff input; evidence base; assessments/appraisals; communications/materials/publicity; and community involvement.

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

- 9.1** None directly related to this report, although a development plan led approach to development will help ensure that new development is supported by the necessary facilities and infrastructure. The adoption of the JCS and the TBP will remain matters to be decided by the Council.

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

- 10.1** The timetables set out in the LDS need to reflect the statutory and democratic processes that govern plan preparation combined with the resources available to undertake the work.

## **11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

- 11.1** 16 April 2013 – approval of LDS by Council (from 6 March 2013 Executive Committee recommendation).
- 11.2** 19 September 2017 – delegation by Council to Executive Committee to update LDS.

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**Background Papers:** None.

**Contact Officer:** Annette Roberts, Head of Development Services Tel: 01684 272118  
Email: [annette.roberts@tewkesbury.gov.uk](mailto:annette.roberts@tewkesbury.gov.uk)

**Appendices:** 1 – Tewkesbury Borough Local Development Scheme October 2017.



# **Tewkesbury Borough Local Development Scheme**

## **October 2017**



## **1. Introduction**

- 1.1. The Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011) introduced the requirement for local planning authorities to prepare and maintain a Local Development Scheme (LDS). This LDS was adopted by the Council with immediate effect on 11 October 2017.
- 1.2. The LDS for Tewkesbury Borough identifies the timetable for the preparation of Development Plan Documents (DPDs) which together constitute the 'Local Plan' for the area. For Tewkesbury this includes the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy (JCS) and the Tewkesbury Borough Plan. This LDS sets out the work programme for their production over the next 2-3 years up to 2020.
- 1.3. The Development Plan is also made up any Neighbourhood Development Plans (NDP) that are 'made'. NDPs are developed by local communities (with assistance from the Borough Council). Therefore, these plans are not directly progressed by the Borough Council and the timescales for their development are largely dependent on local communities. As such, the LDS does not contain detail on the timetables for any emerging neighbourhood development plans.
- 1.4. The Local Plan also consists of the Waste Core Strategy and the Minerals Local Plan which are also DPDs. However, these are the responsibility of Gloucestershire County Council and subject to a separate LDS and are not dealt with in this document.
- 1.5. Tewkesbury Borough Council currently has two Supplementary Planning Documents (SPD): the Flood and Water Management SPD and the Affordable Housing SPD. The Council may decide to update these SPDs or develop additional SPDs to provide guidance to support the Local Plan. However, these are not DPDs and therefore their production is not subject of the LDS.

## **2. Cheltenham, Gloucester and Tewkesbury Joint Core Strategy**

- 2.1. Tewkesbury Borough Council, along with Cheltenham Borough Council and Gloucester City Council, are preparing an overarching strategic plan for the wider area covered by the three councils. This document is called the Joint Core Strategy (JCS). The JCS sets out a spatial vision and identifies a set of strategic objectives and strategic site allocations for the respective local authority areas. It is being prepared in the context of national planning policy and guidance alongside strategies and plans prepared locally. The JCS is the most important part of the planning framework as it deals with key strategic issues including; Green Belt; flooding; transport; housing/employment and the direction, timing and location of growth.
- 2.2. The JCS was submitted to the Secretary of State for its Examination in Public in November 2014. Examination hearing sessions commenced in May 2015 and continued through to July 2017 with the conclusion of sessions dealing with Main Modifications to the plan. The JCS authorities now await the Inspector's Final Report before progressing towards adoption.

### **2.3. The estimated timetable for the JCS to adoption is therefore:**

- **Inspector's Final Report – Autumn 2017**
- **Adoption – Late 2017/Early 2018**

2.4. Following adoption, the JCS shall be subject to an immediate review of its “retail and city/town centres” policy. This review will take approximately two years to complete. There will also be a partial review of the housing supply for Gloucester and Tewkesbury commencing immediately upon adoption of the JCS.

### **3. Tewkesbury Borough Plan**

3.1. The Tewkesbury Borough Plan (TBP) sits underneath the strategic-level JCS and provides the local-level growth strategy for the Borough. The TBP will help to meet the level of growth set out in the JCS by providing specific policy guidance for new development in the area and make smaller-scale site allocations. The policies that will be established through the TBP will set out specific requirements for new development and provide more detail than the policies in the JCS. This will allow us to respond to any particular challenges and issues in the Borough. The TBP allocations will specifically focus on housing sites at Tewkesbury town, Rural Service Centres and Service Villages as well as sites for employment growth around the Borough.

