

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held at the
Council Offices, Gloucester Road, Tewkesbury on Tuesday, 15 November 2011
commencing at 4:30 pm**

Present:

Chairman

Councillor B C Calway

and Councillors:

R E Allen (Substitute for R A Bird), P W Awford, Mrs J E Day, Mrs S E Hillier-Richardson,
B A Jones, Mrs E J Mactiernan (Substitute for P D Surman), V A Perez, M H Rowcliffe-Quarry
and M J Williams

also present:

Councillors D J Waters and Mrs C Wright

OS.47 ANNOUNCEMENTS

47.1 The evacuation procedure, as noted on the Agenda, was taken as read.

47.2 The Chairman announced that, in accordance with the Rules of Procedure, he had used his discretion to vary the order of business at the meeting. Agenda Item 8 – Review of Discretionary Charity Rate Relief Policy would be taken as the last item of business as some Members had prejudicial interests which meant that they would be unable to participate in the discussion and, by taking this item at the end, they would not need to return to the meeting. Agenda Item 11 – Review of Planning Enforcement Communication with Town & Parish Councils would now be taken after Agenda Item 7 – Police Authority Crime Panels to allow the Development Control Manager to attend.

47.3 As the Chairman had a prejudicial interest in Agenda Item 8 – Review of Discretionary Charity Rate Relief Policy, which would now be taken as the last item of business, he would be leaving the meeting at this point and, in the absence of the Vice-Chairman, it was proposed, seconded and

RESOLVED That Councillor B A Jones take the chair for consideration of Agenda Item 8 – Review of Discretionary Charity Rate Relief Policy, which would now be taken as the last item of business.

OS.48 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

48.1 Apologies for absence had been received from Councillors R A Bird, Dr A L Carter, Miss H J Healy, B C J Hesketh, Mrs F M Ogden, P D Surman and M G Sztymiak. Councillors R E Allen and Mrs E J Mactiernan would be acting as substitutes for the meeting.

OS.49 DECLARATIONS OF INTEREST

49.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct adopted by the Council on 24 September 2007, and Members were reminded that they had signed an undertaking in their Declaration of Acceptance of Office to observe the Code in carrying out their duties.

49.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Allen	Agenda Item 7 – Police Authority Crime Panels	Is a representative on the Gloucestershire Police Authority. Had debated the issue with the Gloucestershire County Council Constitution Committee.	Would speak and vote.
P W Awford	Agenda Item 7 – Police Authority Crime Panels	Is a representative on the Gloucestershire Police Authority. Had debated the issue with the Gloucestershire County Council Constitution Committee.	Would speak and vote.
B C Calway	Agenda Item 8 – Review of Discretionary Charity Rate Relief Policy	Is a Member of the Prior's Park Neighbourhood Project Management Committee which is a beneficiary of the Policy.	Would not speak or vote and would leave the room for consideration of this item.
M H Rowcliffe-Quarry	Agenda Item 8 – Review of Discretionary Charity Rate Relief Policy	Is an employee of a charity which might benefit from the Policy.	Would not speak or vote and would leave the room for consideration of this item.

49.3 There were no further declarations made on this occasion.

OS.50 MINUTES

50.1 The Minutes of the meeting held on 11 October 2011, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

OS.51 OVERVIEW & SCRUTINY COMMITTEE WORK PROGRAMME 2011/12

51.1 Attention was drawn to the Overview & Scrutiny Committee Work Programme 2011/12, circulated at Pages No. 8-10, which Members were asked to consider.

51.2 A Member noted that the Committee was due to receive a presentation on managing workload demands arising from staff absences at its meeting in February 2012 and she questioned whether this related to the Review of Absence Management Policy which had been removed from the Executive Committee Agenda for the meeting on 9 November 2011. She felt that it might be appropriate for the Overview & Scrutiny Committee to assist with the Review of the Absence Management Policy. The Corporate Head of Financial Services & Resources undertook to establish why this item was removed from the Executive Committee Agenda and to advise Members whether it would be appropriate to involve the Overview & Scrutiny Committee in the Review.

51.3 It was therefore

RESOLVED

1. That the Overview & Scrutiny Committee Work Programme 2011/12 be **NOTED**.
2. That Members be advised of the reasons for the removal of the Review of Absence Management Policy from the Executive Committee Agenda for the meeting on 9 November 2011 and whether it would be appropriate to involve the Overview & Scrutiny Committee in the Review.

OS.52 CONSIDERATION OF THE EXECUTIVE COMMITTEE SIX MONTH FORWARD PLAN

52.1 Attention was drawn to the Executive Committee Six Month Forward Plan, circulated at Pages No. 11-17. Members were asked to determine whether there were any questions for the relevant Lead Members and what support the Overview & Scrutiny Committee could give to work contained within the Plan.

52.2 A Member raised concern that not enough information was provided as to the reasons for items being removed from the Executive Committee Agenda with the most frequent explanation being 'not required at this time'. She asked that more detail be provided as to the reason why the items were not required. The Corporate Head of Financial Services & Resources undertook to ensure that any explanations which were provided to the Executive Committee were also given to the Overview & Scrutiny Committee.

52.3 A Member indicated that it was agreed by Council, at the Extraordinary meeting held on 26 October 2011, that the Executive Committee would, when considering the scope of the further Strategic Flood Risk Assessment Level 2 work as part of the Joint Core Strategy (JCS), consider and determine the timing of the production of supplementary guidance on flooding, and he questioned why this had not been included in the Forward Plan. The Corporate Head of Borough Development explained that this was a timing issue as the papers had been prepared prior to the Council meeting. She confirmed that this would be considered at the Executive Committee meeting on 4 January 2012 and that a Member seminar would be arranged in advance of the meeting.

