

31 May 2016

Committee	Executive
Date	Wednesday, 8 June 2016
Time of Meeting	2:00 pm
Venue	Committee Room 1

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND



**for Sara J Freckleton
Borough Solicitor**

Agenda

1. ANNOUNCEMENTS

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

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

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.



	Item	Page(s)
3.	DECLARATIONS OF INTEREST	
	Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.	
4.	MINUTES	1 - 10
	To approve the Minutes of the meeting held on 6 April 2016.	
5.	ITEMS FROM MEMBERS OF THE PUBLIC	
	To receive any questions, deputations or petitions submitted under Rule of Procedure 12.	
	<i>(The deadline for public participation submissions for this meeting is 2 June 2016).</i>	
6.	EXECUTIVE COMMITTEE FORWARD PLAN	11 - 14
	To consider the Committee's Forward Plan.	
7.	APPOINTMENT OF PORTFOLIO HOLDERS AND SUPPORT MEMBERS	15
	To confirm the Portfolio Holders and their Support Members for the forthcoming Municipal Year.	
8.	FLOOD RISK MANAGEMENT GROUP TERMS OF REFERENCE AND ACTION PLAN	16 - 36
	To approve the Flood Risk Management Group's Terms of Reference and Action Plan.	
9.	SPRING GARDENS AND OLDBURY ROAD REGENERATION MEMBER REFERENCE GROUP - TERMS OF REFERENCE	37 - 40
	To approve the revised Terms of Reference for the Spring Gardens and Oldbury Road Regeneration Member Reference Group.	
10.	REQUEST FOR WRITE-OFF - COMMUNITY GRANT	41 - 45
	To consider the write-off of a sum not exceeding £34,931 on a property in Tewkesbury, conditional upon the sum of £38,715.69 being first received; and subject to receipt of the sum of £38,715.69, to authorise the Borough Solicitor to release the legal charge upon the property.	
11.	REVISIONS TO THE REDUNDANCY AND REDEPLOYMENT POLICY	46 - 65
	To approve amendments to the Redundancy and Redeployment Policy.	

12. SEPARATE BUSINESS

The Chairman will move the adoption of the following resolution:

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

13. SEPARATE MINUTES

66 - 72

To approve the separate Minutes of the meeting of the Committee held on 6 April 2016.

**DATE OF NEXT MEETING
WEDNESDAY, 13 JULY 2016**

COUNCILLORS CONSTITUTING COMMITTEE

Councillors: R E Allen, Mrs K J Berry, R A Bird, D M M Davies, M Dean, Mrs E J MacTiernan, J R Mason, R J E Vines (Chair) and D J Waters (Vice-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, 6 April 2016 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R J E Vines
Councillor D J Waters

and Councillors:

R E Allen, Mrs K J Berry, R A Bird, D M M Davies, M Dean, Mrs E J MacTiernan and J R Mason

also present:

Councillor P W Awford

EX.88 ANNOUNCEMENTS

- 88.1 The evacuation procedure, as set out on the Agenda, was taken as read.
- 88.2 The Chair welcomed Councillor P W Awford to the meeting who was in attendance, as Chair of the Overview and Scrutiny Committee, for Item 7 – Performance Management – Quarter 3 2015/2016.

EX.89 DECLARATIONS OF INTEREST

- 89.1 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.
- 89.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
R E Allen	Item 14 – Severn Vale Housing Society Asset Disposal Strategy.	Is the Council's representative on the Board of Severn Vale Housing Society.	Would speak and vote.
D J Waters	Item 14 – Severn Vale Housing Society Asset Disposal Strategy.	Is the Council's representative on the Board of Severn Vale Housing Society.	Would speak and vote.

- 89.3 There were no further declarations made on this occasion.

EX.90 MINUTES

- 90.1 The Minutes of the meeting held on 3 February 2016, and of the special meeting held on 9 March 2016, copies of which had been circulated, were approved as correct records and signed by the Chair.

EX.91 ITEMS FROM MEMBERS OF THE PUBLIC

- 91.1 There were no items from the public on this occasion.

EX.92 EXECUTIVE COMMITTEE FORWARD PLAN

- 92.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 17-19. Members were asked to consider the Plan.

- 92.2 Accordingly, it was

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

EX.93 PERFORMANCE MANAGEMENT REPORT - QUARTER THREE 2015/16

- 93.1 The report of the Corporate Services Group Manager, circulated at Pages No. 20-77, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the 2015/16 quarter three performance management information.