3.2. Work on the TBP has already begun and an initial scoping consultation was undertaken in October/November 2013. Following this a Draft Policies and Site Options consultation was undertaken in February/March 2015. However, the progress of the TBP has been closely linked to the progress of the JCS which has itself been delayed through the examination process. Now that the JCS has become further advanced then progress on the TBP can continue.

#### **3.3. The estimated timetable for the TBP to adoption is therefore:**

- **Preferred Options Consultation – Early 2018**
- **Pre-Submission Consultation – Summer 2018**
- **Submission to Secretary of State – Summer/Autumn 2018**
- **Examination in Public – Winter 2018/19**
- **Adoption – Spring/Summer 2019**

## TEWKESBURY BOROUGH COUNCIL

|                              |  |
|------------------------------|--|
| <b>Report to:</b>            | Executive Committee  |
| <b>Date of Meeting:</b>      | 11 October 2017  |
| <b>Subject:</b>              | Tewkesbury Borough Plan Working Group Terms of Reference         |
| <b>Report of:</b>            | Tewkesbury Borough Plan Working Group                            |
| <b>Corporate Lead:</b>       | Robert Weaver, Deputy Chief Executive                            |
| <b>Lead Member:</b>          | Lead Member for Built Environment, Councillor Mrs E J MacTiernan |
| <b>Number of Appendices:</b> | One  |

**Executive Summary:**

The Tewkesbury Borough Plan Working Group was set up to oversee the production of the Tewkesbury Borough Plan (TBP). The Terms of Reference were agreed by the Executive Committee on 26 April 2017. Following the initial meetings of the Working Group it was agreed that the Terms of Reference should be amended to include within its membership, the Lead Members for the Built Environment and Economic Development/Promotion.

**Recommendation:**

**That the Terms of Reference for the Tewkesbury Borough Plan Working Group be amended so that membership of the Working Group will comprise seven Members, to include the Lead Members for the Built Environment and Economic Development/Promotion.**

**Reasons for Recommendation:**

To ensure that the Lead Members with responsibility for the Built Environment and Economic Development/Promotion are involved in the Working Group set up to oversee the production of the Tewkesbury Borough Plan.

**Resource Implications:**

Resource implications for preparing the statutory development plan documents are not affected by this minor amendment to the Terms of Reference to the Working Group.

**Legal Implications:**

None directly arising from this report.

**Risk Management Implications:**

None directly associated with this report

**Performance Management Follow-up:**

The production of the Tewkesbury Borough Plan will be monitored through the Authority's Monitoring Report. There are no direct performance management implications associated with this report.

**Environmental Implications:**

None directly associated with this report.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** The TBP will sit underneath the strategic-level JCS and provide the local-level growth strategy for the Borough. The TBP will help to meet the level of growth set out in the JCS by providing specific policy guidance for new development in the area and make smaller scale non-strategic allocations. The policies that will be established through the TBP will enable us to set out specific requirements for new development and provide more detail than the policies in the JCS. This will allow us to respond to any particular challenges and issues in the Borough. In regard to allocations, the TBP will specifically focus on housing sites at Tewkesbury Town, Rural Service Centres and Service Villages as well as sites for employment growth around the Borough.

**1.2** On 26 April 2017 the Executive Committee received and agreed a report to approve the setting up of a Tewkesbury Borough Plan Working Group, in line with the Terms of Reference to be made up of five Members of the Council. Following the initial meetings of the Working Group it was proposed that its Terms of Reference be amended to include the Lead Members for the Built Environment and Economic Development/Promotion as members of the Working Group.

**2.0 OTHER OPTIONS CONSIDERED**

**2.1** None.

**3.0 CONSULTATION**

**3.1** The preparation of the Tewkesbury Borough Plan will include consultation in line with the Statement of Community Involvement.

**4.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**4.1** Emerging Joint Core Strategy.  
Emerging Tewkesbury Borough Plan.  
Tewkesbury Borough Local Plan to 2011.

**5.0 RELEVANT GOVERNMENT POLICIES**

**5.1** Planning and Compulsory Purchase Act 2004.  
Localism Act 2011.  
National Planning Policy Framework (2012).  
Town and Country Planning (Local Planning) (England) Regulations 2012).