52.4 With regard to the Countywide Community Reward Incentive Scheme which was due to be considered by the Executive Committee at its meeting on 7 December 2011, a Member felt that the wording ought to be amended to include the word 'recycling' to clarify what the Scheme involved. It was subsequently

RESOLVED

1. That the Executive Committee Six Month Forward Plan be **NOTED**.
2. That further explanation be provided as to the reasons for the removal of items from the Executive Committee Agenda.
3. That the wording of the Countywide Community Reward Incentive Scheme item, due to be considered at the Executive Committee meeting on 7 December 2011, be amended to make clear that the Scheme related to recycling.

OS.53 POLICE AUTHORITY CRIME PANELS

- 53.1 Attention was drawn to the Leadership Gloucestershire report, attached at Pages No. 18-20, which provided information on the Police and Crime Panels and an update from the Leadership Gloucestershire meeting held on 10 November 2011, circulated separately. The Chairman welcomed Simon Harper, Scrutiny Team Leader, and Stephen Bace, Senior Scrutiny Adviser, from Gloucestershire County Council to the meeting and indicated that they would be presenting the report.
- 53.2 Members were advised that attendees at the Leadership Gloucestershire meeting had included the Leaders of the seven Gloucestershire Authorities, health representatives and the Chairman of the Police Authority. The Police Reform and Responsibility Bill had received royal assent on 15 September 2011 and elections for the Police and Crime Commissioner would now be held in November 2012. By that time, a Police and Crime Panel would need to be established in Gloucestershire comprising ten Councillors and two independent members. The Panel would be a powerful Local Authority body and some of its powers were outlined at Page No. 18, Paragraph 1.2 of the report. Members were advised that it would not be a replacement for the Police Authority as the Commissioner would be taking over many of those duties. The Panel would be able to require that the Commissioner and Chief Constable attend its meetings and would have an important role to play in relation to the budget with the power to veto the Commissioner's proposed Police precept if two thirds of the members of the Panel voted to do so.
- 53.3 Gloucestershire was in a fortunate position as the only County to have a Community Safety Overview & Scrutiny Committee which included the County Council, the District Councils and Police Authority members and the work which the Committee had done so far had been acknowledged by the Centre of Public Scrutiny as an example of best practice. The Lead Members of the Committee, Councillors Kathy Williams (Gloucestershire County Council), Charmian Sheppard (Gloucestershire County Council) and Brian Calway (Tewkesbury Borough Council) had met on a number of occasions to discuss how a Police and Crime Panel might operate in Gloucestershire. They had also spoken to senior officials at the Home Office, Councillor Rob Garnham (Chairman of Gloucestershire Police Authority), Councillor Mark Hawthorne (Leader of Gloucestershire County Council) and Councillor Will Windsor-Clive (Gloucestershire County Council Cabinet Member for Communities). The feeling from those discussions was that the elected membership of the Panel should be made up of non-executive Councillors as it was considered that there might be a potential conflict of interest for executive Councillors in respect of community safety funding issues. The preferred approach was to hold back to back meetings of the Panel and the Committee to allow the same Members to attend both meetings.

- 53.4 Members were informed that Leadership Gloucestershire had agreed in principle that Gloucestershire County Council should act as the Lead Authority in establishing the Panel and providing the necessary support; that the Panel should be made up of ten non-executive Councillors and two independent members; and that the elected membership should be made up of six District Councillors, one from each District Council, and four County Councillors. One of the key next steps would be to agree the Terms of Reference for the Panel and to appoint the elected Members. The Terms of Reference would be considered by the Constitution Committee on 12 March 2012, or earlier if possible. The next steps were subject to change, depending on any further guidance which was issued and regular updates would be provided as matters progressed.
- 53.5 A Member questioned whether the Panel would carry out duties which were currently performed by the Police Authority. In response, clarification was provided that the Panel was not a replacement for the Police Authority and the elected Police and Crime Commissioner would be taking on the majority of these duties. The role of the Panel would be to scrutinise the Police and Crime Commissioner. The Member went on to query what the annual budget allocation was likely to be and whether the Borough Council would be expected to make a contribution towards the running of the Panel. Members were advised that it was understood that there might be some funding from the Home Office with £30,000 having been suggested. Although this would not cover the running costs of the Panel, duties could be reallocated within the County Council's Scrutiny Team to ensure that the Panel would be appropriately supported as one of the most important Scrutiny bodies.
- 53.6 A Member raised concern that the Police and Crime Commissioner elections were being held in November as she felt that there would be a low elector turn out at this time of year. Members were advised that this was a parliamentary decision and was set out in the legislation. A Member questioned how the independent members of the Panel would be recruited and was informed that it was intended to use a process similar to that which was used to appoint independent members to the Standards Committee. It was intended that the elected membership would be established prior to the appointment of the independent members in order to accommodate Member involvement and participation. In response to a query as to whether ten Councillors would be an adequate amount given that the Panel would be a powerful Local Authority body, clarification was provided that this was also set out in the legislation. It was possible for this to be extended, for instance, Thames Valley comprised 18 Local Authorities which all required representation, however, in making a case to extend the number of Councillors on the Panel, it would be necessary to prove that this would support better geographical representation across the County. The current indication was that an application to extend the representation on the Gloucestershire Police and Crime Panel would be unlikely to succeed. The Member queried whether the Panel would be politically balanced and was informed that the guidance from the Centre for Public Scrutiny suggested that membership of the Panel should reflect the political make-up of the 7 Gloucestershire Authorities. Bearing in mind that there were elections in one of the Gloucestershire Councils every other year, the elected membership would need to be reviewed to ensure it was proportionate and this was expected to be a real challenge. The Chairman indicated that there were safeguards in place to prevent political bias; however, this was something which needed to be taken into consideration, particularly in terms of budgetary decisions.
- 53.7 In response to a query as to how the Panel would communicate its work to the public, Members were advised that, as with all Scrutiny meetings, the Panel meetings would generally take place in open business. It was anticipated that there would be a lot of media coverage of the Police and Crime Commissioner but the public would be less aware of the Scrutiny Panel behind this role. It would therefore be important to ensure that information about the Panel was passed to

the Media Team at the County Council and there would be a big media campaign in the run up to the election.