- 93.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached to the report at Appendix 1; the Council Plan Performance Tracker, attached at Appendix 2; the Key Performance Indicator set, attached at Appendix 3; Revenue Budget Summary Statement, attached at Appendix 4; the Capital Monitoring Statement, attached at Appendix 5; and the Revenues Position Summary which was attached to the report at Appendix 6.

- 93.3 The Overview and Scrutiny Committee Chair explained that Council performance over the past quarter had generally been good with some key areas of excellent performance which had included the new Leisure Centre being completed on target; the completion of the planning and environmental health service reviews; the launch of the new Tewkesbury tourism website; and the Borough-wide roll-out of the place approach. Given the wide range of performance that Officers reported on, Members had also been made aware of areas that were not progressing as planned. One Member had drawn particular attention to the length of time it was taking to rent out office space within the public services centre and the Deputy Chief Executive had explained that negotiations were ongoing with a group of partners but they were currently confidential. Timescales were dependent on other organisations and their consultation processes but it was anticipated that a clearer steer would be gained over the next couple of months and Members would be kept updated. In relation to the Council Plan action 'to work with the Local Enterprise Partnership to initiate projects identified within the Strategic Economic Plan', a Member had asked for clarification on the update in respect of 'environment and resources efficiency'. The Economic and Community Development Manager had explained that the Local Enterprise Partnership had been awarded European funding and there were now opportunities for organisations to bid for projects of an environmental nature. A Member had also raised concerns about the fact that reports of enviro-crimes, particularly fly-tipping, seemed to be increasing and she questioned whether the Overview and Scrutiny Review Working Group needed to be resurrected. The Environmental and Housing Services Group Manager had

advised that fly-tipping had been raised as an issue at the Joint Waste Committee and that it was a national issue. In addition, a proposed action within the new Council Plan was for the Council to consider its approach to enviro-crimes with a particular focus on fly-tipping and dog fouling. In terms of the Key Performance Indicators, a Member had noted that the planning systems review had been completed but he had not seen any changes to the service provided; particularly in relation to customer care, and he asked when Members would be presented with the review report. The Deputy Chief Executive had clarified that, while part of the project was complete, changes to the way work was carried out within the department would be ongoing. It was also important to recognise that the number of applications being received was at a record high which inevitably had an impact on performance figures.

93.4 During the discussion which ensued, a Member indicated that the Borough Council had made a request to the Police and Crime Commissioner's grant fund for £750 to maintain CCTV cameras; that grant application had been rejected and she questioned whether the Council could find the funding from elsewhere to continue the work in hot spot fly-tipping areas. In response, the Deputy Chief Executive indicated that this was a priority action for the Interim Environmental and Housing Services Group Manager so the operation of the cameras would continue. The Member also questioned whether Tewkesbury Borough Council had ever successfully prosecuted anyone for fly-tipping and she was advised that the Borough Council had never had a successful prosecution but it did intend to take an enforcement approach and was raising its profile as a deterrent.

93.5 Accordingly, it was

RESOLVED: That the Overview and Scrutiny Committee's comments on the Performance Management Report for Quarter Three of 2015/16 be **NOTED**.

EX.94 2016/17 SERVICE PLANS

94.1 The report of the Corporate Services Group Manager, circulated at Pages No. 78-115, provided the service plans for each service for 2016/17. Members were asked to endorse those plans.

94.2 Members were advised that the service plans contained the key non-daily activities which were intended to be carried out during the year. Officers would update Lead Members on those activities at their Portfolio Briefings. The service plan also showed the progress against 2015/16 actions and any outstanding actions had been carried forward as appropriate.

94.3 Having considered the service plans, it was

RESOLVED: That the 2016/17 Service Plans be **ENDORSED**.

EX.95 COUNCIL PLAN YEAR 1 (2016-20)

95.1 The report of the Corporate Services Group Manager, circulated at Pages No. 116-134, set out the proposed Council Plan for 2016-20. Members were asked to recommend the Council Plan to the Council for adoption.