## **6.0 RESOURCE IMPLICATIONS (Human/Property)**

**6.1** The Tewkesbury Borough Plan production is based upon adequate resources being available to satisfactorily complete each stage of the work. This includes: Planning Policy Team and other staff input; evidence base; assessments/appraisals; communications/materials/publicity; and community involvement. The Working Group is part of the structure of governance in the production of the document.

## **7.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**7.1** None directly related to this report, although a development plan led approach to development will help ensure that new development is supported by the necessary facilities and infrastructure. The adoption of the TBP will remain matters to be decided by the Council.

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

**8.1** The Tewkesbury Borough Plan production reflects the statutory and democratic processes that govern plan preparation combined with the resources available to undertake the work.

## **9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**9.1** Executive Committee decision of 26 April 2017 to approve the setting up of a Tewkesbury Borough Plan Working Group, in line with the Terms of Reference to be made up of five Members of the Council.

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**Background Papers:** None.

**Contact Officer:** Annette Roberts, Head of Development Services Tel: 01684 272095  
Email: [annette.roberts@tewkesbury.gov.uk](mailto:annette.roberts@tewkesbury.gov.uk)

**Appendices:** Appendix 1 – Tewkesbury Borough Plan Working Group Terms of Reference.

## TEWKESBURY BOROUGH PLAN WORKING GROUP - TERMS OF REFERENCE

### 1. AIMS AND OBJECTIONS

To feed into the development of the Tewkesbury Borough Plan (TBP); including receiving updates and information regarding its progress.

### 2. CONSTITUTION AND POWERS

- i. The Group shall comprise five Members of the Council **and the Lead Members for Built Environment and Economic Development/Promotion** (political composition to be determined by the Leader and Deputy Leader of the Council following which nominations will be made by Group Leaders as appropriate).
- ii. Council Officers will sit on the Group, primarily the Deputy Chief Executive, Head of Development Services, Planning Policy Manager and Planning Policy Officers.
- iii. The Group shall, at its first meeting, appoint a Chair and Vice-Chair.
- iv. The quorum of the Group shall be three Members.
- v. Substitution arrangements will not apply.

### 3. TERMS OF REFERENCE

The Working Group will consider the following:

- a. How the TBP can deliver the strategic objectives and requirements set out through the Joint Core Strategy.
- b. How the TBP is able to support and reflect any Neighbourhood Development Plans within the Borough.
- c. How the TBP is able to support the Council Plan and other Council strategies such as the Economic Development and Tourism Strategy and the Housing Strategy.
- d. The identification of site allocations for future housing development – namely at Tewkesbury, Rural Service Centres and Service Villages.
- e. The identification of site allocations for employment development – namely within and around existing employment locations and settlements.
- f. The amendment of Green Belt boundaries/policies.
- g. The development of key planning policies that will help guide future growth and be used as basis for decision making on planning applications.
- h. How to undertake the various stages of the statutory consultation process pursuant to the legislation and the Council's Statement of Community Involvement.

### 4. DELEGATED POWERS

All issues that require a decision that has not previously been delegated will be reported to the Executive Committee and/or Council as appropriate.

## TEWKESBURY BOROUGH COUNCIL

|                              |   |
|------------------------------|---|
| <b>Report to:</b>            | Executive Committee   |
| <b>Date of Meeting:</b>      | 11 October 2017   |
| <b>Subject:</b>              | Fixed Penalty Policy and Fine Levels for Environmental Offences   |
| <b>Report of:</b>            | Principal Environmental Health Officer, Alastair Low              |
| <b>Corporate Lead:</b>       | Head of Community Services, Peter Tonge                           |
| <b>Lead Members:</b>         | Lead Member for Clean and Green Environment, Councillor J R Mason |
| <b>Number of Appendices:</b> | One   |

**Executive Summary:**

Fixed penalty notices are available to the Council in connection with a variety of environmental offences including fly tipping, dog fouling and abandoned vehicles. The use of fixed penalty notices provides the Council with an efficient and proportionate means for the disposal of low level environmental offences without recourse to court action.