- 53.8 The Chairman indicated that a lot of work had been undertaken by the County Council Scrutiny Team and it was fortunate that the Scrutiny Team Leader and Senior Scrutiny Adviser were very experienced and had an in-depth knowledge of how the Panel should operate. It was

RESOLVED That the information from Gloucestershire County Council in respect of the Police and Crime Panels be **NOTED**.

OS.54 REVIEW OF PLANNING ENFORCEMENT COMMUNICATION WITH TOWN & PARISH COUNCILS

- 54.1 Attention was drawn to the report of the Development Control Manager, circulated at Pages No. 98-102, which asked Members to approve the Terms of Reference for the Review of Planning Enforcement Communication with Town & Parish Councils and to set up a workshop for the Overview & Scrutiny Committee to undertake the Review.

- 54.2 Members were advised that, at the Overview & Scrutiny Committee meeting on 5 July 2011, it had been agreed to undertake a review to ensure that there was effective communication between the Planning Enforcement service and Town & Parish Councils. Enforcement cases could be sensitive and there were certain confidentiality issues which needed to be borne in mind, however, it was important to ensure that Town & Parish Councils were kept updated on the progress of cases. The Terms of Reference for the Review were attached at Appendix 1 to the report and, in order to undertake the Review, all Members of the Committee had been invited to attend an initial workshop on 24 November 2011 and a stakeholder workshop with selected Town & Parish Councils on 8 December 2011. It was anticipated that one further workshop would be required.

- 54.3 It was

RESOLVED That the Terms of Reference for the Review of Planning Enforcement Communication with Town & Parish Councils be **APPROVED** with all Members of the Overview & Scrutiny Committee invited to attend workshops on 24 November and 8 December 2011, and one further date to be confirmed.

OS.55 ECONOMIC DEVELOPMENT & TOURISM STRATEGY REVIEW

- 55.1 Attention was drawn to the report of the Economic Development & Tourism Strategy Review Working Group, circulated at Pages No. 69-89. Members were asked to adopt the Economic Development & Tourism Strategy 2012-2015: 'Regenerating and Growing the Economy', attached at Appendix 2 to the report, prior to consideration by the Executive Committee.

- 55.2 The Chairman of the Economic Development & Tourism Strategy Review Working Group, Councillor David Waters, had attended the meeting to present the report. He explained that the Review had three main objectives: to agree the draft Strategy for consultation; to receive and discuss any comments or amendments as a result of the consultation, and to amend where appropriate; and to consider any resource implications. The Working Group had considered the focus and priorities of the Strategy at its first meeting and had agreed five key themes: Business Development & Support; Place Potential; Marketing & Investment; Human Resources; and Work Towards a Low Carbon Economy. The consultation on the draft Strategy had taken place between 27 September and 21 October,

commencing with a presentation to the Borough's Economic Development Partnership. There had been a very good response rate and the comments that had been received were attached at Appendix 1 to the report.

- 55.3 The Chairman of the Working Group drew attention to the Strategy, attached at Appendix 2. In terms of key trends and issues he explained that, in September 2011, the unemployment rate in the Borough was 2.2% and, although this was one of the lowest rates in the County, it remained at a high level for the Borough compared to previous years, for example, in 2008 the rate was 1.2%. In terms of the projected population change by age, Members were advised that it was anticipated that Tewkesbury Borough would experience an increase in its aged population and a decrease in both its young and working age population between 2008 and 2033. Business death rates had begun to outstrip business birth rates in 2009 and action needed to be taken to address this. A number of key changes, policies and possible impacts had been outlined at Section 4 of the Strategy, for example, the regional Business Link advisory service had closed and there would now be a national web-based service which had led to concern that there would be a gap in support and advice for small businesses. The Council was involved in the Gloucestershire Local Enterprise Partnership (LEP) at a number of levels which was important given the role of LEPs in determining local economic priorities and undertaking activities to drive economic growth and the creation of local jobs. As part of the plan for growth, the Government had announced a package of new measures to make it easier for employers to take on large numbers of apprentices and the Council would be leading by example. As Tewkesbury Borough Council was a small Authority and limited in both financial and human resources, partnership working was essential in order to deliver the Strategy. An Action Plan was set out at Pages No. 90-97 which identified the key actions, partners, timescales and outcomes. The Chairman of the Working Group advised that a number of actions were already underway and the Council was in regular and effective communication with partners and businesses.
- 55.4 In relation to Theme 3, Strategic Aim 1, Key Focus 3, 'To ensure the effective and efficient provision of tourist information', a Member had been advised by Winchcombe Town Council that funding was no longer being provided for the production of booklets in relation to the Winchcombe Walking Festival which were stocked in Winchcombe Tourist Information Centre (TIC) and sold for a profit. The Corporate Head of Financial Services & Resources explained that there had been a misunderstanding which had been corrected and the TIC was now stocking and selling the booklets.
- 55.5 With regard to Theme 2, Strategic Aim 2, 'Ensure appropriate supply of employment land and premises and local infrastructure', a Member was pleased to note that the Council was working with GFirst on the Borders Broadband Project to secure private investment in a new fast broadband infrastructure for the County's rural communities. He felt that this would help to facilitate a host of entrepreneurial activities and suggested that the Council should work with Parish Councils to champion rural broadband. The Chairman of the Working Group explained that, whilst it was important to get the message out to Parish Councils, households and businesses were being asked to complete two surveys in order to put pressure on commercial telecoms suppliers. He hoped that Parish Councils would encourage their residents to complete the surveys and felt that it would be beneficial for Members to reinforce this message. The Chairman questioned whether consideration had been given to the impact of the road works which would affect the A4019 which had been raised as an issue during the consultation. Members were advised that the closure would undoubtedly have an impact upon the Borough's economy and this had been discussed by the Working Group. This comment had been incorporated into the Action Plan at Page No. 93, Theme 2,