- 95.2 The Committee was advised that the proposed Council Plan for 2016-20 had been developed in partnership with Members over a number of months. The new priorities, set out at Paragraph 2.2 of the report, were Finance and Resources; Economic Development; Housing; and Customer Focused Services. Page No. 5 of the Council Plan set out the objectives under each of those priorities and the actions to meet those objectives were contained at Page No. 6 of the Council Plan onwards. The Corporate Services Group Manager believed that the new Plan had a real sense of ambition, particularly around its digital strategy, commercialism and growth. Delivery of the Plan would be monitored by the Overview and Scrutiny Committee.
- 95.3 The Corporate Services Group Manager explained that the Council Plan had been presented to all Members on 9 March 2016 and the feedback had generally been supportive with one Member suggesting that a priority on 'clean and green' should be included. Some actions around the presentation of the Plan had also been suggested and those were included in the Plan which was before Members. A list of the comments made by Members at the presentation on 9 March was attached to the report at Appendix 2 for information.
- 95.4 During the discussion which ensued, a Member expressed the view that his aim was to get new housing built with minimal delays and, whilst he was sometimes forceful in trying to achieve that aim, he did feel that everyone was now working together to achieve those aspirations for which he was grateful. The Chief Executive explained that he had met with the Member previously and his proposals to amend the actions relating to housing had been made which he felt made the priority clearer. One Member questioned why the wording had been amended when the point of the priority was to meet a defined need which had been imposed upon the Council by the government. In response, the Deputy Chief Executive explained that the Council Plan set out the Council's overarching objectives for its communities. The Council wanted to provide adequate housing to meet the needs of its residents and it was felt that the simplified wording encapsulated that aim better; however, it could be changed if alternative wording was preferred. Referring to the economic development areas of the document, a Member was pleased that this was a dominant feature of the Council Plan. He indicated that, with all the new housing planned and new people coming into the Borough, economic growth for businesses was needed.
- 95.5 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the Council Plan be **ADOPTED**.

EX.96 FORMAL COMPLAINTS POLICY

- 96.1 The report of the Corporate Services Group Manager, circulated at Pages No. 135-144, set out the Council's new complaints policy which Members were asked to approve.
- 96.2 Members were advised that the Council generally received a low number of complaints, however, the formulation of a new complaints policy responded to a report from Internal Audit that the Council needed to deal with those complaints that it did receive better. A mini transformational project had been put into place which had devised a new way of recording and dealing with complaints. That system had been demonstrated to Lead Members already and would be presented to the Transform Working Group at its next meeting.

- 96.3 In reviewing the complaints system, an Officer Working Group had been set up to look at the old processes and it had been found that the system was difficult to manage and did not really record complaints in the correct way. This meant that the policy had been completely redrafted and a supporting leaflet had also been introduced. The new policy set out clearly what the customer should expect from the Council, how the Council would respond and in what timeframe a response would be provided. Complainants could now complete an online form and, once received, a complaint would be responded to within 20 working days; this had been increased from 10 working days due to the increasingly complex nature of the complaints received. Officers would always be encouraged to respond as soon as possible but the 20 day limit was in line with Local Government Ombudsman recommendations. In addition, within two working days of a complaint being received, an acknowledgement would be sent to the complainant to let them know who was investigating the complaint, the timescale within which a response would be received and what the procedure to be followed was. In accordance with data collection legislation a data retention schedule was to be maintained and reference was made to this within the policy.
- 96.4 A Member expressed the view that Ward Councillors should be advised of complaints as it could be advantageous for Officers to gain a fuller understanding of the complaint and the complainant from a Member with local knowledge. It was also felt to be helpful for the Member to know if there were any particular issues from within their Ward. In response he was advised that the system would prompt an Officer to consider whether the complaint was something that they should tell the local Member about; there was no automation within the system to email the Councillor directly about every complaint that was received. Officers had to remember that they had a duty of confidentiality but there was a judgement call to be made on what information about a complaint was passed to Members. Any vexatious/serial complaints were referred to the Borough Solicitor. In terms of the way complaints were made, the Committee was advised that the idea was to maintain a channel so that Customer Services could log all complaints that were received. Customers were encouraged to use the online form but they could send in letters/emails and, as long as they were recorded through Customer Services, they could still be logged properly and responded to accordingly.
- 96.5 There was some concern expressed that Councillors needed to know the details of the complainants, as well as their complaints, so that they were not caught off guard if a resident asked them how their complaint was progressing. In response the Lead Member indicated that the easiest thing would be to respond that there was a strict confidentiality process in place so Councillors were not advised of the particular details of complaints but, if the resident wished to provide the Member with the details, they would follow it up. She felt that the new system worked really well and kept the complainant properly informed throughout.
- 96.6 Accordingly, it was

RESOLVED: That the formal Complaints Policy be **APPROVED**.