The statutes governing environmental offences prescribe a maximum fine level, minimum fine level and minimum discounted level. For some offences the Council has discretion to set the fine levels within the statutory maximum and minimum levels. The Council also has discretion over several operational and procedural elements relating to fixed penalty notices, such as the minimum age of persons on whom notices will be served, payment options and the offering of a non-statutory appeals process.

**Recommendation:**

- 1. That the Executive Committee APPROVES the recommended fixed penalty fine levels for environmental offences.**
- 2. That the Executive Committee APPROVES the Fixed Penalty Policy for Environmental Offences.**

**Reasons for Recommendation:**

The Environmental Health Section is committed to tackling environmental crime and has made good progress this year with a number of successful prosecutions. However prosecutions are resource intensive and the use of fixed penalty notices would be appropriate in many cases as an alternative to prosecution. The default fixed penalty fine level currently used by the Council for fly tipping is considered to be insufficient and legislation has now been introduced which allows the Council to significantly increase the maximum fine level.

The publication of a fixed penalty policy would help consolidate the Council's approach to the use of fixed penalty notices. This will help to ensure consistency amongst Enforcement Officers and provide clear information to members of the public regarding the offences for which the Council will use fixed penalty notices and the resulting penalty fine levels.



**Resource Implications:**

A very small financial outlay will be required to print carbon copy fixed penalty notice pads for Enforcement Officers. There may also be a small financial commitment in connection with training Officers on use of fixed penalty notices.

**Legal Implications:**

Enforcement Officers who are expected to serve fixed penalty notices must be authorised in writing by the Council. All Enforcement Officers should also receive appropriate training, carry appropriate identification and a Police and Criminal Evidence Act (PACE) notebook.

The Managers within the Environmental Health Section will ensure that all Officers who are required to serve fixed penalty notices are suitably authorised. Should a fixed penalty not be paid then the matter may be referred to One Legal to consider prosecution proceedings.

**Risk Management Implications:**

The Council has an action plan to address the problem of environmental crime within Tewkesbury Borough. Progress with the plan is reported to the Overview and Scrutiny Committee. Failure to make progress with this plan or effectively use the statutory remedies available to combat environmental crime may represent a reputational risk to the Council.

**Performance Management Follow-up:**

Progress with the environmental crime action plan is monitored by the Overview and Scrutiny Committee. At Officer level progress with the plan and use of fixed penalty notices is reviewed at monthly team meetings under the direction of the Head of Community Services.

**Environmental Implications:**

The use of fixed penalty notices, together with publicity connected with the use of the notices, may serve as an effective deterrent against environmental crime. Therefore long term use of fixed penalty notices may have positive implications for environmental quality within Tewkesbury Borough.

**1.0 INTRODUCTION/BACKGROUND**

- 1.1 Fixed penalty notices are available as an enforcement option for the full range of environmental offences which are investigated by the Council's Environmental Health Section. Payment of a fixed penalty does not result in a criminal record and discharges the offender of criminal liability in connection with the offence. Fixed penalty notices provide the Council with a cost-effective and proportionate means of disposing of low level environmental offences without recourse to resource intensive prosecutions and court proceedings. This should benefit the Council by allowing Officers more time to devote to serious cases.
- 1.2 The level of a fixed penalty fine is set by the statute governing the particular offence. In some cases the Council has the discretion and flexibility to decide on the penalty level at any point between the maximum and minimum fine levels prescribed by the legislation. For some offences the Council also has power to set the level of discount that may be offered for early payment of a fixed penalty notice.
- 1.3 The use of fixed penalty notices does not necessarily have to be confined to the Environmental Health Section. Moving forward there is a corporate intention for all employees to act as "eyes and ears" regarding environmental crime and to extend training on the use of fixed penalty notices to front line Officers across other services.

## 2.0 FIXED PENALTY FINE LEVELS

2.1 The table below outlines the statutory default fine level, together with the minimum, maximum and discount fine levels which are prescribed for the range of environmental offences where a fixed penalty option is available to the Council:

| <b>Offence</b>   | <b>Statutory Default Penalty</b> | <b>Statutory Minimum full Penalty</b> | <b>Statutory Maximum full Penalty</b> | <b>Minimum Discounted Penalty</b> | <b>Recommended Penalty Level for Tewkesbury Borough Council</b> |
|--|----------------------------------|---------------------------------------|---------------------------------------|-----------------------------------|---|
| <b>Littering</b><br>Environmental Protection Act 1990, (Section 88)  | £75                              | £50                                   | £80                                   | £50                               | £75 Full<br>£50 Discounted                                      |
| <b>Dog Fouling</b><br>Dog Fouling of Land Act 1996 (Section 4)   | £50                              | £50                                   | £50                                   | No discount available             | £50 Full  |
| <b>Fly Tipping</b><br>Environmental Protection Act 1990 (Section 33)   | £200                             | £150                                  | £400                                  | £120                              | £400 Full<br>£200 Discounted                                    |
| <b>Failure to produce waste transfer note.</b><br>Environmental Protection Act 1990 (Section 34)                   | £300                             | £300                                  | £300                                  | £180                              | £300 Full<br>£180 Discounted                                    |
| <b>Failure to produce waste carriers registration details</b><br>Control of pollution (Amendment) Act (Section 5B) | £300                             | £300                                  | £300                                  | £180                              | £300 Full<br>£180 Discounted                                    |
| <b>Abandoning a vehicle.</b><br>Clean Neighbourhood and Environment Act 1995 (Section 10)                          | £200                             | £200                                  | £200                                  | £120                              | £200 Full<br>£120 Discounted                                    |
| <b>Fly posting and graffiti</b><br>Anti-social Behaviour Act 2003 (Section 43)                                     | £75                              | £50                                   | £80                                   | £50                               | £75 Full<br>£50 Discounted                                      |
| <b>Nuisance parking</b><br>Clean Neighbourhood and Environment Act 2005 (Section 6)                                | £100                             | £100                                  | £100                                  | £60                               | £100 Full<br>£60 Discounted                                     |
| <b>Domestic waste receptacle offences</b><br>Environmental Protection Act 1990 (Section 47ZA)                      | £60                              | £60                                   | £80                                   | £40                               | £60 Full<br>£40 Discounted                                      |

|  |               |               |      |                       |                              |
|--|---------------|---------------|------|-----------------------|------------------------------|
| <b>Commercial waste receptacle offences</b><br>Environmental Protection Act 1990 (Section 47ZA)                    | £100          | £75           | £110 | £60                   | £100 Full<br>£60 Discounted  |
| <b>Noise exceeding permitted level (Domestic premises)</b><br>Noise Act 1996 (Section 8)                           | £100          | £75           | £110 | £60                   | £100 Full<br>£60 Discounted  |
| <b>Noise exceeding permitted level (Licensed Premises)</b><br>Noise Act 1996 (Section 8)                           | £500          | £500          | £500 | No discount available | £500 Full                    |
| <b>Alarm noise</b><br>Clean Neighbourhoods and Environment Act 2005 (Section 73)                                   | £75           | £50           | £80  | £50                   | £75 Full<br>£50 Discount     |
| <b>Breach of a Community Protection Notice</b><br>Anti-Social Behaviour Crime and Policing Act 2014 (Section 52)   | Not Specified | Not Specified | £100 | Not Specified         | £100 Full<br>£60 Discounted  |
| <b>Breach of a Public Space Protection Order</b><br>Anti-Social Behaviour Crime and Policing Act 2014 (Section 68) | Not Specified | Not Specified | £100 | Not Specified         | £100 Full<br>£60 Discounted  |
| <b>Smoking in a smoke free place</b><br>The Health Act 2006 (Section 7)  | £50           | £50           | £50  | £30                   | £50 Full<br>£30 Discounted   |
| <b>Failure to display no smoking signs</b><br>The Health Act 2006 (Section 6)                                      | £200          | £200          | £200 | £150                  | £200 Full<br>£150 Discounted |

**2.2** The Council currently applies the statutory default penalty to fixed penalty notices. In 2015 legislation was introduced which allows the Council to increase the maximum penalty for fly tipping up to a maximum of £400. Fly tipping continues to blight several communities within Tewkesbury Borough. Therefore it is recommended that the fixed penalty for fly tipping offences is increased from the current default of £200 up to the £400 maximum fine permitted under the legislation and to provide for a discounted fine of £200.

### **3.0 FIXED PENALTY POLICY**

**3.1** A proposed fixed penalty policy for the Council is provided in the appendix to this report. The policy outlines the Council's approach to the use of fixed penalty notices and clarifies the Council's position on several key operational matters relating to the use of fixed penalty notices.