Strategic Aim 2, Key Focus 2, 'Work with partners to provide appropriate infrastructure to encourage investment', as a general reference to supporting and working with businesses which were affected by infrastructure changes such as road works.

- 55.6 With regard to Theme 5, 'Work Towards a Low Carbon Economy', a Member questioned whether consideration had been given to reintroducing a Farmers' Market in Tewkesbury as he understood that an offer had previously been made to hold the Market in the grounds of Tewkesbury Abbey. The Chairman of the Working Group indicated that the new contract for Tewkesbury Market commenced in January and a new contract had recently been awarded for the Food Festival. Consideration was being given to holding more street markets and he indicated that he would certainly support a Farmers' Market in Tewkesbury. The Corporate Head of Community Development & Partnerships undertook to investigate further the offer to hold a Farmers' Market in the grounds of the Abbey. The Chairman of the Committee queried why the Working Group had not pursued the suggestion of employing a Tewkesbury Town Centre Manager, a comment which had been made by the Federation of Small Businesses. The Chairman of the Working Group explained that this was not a strategic function of the Borough Council. Additionally, Tewkesbury was not the only Town within the Borough which meant that consideration would also need to be given to whether similar appointments would be appropriate for Winchcombe and other large settlements such as Brockworth, Churchdown and Bishop's Cleeve.
- 55.7 With regard to the Gloucestershire LEP, the Chairman of the Committee indicated that there had initially been some confusion as to how it would operate and a number of procedural matters had also needed to be addressed. He questioned whether these issues had been resolved and whether the LEP was in a position to move forward and make a difference. The Chairman of the Working Group explained that the LEP Board and structure was now in place and the Board comprised many local business people and people from the education section. The Gloucestershire LEP aimed to be the best in the County and progress was being made. He undertook to circulate a Member Update on the latest position once he had received the next LEP update. The Chairman of the Committee felt that it was important to monitor the effectiveness of the LEP given that it was so fundamental to the Strategy. A Member went on to query how it was intended to monitor the delivery of the Action Plan as a whole and was advised that a monitoring report would be brought back to the Overview & Scrutiny Committee on a six monthly basis in accordance with the usual procedure.
- 55.8 In light of the projected population change which was likely to result in an increase in the elderly population of the Borough, a Member raised the view that it was important to focus on encouraging younger age groups to the Borough as well as supporting the ageing population. The Chairman of the Working Group agreed and provided assurance that the Economic Development & Tourism Strategy would be aligned with other Council policies and strategies, including the Joint Core Strategy (JCS). The Corporate Head of Borough Development explained that the JCS should be a spatial expression of the Council's other strategies and the Economic Development & Tourism Strategy would be vital to this process. The JCS provided an opportunity to achieve balance between housing and employment use, to put the correct infrastructure in place and to generate the right jobs in the right locations. The Chairman of the Working Group indicated that the majority of businesses in the Borough were small with fewer than 5 employees and many people worked from their own homes. It was important to recognise the changes in the structure of the economy, for example, the decline of traditional sectors and the growth of the knowledge economy and creative industries, and to sustain this growth by catering for the needs of these industries. The Member felt that Page No. 84, Paragraph 3.3 of the Strategy should be strengthened to demonstrate recognition of population projections for the Borough and to show that the Council

was planning for future housing and employment need through the JCS. The Corporate Head of Community Development & Partnerships advised that this was closely linked with the Housing, Renewal & Homelessness Strategy which was currently being considered by an Overview & Scrutiny Working Group. Housing need was closely linked to business opportunities, for example, the need for care homes to cater for an ageing population.

55.9 It was therefore

RESOLVED

1. That the Economic Development & Tourism Strategy 2012-2015: 'Regenerating and Growing the Economy' be **ADOPTED** and referred for consideration by the Executive Committee, subject to an amendment to strengthen Paragraph 3.3 to demonstrate recognition of population projections for the Borough and to show that the Council was planning for future housing and employment need through the JCS.
2. That further investigation be undertaken into the offer to hold a Farmers' Market in the grounds of the Abbey.

OS.56 UPDATE ON PROGRESS OF THE HOUSING, RENEWAL & HOMELESSNESS STRATEGY REVIEW

56.1 Members received a verbal update from the Chairman of the Housing, Renewal & Homelessness Strategy Review Working Group, Councillor Mrs S E Hillier-Richardson, on the progress that had been made by the Working Group.

56.2 Members were advised that the Working Group had initially met on 14 October 2011. The purpose of the Review was to update the Council's existing Interim Housing Strategy, the Homelessness Policy and the Housing Renewal Policy in accordance with changes to Government policy and to combine the three into a single, comprehensive Strategy. This would make the information more concise and accessible. There had been significant changes to Government policy including: changes to housing tenures and access to affordable housing; housing benefit changes/welfare reform; and changes on the demand for housing services. Consideration would need to be given to the potential impact on demand for advice around debt and budgeting to accommodate increased rent and reduced benefit levels and also to opportunities for Local Authorities to be innovative, for example, offering cash incentives such as the Homes Bonus Scheme. The Working Group was also researching other Strategies that had been adopted by neighbouring Local Authorities and Local Authorities with similar profiles to Tewkesbury Borough Council. A timetable had been agreed which involved a total of four Working Group meetings between October 2011 and June 2012 with the next meeting being held on 28 November 2011. The Overview & Scrutiny and Executive Committees would be asked to approve the draft Strategy for consultation in February 2012 and it was intended that the final Strategy would be presented to the Overview & Scrutiny Committee in June 2012 following which it would be presented to the Executive Committee and Council for adoption.