EX.97 DIGITAL STRATEGY

- 97.1 The report of the Corporate Services Group Manager, circulated at Pages No. 144-160, attached the new Digital Strategy which Members were asked to approve.

- 97.2 The Committee was advised that digital technology was changing the expectations of residents as people wanted services that were instant, available twenty four hours a day seven days a week and were accessible no matter where they were. At the same time the Council continued to face unprecedented financial challenges while still delivering quality frontline services. The strategy set out the direction for the Council's digital journey and made it clear that, before it embarked on making big changes to the way it did things, it needed to map out its digital requirements and ensure it achieved digital solutions in a joined up and worthwhile way.
- 97.3 The strategy introduced three digital priorities: digital services – developing excellent digital services enabling customers to get the information they need online; joining up with our partners – using technology to tackle complex issues and working together seamlessly with our partners to open up access to our services for our communities; and developing a digital workforce – giving staff the digital tools and skills required to deliver services effectively and efficiently. The digital vision which encompassed those priorities was: we want our customers to be able to access our services when and where they need them, we want to join up with our partners to make access to our services easier, and we want our staff to be equipped with the technology and skills to be able to work effectively in a digital environment. The principles that underpinned the priorities were contained at Page No. 3 of the strategy. In response to a query regarding the governance of the strategy, the Corporate Services Group Manager explained that there was an internal programme board which was responsible for the performance management framework and the Transform Working Group would monitor that work.
- 97.4 Accordingly, it was

RESOLVED: That the Digital Strategy be **APPROVED**.

EX.98 DISABLED FACILITIES GRANTS REVIEW

- 98.1 The report of the Interim Environmental and Housing Services Group Manager, set out the findings from the review of the disabled facilities grant function and made recommendations in respect of how the grant should be administered in the future. Members were asked to adopt the report.
- 98.2 Members were advised that the review had been undertaken by a Working Group of the Overview and Scrutiny Committee. That review had considered the Council's current approach in administering the grant and considered what alternative processes could be used instead of, and in addition to, those currently employed. The Overview and Scrutiny Committee had considered the report at its meeting on 23 February and had agreed to adopt it and refer it to the Executive Committee for consideration. The Working Group had examined three areas of potential improvement including better and earlier information being given to those with a disability regarding their options, including assistance to move to a more suitable property, when that was their wish, or one that could be more easily adapted; streamlining the application process and the correspondence sent once the grant had been approved; and potential improvements in the procurement of contractors and equipment, including benefits of using schedules of rates and alternatives to fixed equipment currently being provided. The report of the Working Group and subsequent action plan was attached to the report at Appendix 2 and it included an outline of the review findings, provided an update on the current performance of the service and detailed the progress of the service improvements being undertaken. Members had concluded that the recommendations contained in the action plan would help improve the effectiveness, including the cost effectiveness,

of the service and should provide a service that could react better to future predicted demands. The action plan involved a significant amount of capital finance which was the reason for bringing it to the Executive Committee.

- 98.3 A Member expressed concern about the grant being subject to financial means testing as she knew of a case previously where a young mother had had to move following a stroke because she could not get the help she needed due to the fact that she did not meet the criteria for the means test. In response, she was advised that the means test had changed in 2012 and this had made it was easier to get grants. It was hoped that a similar situation would not arise in future.
- 98.4 Accordingly, it was

RESOLVED: That the Disabled Facilities Grants Review report be **ADOPTED.**

EX.99 DRAFT RESPONSE TO TECHNICAL CONSULTATION ON THE IMPLEMENTATION OF PLANNING CHANGES CONTAINED IN THE HOUSING AND PLANNING BILL