**3.2** Operational considerations for the Council in relation to fixed penalty notices include the minimum age of persons on whom notices will be served, whether or not to offer a non-statutory appeal option against a notice and whether a person in receipt of a notice can pay by instalments.

### **3.3 MINIMUM AGE FOR RECEIPT OF A FIXED PENALTY NOTICE**

The statutory minimum age for receipt of a fixed penalty notice is 10 years old. However should a Local Authority wish to serve a fixed penalty notice on a young person then specific policies must be in place governing this. The Environmental Health Section is not aware that littering in the vicinity of schools represents a particular problem within Tewkesbury Borough. Therefore the draft fixed penalty policy states that the minimum age of a person on whom the Council will serve a fixed penalty notice will be 18 years old.

### **3.4 FIXED PENALTY NOTICE APPEAL OPTIONS**

There is no automatic statutory right of appeal for fixed penalty notices and the Council has discretion to decide whether or not to offer a non-statutory appeal process. The draft fixed penalty policy states that an appeal facility will not be available for fixed penalty notices.

### **3.5 TIME PERIOD IN WHICH TO PAY A FIXED PENALTY NOTICE**

The time period for payment of a fixed penalty notice must be at least 14 days. The Council has discretion to extend the length of the payment period beyond this point. The Council also has discretion to set the time period in which a fixed penalty must be paid in order for an offender to benefit from the specified discount. The draft fixed penalty policy states that the full penalty must be paid within 21 days from receipt of the notice, and within 10 days in order for the recipient to benefit from the discount.

### **3.6 FIXED PENALTY PAYMENT OPTIONS**

Fixed penalty notices are usually paid in full by a single payment. The Council does have discretion to allow alternative payment options such as deferred payment or payment by instalments. Some of the offences for which the Council serves fixed penalty notices are summary offences and must be tried at a Magistrates Court within 6 months from the date of the offence. The provision of deferred payments may therefore compromise the Council's ability to prosecute the original offence should it wish to do so.

Furthermore the processing of sundry debtors in connection with instalment payments may result in administrative costs to the Council which exceed the cost of the fixed penalty. Therefore the draft policy states that the Council will not accept deferred payment or payment by instalments for fixed penalty notices. In the event that an offender suggests that they are unable to pay a fixed penalty notice then this matter will still be referred to One Legal for consideration.

The Council will be introducing new customer payment methods as part of its current digital strategy. This will include the facility to make payments at pay-points located in shops and post offices located throughout the Borough. It is expected that the new payment options that will be introduced as part of the digital strategy will be available for payment of fixed penalty notices. Fixed penalty notices served by the Council will be raised and recorded on the debtors system. Monitoring of progress with the payment of fixed penalty notices will be the responsibility of the Environmental Health Section. Instruction and training on the processing, monitoring and recording of fixed penalty notices will be provided to all relevant staff.

## **4.0 CONSULTATION**

**4.1** None.

**5.0 OTHER OPTIONS CONSIDERED**

5.1 None.

**6.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

6.1 Tewkesbury Borough Council: Corporate Enforcement Policy.

**7.0 RELEVANT GOVERNMENT POLICIES**

7.1 Fixed Penalty Notices: Issuing and Enforcement by Councils

<https://www.gov.uk/guidance/fixed-penalty-notice-issuing-and-enforcement-by-councils>

**8.0 RESOURCE IMPLICATIONS (Human/Property)**

8.1 None.

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

9.1 A commitment to the use of fixed penalty notices for environmental offences may over the long term reduce the prevalence of these offences within Tewkesbury Borough and therefore improve environmental quality.

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

10.1 None.

**11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

11.1 None.

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**Background Papers:** Enviro-crimes: Report to Overview and Scrutiny Committee, February 2017.

**Contact Officer:** Alastair Low, Principal Environmental Health Officer  
Tel: 01684 272175 Email: [alastair.low@tewkesbury.gov.uk](mailto:alastair.low@tewkesbury.gov.uk)

**Appendices:** 1. Draft Fixed Penalty Notice Policy.

# **Fixed Penalty Notice Policy Tewkesbury Borough Council**

Community Services  
September 2017

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## **1 Introduction**

- 1.1 The use of fixed penalty notices is an enforcement option which is available to the council in connection with a range of environmental offences. A fixed penalty notice can be issued by an authorised officer of the Council and can provide a quick and effective way of dealing with low level environmental crimes by offering the offender an opportunity to pay a penalty fine as an alternative to prosecution.
- 1.2 Payment of a fixed penalty notice discharges an offender's liability for the offence and does not create a criminal record. The use of fixed penalty notices provides the Council with a means of dealing with low level offences in a proportionate and cost effective manner.