56.3 Having considered the information provided it was

RESOLVED

- That the update on the progress of the Housing, Renewal & Homelessness Strategy Review be **NOTED**.

OS.57 PERFORMANCE MANAGEMENT - QUARTER 2 2011/12

- 57.1 The report of the Corporate Improvement & Performance Manager, circulated at Pages No. 103-152, attached the Performance Management Report and Appendices for Quarter 2 of 2011/12. The Overview & Scrutiny Committee was asked to review and scrutinise the summary financial and performance information and, where appropriate, to identify any issues to refer to the Executive Committee for clarification or for further action to be taken. Members were advised that the Business and Financial Performance Summary had been omitted from the Grounds Maintenance Summary Service Delivery Plan, set out at Pages No. 120-121, and a replacement Plan had been circulated separately.
- 57.2 Members were advised that the Performance Management Report comprised three elements: Summary Service Delivery Plans, a section on Strategic Risks and a Finance Statement. The Summary Service Delivery Plans comprised four sections: colour-coded Service Delivery Plan projects and actions completed throughout the year; a graphical representation of business performance based on National or Local Performance Indicators; a section on finance performance; and an overall summary. The main objective of the Report was to ensure that the Overview & Scrutiny Committee was able to monitor the performance of the Council and to challenge as and when necessary. The Chairman would be required to report the Overview & Scrutiny Committee's findings to the next meeting of the Executive Committee.
- 57.3 With regard to the Summary Service Delivery Plans, a Member indicated that it would be useful to know which Portfolio each Plan related to and suggested that this could be added to the footnote which currently provided details of the responsible Service Manager. She also felt that it would be beneficial for the Plans to be ordered in terms of Portfolio and it was agreed that both of these requests would be taken into account for the next Report. A Member sought clarification as to how the operational risks were identified for each service. Members were informed that the risks were determined by Service Managers based on the service they were operating e.g. the projects they were running and the funding available. It was important to recognise that a lot of risks could be mitigated and only the amber and red risks would appear on the Summary Service Delivery Plans.
- 57.4 During the discussion which ensued, Members raised queries regarding specific Summary Service Delivery Plans as follows:
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| <p>P108 – Car Parking & Transport – Financial Performance – The Chairman questioned whether a reduction in car park usage would cause a problem in the future in terms of income.</p> <p>P108 – Car Parking & Transport – Business Performance - A Member questioned whether the reduction in the number of Penalty Charge Notices was a positive development.</p> | <p>Members were advised that any reduction in car park usage would be taken into account during budget setting. The decline in Penalty Charge Notices was positive as it reflected improved compliance and the changes to the Traffic Regulation Orders in Tewkesbury. A greater turnover of vehicles in the Town Centre contributed to its vitality and viability. The cost of the enforcement service and how frequently areas were patrolled was currently being reviewed.</p> |
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- P110 – Commercial Services – Business Performance – The Chairman queried why there had been significantly greater compliance with food hygiene legislation in Quarter 2 compared with Quarter 1. Members were informed that there had been a 3% increase in food establishments broadly in compliance with food hygiene legislation since Quarter 1. Businesses had the opportunity to request re-inspection once they had addressed any issues that had previously been identified which could account for the increase.
- P111 – Commercial Services – Service Delivery Plan Actions – The Chairman sought an update on the outcome of the first meeting of the Safety Advisory Group. The Corporate Head of Borough Development explained that the Police Authority had asked the Council to establish a Safety Advisory Group based on concerns that there was no forum for public sector agencies to meet to discuss how certain events would be managed. The Group would meet as and when required and information would be cascaded to the appropriate people following the meeting. In terms of the Cheese Rolling event which was the subject of the first, and most recent, meeting, the organiser had decided to withdraw due to the number of regulations which would require compliance.
- P111 – Commercial Services – Service Delivery Plan Actions – A Member questioned how long it took for Food Hygiene Rating scores to be included on the Food Standards Agency website following the inspection of premises. The Corporate Head of Borough Development undertook to confirm this following the meeting.
- P112 – Customer Services & ICT – Financial Performance – The Chairman noted that £15,145 savings were expected during 2011/12 and questioned why the figure had not been achieved. The Corporate Head of Financial Services & Resources advised that the project which would generate the savings was due to commence in the second half of the year and Members would begin to see an increase in income during Quarter 3.
- P113 – Customer Services & ICT – Service Delivery Plan Actions – The Chairman noted that the action to deliver Savings Plan projects was currently running amber and sought clarification as to the reason for the slippage. The Corporate Head of Financial Services & Resources explained that this was due to the volume of work, the changes that had been made to the structure of the service and the loss of two members of staff, one of which had been unexpected. Rather than train new members of staff, a decision had been taken to bring in consultants who specialised in the specific project areas and this had helped to speed up projects. Assurance was provided that Members would see more evidence of savings by Quarter 3.

- P113 – Customer Services & ICT – Service Delivery Plan Actions – A Member expressed concern that a number of actions were described as having ‘various target dates during 2011/12’. She also questioned why the action for ‘Completion of ongoing service projects’ was shown as only 50% complete but work was described as having been completed in line with Service Plan projects.
- Members were advised that there were a number of elements to each action. The ‘Completion of ongoing service projects’ was running green as the action was at the stage which it should have reached by the end of Quarter 2 but the action as a whole was only 50% complete. It was noted that the action had been running ahead of schedule in Quarter 1 which is why it had been marked as 60% complete. It was recognised that there were a number of projects and actions underway and it was not possible to include all of the detail in the Summary Service Delivery Plans which were just one way of providing information. The Corporate Head of Financial Services & Resources undertook to bring more information on this particular action to the next meeting, together with more details on the target dates for this and other Service Delivery Plan Actions.
- P114 – Development Control & Conservation – A Member indicated that the link to the Council’s response to the draft National Planning Policy Framework (NPPF) was no longer available on the website and he had intended to email this to the Parish Councils within his area.
- The Corporate Head of Borough Development indicated that the link would originally have appeared as part of the Planning Committee papers. She undertook to email the response to Town & Parish Councils.
- P114 – Development Control & Conservation – Financial Performance – The Chairman expressed concern that the large scale major application that had been expected had still not been submitted and he questioned what the impact would be if it was not received by the end of the year.
- The Corporate Head of Borough Development advised that the Development Control Manager was in regular contact with the potential applicant but there was no guarantee that the application would be submitted by the end of the calendar year. The Corporate Head of Financial Services & Resources and the Finance Team were aware of the impact on the overall financial situation should the application not be received. It was difficult to anticipate the likely level of planning fee income which would be received over the year due to the nature of the planning process but every effort was made to maintain dialogue with potential applicants. She indicated that whilst there was no attempt to rush through significant major applications once received, it was important to bear in mind the applicants’ right to appeal on the grounds of non-determination should it not be determined within the statutory 16 week period. It was agreed that the Executive Committee should be made aware of the

significance of the application and the implications of it not being received.

- P115 – Development Control & Conservation – Service Delivery Plan Actions – The Chairman questioned whether emergency management had been taken into account in the ‘Review and implementation of storage requirements for planning history records’.
- Assurance was provided that the electronic storage of planning history had been included in the ICT Strategy which had been approved by the Executive Committee at its meeting on 9 November 2011.
- P116 – Direct Services – A Member asked that his congratulations be passed to the Team for its success in dealing with fly-tipping.
- The Corporate Head of Community Development & Partnerships undertook to pass this on to the Team.
- P116 – Direct Services – Financial Performance – The Chairman sought more information in respect of the additional payment which was made to the County.
- Members were informed that this was a typographical error and should have referred to £25,000 which the Council *received* from the County for the waste incentive grant. The remaining income related to things such as recycling credits and income from garden waste. Premises had cost more than anticipated as the staff had been expected to move out of the portacabins at Cheltenham Borough Council’s depot as part of the shared service with Cheltenham Borough Council and, as this had not been agreed, additional rental costs had been incurred.
- A Member questioned why the premises had cost more than anticipated.
- P116 – Direct Services – Business Performance - A Member queried when Business Performance information would be available for this service.
- As no decision had been made on the future of depot services, it was difficult to provide meaningful Performance Indicators for the service. This would be addressed once a final decision had been reached.
- P117 – Direct Services – Service Delivery Plan Actions – The Chairman sought further information on the Health & Safety inspections scheduled for November.
- Members were advised that the Health & Safety Executive (HSE) was inspecting all depots in the Country. Depots with outsourced contracts had been inspected first and Local Authority direct service depots were now being inspected. Tewkesbury Borough Council’s inspection had originally been scheduled for November 2011 but confirmation had recently been received that it would now be conducted in January 2012. Cheltenham Borough Council’s inspection had been carried out during the previous week and a lot had been learnt from this. The HSE had carried out an inspection following an injury sustained by a Tewkesbury Borough Council loader. Whilst

the HSE had recognised that a lot of good controls were already in place, there was room for improvement and the Council had been served with a Notice which required more monitoring of vehicles and loaders. The recommendations had been implemented and the HSE had been advised of this in writing. A check would be carried out in January. A full report on this matter had been taken to the Corporate Health & Safety Group which was attended by the Lead Member for Corporate Governance and had been raised at the Joint Staff Consultative Group.

P118 – Tourism & Economic Development – Service Purpose – A Member noted that part of the service purpose was to ensure that employment needs and growth opportunities were delivered through the JCS process.

The Corporate Head of Borough Development advised that the employment land strategy had been identified as a key area of work for the next phase of the JCS.

P118 – Tourism & Economic Development – Financial Performance – The Chairman requested an explanation of the income figures.

Members were informed that the variance was due to reduced market income. The Council received a proportion of the income received by the market operator and, as income had reduced as a result of the present economic climate, the previous rates could not be sustained.

P118 – Tourism & Economic Development – Business Performance – A Member questioned why the figures for the Winchcombe TIC Cumulative net cost v budget 2011/12 appeared to be erratic compared to the equivalent figures for Tewkesbury TIC.

The Corporate Head of Community Development & Partnerships explained that Winchcombe TIC had bought a lot of stock in preparation for sale. It was hoped that income would shortly start to be received and that a profit would be made.

P119 – Tourism & Economic Development – Service Delivery Plan Actions – A Member questioned why the review and restructure of the Local Strategic Partnership (LSP) was red when it was marked as being 100% complete.

The Corporate Head of Community Development & Partnerships explained that the review of the LSP had been completed but the report had not yet been considered by the Executive Committee and, as such, no final decision had been taken as to how this would move forward.

P119 – Tourism & Economic Development – Service Delivery Plan Actions – The Chairman queried whether any progress had been made with Tewkesbury Town Council in relation to taking on the Heritage & Visitor Centre.