## **2 Policy aim**

- 2.1 The aim of this policy is to outline the Council's approach to the use of fixed penalty notices and ensure that use of the notices is proportionate, transparent and consistent with both the Council's Corporate Enforcement Policy and guidance issued by central government. The policy also aims to establish the specific offences for which the Council may issue a fixed penalty notice together with the associated fine level. Furthermore this policy will assist the Council with the targeting of enforcement activity and support the Council's wider corporate commitment to tackle environmental crime within Tewkesbury Borough.

## **3 Policy objectives**

- 3.1 The objectives of this policy are as follows.
- To establish the specific offences for which the Council may serve fixed penalty notices.
  - To establish the fixed penalty fine level which will be imposed by the Council in respect of each offence.
  - To outline the circumstances in which use of a fixed penalty notice is considered to be appropriate.



## **4 Fixed penalty notice offences and fine levels**

- 4.1 The power to issue fixed penalty notices is conferred on the Council by the legislation which governs each specific offence. The Council will issue fixed penalty notices for all environmental offences where it has a statutory option to do so. This includes offences relating to dog fouling, dog control, littering, fly tipping and abandoned vehicles.
- 4.2 The fixed penalty fine level is specified by the specific legislation governing the offence. This may include a specified discount penalty for early payment.
- 4.3 A full schedule of the offences for which the Council may serve a fixed penalty notice, together with the fixed penalty fine level, is provided in the appendix to this policy.

## **5 Appropriate use of fixed penalty notices**

- 5.1 A fixed penalty notice may only be issued by a Council Officer who has been provided with delegated authority to issue notices for the specific offence in question.
- 5.2 The decision to serve a fixed penalty notice will be taken on a case by case basis and a notice shall only be served in circumstances where sufficient evidence exists to provide a realistic prospect of conviction. The evidence to support the service of a fixed penalty notice may come from direct observation of the offence by the officer or from reliable witness testimony.
- 5.3 The Council will only issue fixed penalty notices for offences which are considered suitable to be discharged by way of a fixed penalty fine. This will generally be one off incidents of relatively low level environmental crime. The Council will not consider fixed penalty notices to be appropriate in cases where serious criminal activity, organisation and intent are indicated.

- 5.4 The Council will use fixed penalty notices in cases where it is considered to be in the public interest to pursue offenders in the courts for non-payment. The Council will not serve fixed penalty notices for offences which are deemed to be so minor or trivial that they could be effectively be dealt with by other means. For example verbal advice or a written warning.
- 5.3 Fixed penalty notices will not be used for repeat offenders or for individuals who have previously received a fixed penalty notice for a similar matter. In these circumstances an alternative enforcement option will be considered such as direct prosecution.
- 5.4 Fixed penalty notices may not be served in cases where individuals are uncooperative, hostile or aggressive. In these circumstances assistance from the Police may be sought and direct prosecution considered.
- 5.5 Fixed penalty notices will only be served in cases where the officer is satisfied that the offender has provided accurate identity and address details. Failure to provide accurate name and address details to an authorised officer represents an offence. In circumstances where an offender fails to provide accurate identity details then advice will be sought from the police and alternative enforcement options considered.
- 5.6 Fixed penalty notices will not be served on individuals under the age of 18.
- 5.7 The Council will take all reasonable steps to avoid serving fixed penalty notices on persons who are considered to be vulnerable. In this context vulnerable is defined as someone perceived to have a chaotic lifestyle, such as homelessness, or those that suffer from a mental impediment.
- 5.8 Fixed penalty notices served by the Council will include the following information.
- Details of the alleged offence.
  - Where and when the offence took place.

- How the fixed penalty is issued (in person or by post)
- Details of the fine imposed and any discount available for paying early.
- When the fine must be paid by (this must be at least 14 days) and the time limit for the discount period.
- How the fine can be paid.

## **6.0 Service of fixed penalty notices**

6.1 The Council may serve fixed penalty notices on offenders either by mail or on the spot using carbon copy fixed penalty notices.