Members were advised that discussions were ongoing; however, the Town Council had agreed to consider a 5 year business plan and to look again at its precepts. Assurance was provided that regular discussions would continue with the Town Council.

Separate Sheet – Grounds Maintenance – Financial Performance – A Member sought clarification as to what was meant by the implementation of 'Single Status'.

Members were advised that 'Single Status' referred to the Council's Pay Review, the terms and conditions of which had now been aligned.

Separate Sheet – Grounds Maintenance - Service Delivery Plan Actions – A Member questioned how many people had been consulted as part of the Satisfaction Survey and when other areas would be surveyed.

The Corporate Head of Community Development & Partnerships undertook to find out how many people had been consulted and which areas were being surveyed.

Separate Sheet – Grounds Maintenance – Operational Risks – The Chairman questioned whether Planning Officers had been tasked with exploring the availability of suitable land to address the lack of future burial capacity at Tewkesbury Cemetery.

The Corporate Head of Borough Development was unsure of the current position and it was agreed that further information on progress would be provided to Members.

P122 – Housing Advice & Community Safety – Financial Performance - The Chairman sought further information as to the need to employ temporary staff.

The Corporate Head of Community Development & Partnerships explained that a request had been made to use the Communities & Local Government (CLG) grant for mortgage repossession assistance to fund Homelessness Prevention staff. She advised that there had been a huge increase in people requesting homelessness assistance but this was not reflected in the number of cases that were accepted due to the rigorous criteria. Figures were available which showed a significant increase in the numbers of people receiving advice and assistance. There had been a lot of staff sickness within the department which had meant that, in June 2011, only 93 staff hours per week had been available to deal with the needs of customers compared with 167 staff

hours per week in June 2010. New staff were now in post and the service was working effectively.

P122 – Housing Advice & Community Safety – Business Performance – A Member queried how the targets for the total number of homelessness cases prevented were set given that the target in 2009/10 was higher than 2011/12.

The Corporate Head of Community Development & Partnerships undertook to confirm this following the meeting.

P123 – Housing Advice & Community Safety – Service Delivery Plan Actions - The Chairman indicated that Acceptable Behaviour Contracts (ABCs) had been in existence for some time as part of the Anti-Social Behaviour legislation and he questioned why it was necessary to develop a draft procedure at this stage.

The Corporate Head of Community Development & Partnerships explained that a review was being undertaken of all processes across the Community Safety Partnership, not specifically ABCs, although she accepted that this was not reflected in the wording contained within the Plan. She undertook to provide Members with further details of the review following the meeting.

P124 – Housing Enabling – Business Performance – A Member questioned whether the target for the number of affordable homes delivered would be achieved.

Members were advised that, although affordable home completions for Quarter 2 were slightly lower than anticipated, a number of schemes were being delivered and it was thought the target would be reached by the end of the financial year.

P126 – Leisure, Cultural Development & Leisure Provision – Business Performance - A Member queried why there were no comparable figures for previous years.

The Corporate Head of Community Development & Partnerships indicated that these would be included for Quarter 3, provided that they were available.

P126 – Leisure, Cultural Development & Leisure Provision – Business Performance - A Member congratulated the staff at Cascades for their fantastic work considering it was an ageing facility.

The Corporate Head of Community Development & Partnerships undertook to pass this on to the Team. Members were advised that a lot of work had been undertaken in recent years which had extended the life of Cascades, for example, the replacement of the boiler; however, there was no question that its useful life was finite and a decision would need to be taken on the future of Cascades within the next 12-18 months.

The Chairman sought clarification as to the realistic lifespan of Cascades.

<p>P132 – Revenues & Benefits – Business Performance – The Chairman questioned whether the recent surge in claims was now being successfully managed.</p>	<p>Members were advised that the number of benefits claims received had peaked in September with more claims being received than ever before. The processing of new benefit claims had been reduced to 28 days in October and it was anticipated that this would be further reduced to 24 days for November which was much closer to the target of 20 days. As well as the implementation of e-capture, changes had been made to the management structure and the team was now functioning well. Members could expect to see real improvement in processing times by the end of the next quarter.</p>
<p>P139 – Corporate Development & Performance – Service Delivery Plan Actions – A Member questioned why the development and implementation of DRIVE 2011-16 was only marked as 60% complete.</p>	<p>Members were reminded that the Summary Service Delivery Plans covered Quarter 2 of 2011/12 i.e. July to September. The DRIVE 2011-16 Programme had now been completed and this would be shown in the Plan for Quarter 3.</p>
<p>P142 – Finance – Business Performance – A Member sought further clarification as to why the percentage of supplier invoices paid within 32 days of receipt was currently red.</p>	<p>The Corporate Head of Financial Services & Resources advised that the Finance Team had been focusing on the implementation of the new finance system. It was expected that there would be a significant improvement in performance once the system was fully operational.</p>
<p>P144 – Human Resources – Business Performance – A Member was of the view that the graph for sickness absence per employee should be red rather than amber.</p>	<p>Members were informed that amber was used to demonstrate that, although there was a problem, it was expected that this would be overcome and that the target would be achieved by the end of the year. Both the Human Resources Team and the Corporate Head of Financial Services & Resources were working to improve the situation. The Business & Financial Performance Summary indicated that flu jabs had been arranged for October and Stress Management Workshops were also being held during Quarter 3.</p>
<p>P148 – Property & Estates – Business Performance – A Member queried why electricity usage was so high.</p>	<p>The Corporate Head of Financial Services & Resources explained that electricity usage had increased as a result of the relocation of 70 Gloucestershire County Council staff who were new based at the Council Offices. The County Council paid for the electricity which was used as part of the service charge which covered the cost of utilities, caretaking etc.</p>

57.5 With regard to the Financial Statement, attached at Appendix C, Members were advised that there was an overspend of £112,608 for the first half of 2011/12. The Corporate Head of Financial Services & Resources explained that the Savings Plan was currently being implemented to address this and the Corporate Management Team was monitoring the Plan on a monthly basis to ensure that it was having an impact. He reiterated that income generation continued to be a significant issue as a result of the economic climate. Members were informed that mitigating actions had now been put in place and were beginning to have an impact. There had been overspends in relation to Premises as some urgent repairs had been required, however, as a result of the mild autumn, savings had been made on heating.

57.6 A Member questioned whether the Council intended to pursue the installation of solar panels and was advised that this was something which had been investigated and a quotation had been obtained prior to the Government announcement of its intentions to reduce the feed-in tariff from 12 December 2011. Realistically there was not enough time to arrange for installation prior to this date and a new quote would need to be obtained to establish whether the savings would now be worthwhile.

57.7 Having considered the information provided it was

RESOLVED

1. That the Performance Management Report – Quarter 2 2011/12 be **NOTED**.
2. That the following actions be completed in relation to the Summary Service Delivery Plans:
 - consideration to be given to the order of the plans;
 - details of the relevant Portfolio Holder be included in the footnote of each Plan;
 - Development Control & Conservation – Council's response to the draft National Planning Policy Framework to be emailed to Town & Parish Councils;
 - Development Control & Conservation – Executive Committee be advised of the significance of the large scale major planning application and the potential implications should this not be received;
 - Direct Services – congratulations be passed on to the Direct Service Team for its success in dealing with fly-tipping;
 - Leisure, Cultural Development & Leisure Provision – figures from previous years be included on the Performance Indicator graphs for Quarter 3 if available;
 - Leisure, Cultural Development & Leisure Provision – congratulations be passed to the Cascades Team for their hard work.
3. That the following information be provided to the Committee:
 - Commercial Services – confirmation be provided as to the length of time taken for Food Hygiene Ratings to appear on the Food Standards Agency website following the inspection of premises;

- Customer Services & ICT – further information on the Service Delivery Plan Action for ‘Completion of ongoing service projects’ be taken to the next meeting together with more details on the target dates for completion of Service Delivery Plan Actions;
- Grounds Maintenance – confirmation be provided as to the number of people who had been consulted as part of the Satisfaction Survey and the areas which had been, or were due to be, surveyed;
- Grounds Maintenance – further information be provided on progress in relation to the operational risk on burial capacity in Tewkesbury;
- Housing Advice & Community Safety – confirmation be provided as to how the targets for the total number of homelessness cases prevented were set given that the target in 2009/10 was higher than 2011/12;
- Housing Advice & Community Safety – further details be provided in relation to the review of processes across the Community Safety Partnership and wording of the relevant Service Delivery Plan Action be amended to adequately convey the remit of the review.

OS.58 REVIEW OF DISCRETIONARY CHARITY RATE RELIEF POLICY

- 58.1 In taking the chair for this item, Councillor B A Jones drew attention to the report of the Revenues & Benefits Manager, circulated at Pages No. 21-68. Members were asked to endorse the revised Tewkesbury Borough Council National Non-Domestic Rating Policy for the Granting of Discretionary Rate Relief and to recommend to the Executive Committee that the Policy be approved.
- 58.2 Members were advised that the Council’s existing Policy for the award of discretionary relief had not been reviewed for a number of years. The Overview & Scrutiny Committee had agreed to undertake a review as part of its Work Programme and had met in workshop mode on 4 October 2011. Members had wished to ensure that the Policy was fair and consistent and that there was a local focus for the award of relief to ensure that local Council taxpayers would gain more direct benefit. On this basis, the revised Policy, attached at Appendix 2 to the report, included provisions for stepped discretionary relief taking into account a number of factors.
- 58.3 A Member indicated that one of the issues that had been discussed at the workshop related to payments for using industrial premises and she questioned whether this was included in the revised Policy. Members were informed that there had previously been a number of cases where charitable or non-profit making organisations were occupying empty premises and had submitted claims for awards of discretionary relief. In many instances the premises were being used for storage. This effectively meant that the Council was paying for the empty property charge with no direct benefit to the community. The revised Policy would help to address this problem. In response to a similar query about nurseries, Members were informed that a number of nurseries were registered charities and automatically received an 80% reduction in business rates as a result. The Council was able to make an award to cover the remaining 20% and generally this was what had happened in the past. The revised Policy adopted a stepped

approach linked to income and direct benefit to the local community which would allow the Council to give consideration as to whether it covered the remaining 20% of the rates.

- 58.4 Members were advised that there had been no significant changes to Government policy since October. A lot of schools were becoming grant maintained or being given charitable status and the Council was able to consider relief in these circumstances, although it was not thought that there would be a significant amount of awards in this respect. With regard to rate relief in rural areas, Members were advised that the Government had recognised that, in order to survive, villages required businesses such as shops and Post Offices. Local Authorities were able to consider awarding discretionary rate relief to such businesses as part of a statutory Government scheme. The Council's priority was to assist shops and Post Offices in communities with a population of less than 3,000.
- 58.5 A Member indicated that one of the suggestions at the workshop was that an Appeal Panel be established and she was advised that this had been incorporated into the revised Policy. If agreement could not be reached having determined an application, it would then go to the Section 151 Officer. If an agreement could still not be reached it would be put to a Panel of Members for consideration.
- 58.6 Having considered the information provided it was

RESOLVED That the revised Tewkesbury Borough Council National Non-Domestic Rating Policy for the Granting of Discretionary Rate Relief be **ENDORSED** and that it be **RECOMMENDED TO THE EXECUTIVE COMMITTEE** that the Policy be **APPROVED**.

The meeting closed at 7:00 pm