## **7.0 Payment of fixed penalty notices.**

7.1 Full payment of the fixed penalty notice must be paid within 21 days from the date the notice was issued. In circumstances where a discount is available then this must be paid within 10 days from the date of issue.

7.2 The Council only accepts fixed penalty notice payments in full and does not accept either deferred payments or payment by instalments.

7.3 The fixed penalty notice will quote a unique reference number and will provide details of the payment methods accepted by the Council.

## **8 Non-payment of fixed penalty notices**

8.1 The Council is committed to prosecute offenders for non-payment or partial payment of a fixed penalty notice.

8.2 Should payment not be received within the timeframe stated on the notice then a warning letter will be sent stating a further time period in which payment is expected. Should payment still not be received following the warning letter then the matter will be referred to the Council's Legal Department for consideration.

## **9 Challenging a fixed penalty notice**

- 9.1 A statutory appeal process does not exist for fixed penalty notices and the Council does not offer a non-statutory appeals process. Should an alleged offender wish to challenge a fixed penalty notice then the prosecution proceedings at the magistrate's court, in connection with non-payment, would be the appropriate forum for this challenge.

## **10 Relevant legislation**

- 10.1 Clean Neighbourhoods and Environment Act 2005 (CNEA), Section 3,4 & 6 (Nuisance Parking); Section 10 (Abandoned Vehicles); Section 19,22 & 24 (Litter & Refuse); Section 28 – 30 (Graffiti & fly Posting); Sections 38,45,48 & 52 (Transport of Waste) Sections 46 & 47 (Receptacles for Household and Commercial Waste); Section 73 -76 (Audible Intruder Alarms); Sections 82 – 85 (Noise from Premises); Sections 96 to 98 (Use of Fixed Penalty Receipts)
- 10.2 Environmental Protection Act 1990: Sections 34(A)(2), 46A-D, 47Z A and B, 88(1), 94(A), and Schedule 3A Paragraph 7.
- 10.3 Refuse Disposal Amenity Act 1978, Section 2(A).
- 10.4 Control of Pollution Amendment Act 1989, Section 5B
- 10.5 Noise Act 1996, Section 8
- 10.6 Health Act 2006, Section 9
- 10.7 The Environmental Offences (Fixed Penalties (Miscellaneous Provisions) Regulations 2006 & 2007
- 10.8 The Environmental Offences (Use of Fixed Penalty Receipts) Regulations 2006 & 2007
- 10.9 The Environmental Offences (Fixed Penalties)(Miscellaneous Provisions) (Amendment) Regulations 2012
- 10.10 Deregulation Act 2015, Section 58 and schedule 12

## **11 Relevant Guidance**

- 11.1 Fixed penalty notices: issuing and enforcement by councils
- 11.2 Corporate Enforcement Policy: Tewkesbury Borough Council

# Appendix

## Fixed Penalty Offences and Fine Levels

## Tewkesbury Borough Council

### Fixed Penalty Offences and Fine Levels

| Offence  | Penalty if paid within 10 days | Full Penalty |
|--|--------------------------------|--------------|
| Depositing litter  | £50                            | £75          |
| Dog fouling  | £50                            | £50          |
| Unauthorised deposit of waste (fly tipping)  | £200                           | £400         |
| Failure to furnish waste transfer notes  | £180                           | £300         |
| Failure to produce waste carriers licence  | £180                           | £300         |
| Fly-posting  | £50                            | £75          |
| Graffiti   | £50                            | £75          |
| Abandoning a vehicle   | £120                           | £200         |
| Nuisance parking   | £60                            | £100         |
| Non-compliance with notice requiring receptacles for household waste.                          | £40                            | £60          |
| Non-compliance with notice requiring receptacles for commercial waste.                         | £60                            | £100         |
| Alarm noise: Failure to nominate key holder or notify local authority of key holder's details. | £50                            | £75          |
| Smoking in a public place  | £30                            | £50          |
| Failure to display no smoking signs  | £150                           | £200         |
| Noise exceeding permitted level – domestic premises  | £60                            | £100         |
| Noise exceeding permitted levels – licensed premises   | £500                           | £500         |
| Failure to comply with a Community Protection Notice   | £60                            | £100         |
| Breach of a Public Space Protection Order  | £60                            | £100         |