- 99.1 The report of the Development Services Group Manager, circulated at Pages No. 183-280, set out the government's technical consultation on the implementation of planning changes that were contained within the Housing and Planning Bill. Members were asked to approve the proposed response to that consultation for submission to the Department for Communities and Local Government.
- 99.2 Members were advised that the Department for Communities and Local Government was consulting on views on the proposed approach to implementing the planning provisions in the Housing and Planning Bill along with some other planning measures. The proposals contained several changes to the way planning was delivered which, if adopted in their current form, could fundamentally change the way the planning service within local government was provided. It was therefore important that the Council responded to the consultation at this stage.
- 99.3 Particular attention was drawn to Paragraph 2.2 of the report, which set out some of the main proposals, and to Appendix 1, which detailed the responses to each area. In summary the proposals included: adjusting planning fees in line with inflation, but only in areas where the local planning authority was performing well; the introduction of a new 'permission in principle' route for obtaining planning permission which was designed to separate decision-making on 'in principle' issues from matters of technical detail; the introduction of a brownfield register which would become a qualifying document to grant permission in principle – authorities would be expected to take a positive, proactive approach when including sites in their registers, rejecting potential sites only if they could demonstrate that there was no realistic prospect of sites being suitable for new housing; the requirement to publish a small sites register and subsequently for Councils to permit sufficient serviced land to match demand; proposals to set the various time periods for local planning authority decisions on neighbourhood planning, to set the procedure to be followed where the Secretary of State chose to intervene in sending a plan or Order to a referendum and to introduce a new way for neighbourhood forums to better engage in local planning; to prioritise intervention in local plans where the least progress had been made, where there was under-delivery of housing in areas of high housing pressure, where policies in plans had not been kept up to date, where there was higher housing pressure and where intervention would have the greatest impact in accelerating local plan production; extending the approach to planning performance to include applications for non-major development to ensure all applicants could have certainty in the level of service to be provided; to introduce powers to enable the

testing of competition in the processing of planning applications; to place a duty on the local planning authority to ensure that planning reports recorded details of financial benefits that were likely to accrue to an area as a result of proposed development; the introduction of a dispute resolution mechanism for Section 106 Agreements; and ensuring there was sufficient provision to meet growing school places.

- 99.4 During the discussion which ensued, one Member was disappointed that the consultation had not been viewed more positively. He felt that it was designed to allow the provision of more housing in a timely manner and he was of the view that this should be supported wherever possible. In response, the Development Services Group Manager indicated that no one wanted to slow down the process but there were a number of quite fundamental changes proposed in the Bill without a lot of detail and it was felt that, in a number of instances, the further detail behind the proposals was needed to allow Councils to understand how they would work in practice and how they would be resourced. Other Members agreed that Officers were right to take a cautious approach, particularly to proposals like the introduction of an approved provider that could make a recommendation to Committee that Councillors would have to consider; there was concern about what would happen if the advice from the approved provider was found to be wrong at an appeal and costs were awarded – who would then pay those costs. Another Member indicated that his recollection of a previous discussion on this matter was that the majority of Members present were concerned and suspicious of the proposals being made. Tewkesbury Borough Council had worked hard to devise a core strategy that worked and had been frustrated at each step of the way by the planning regime. He felt that the Council should be robust in its response to the consultation in that regard. In terms of the Council's response, the Development Services Group Manager explained that the consultation was prescribed and, as such, additional comments on other related matters were not permitted. Additional comments could be sent to the Department for Communities and Local Government separately should Members so wish; particularly in respect of the frustrations caused by the slow Joint Core Strategy examination process and the Council's desire to remove some of the bureaucracy to enable it to speed up the planning process and allow house building to take place at a quicker pace. In addition, it was explained that the Council's consultation response would also be sent to the Local Government Association which was collating all comments from across the country to ensure that its overall response included the views of all local authorities.

- 99.5 Accordingly, it was

RESOLVED: That the response to the consultation, as set out in Appendix 1 to the report, be **APPROVED** for submission to the Department of Communities and Local Government.

EX.100 SEVERN VALE HOUSING SOCIETY ASSET DISPOSAL STRATEGY

- 100.1 The report of the Deputy Chief Executive, circulated at Pages No. 281-307, set out the details of asset disposals which had been recommended by Severn Vale Housing Society. The Committee was asked to endorse the conclusions reached by Severn Vale Housing Society as part of the local authority's view.

- 100.2 The Deputy Chief Executive explained that the government had a strong policy to encourage every registered provider and Council to review their own housing stock regularly and to consider disposals to enable them to use their stock more efficiently. Severn Vale Housing Society had recently identified nine properties in the east of the Borough that fell in the criteria of being inefficient and the Committee was asked to consider whether it was comfortable with that recommendation. Each property had been assessed using a framework developed by the Homes and Communities Agency against a level of repair, energy efficiency and details of how the proceeds from the disposals would be used. It was proposed that the receipts from disposals would finance the Society's development programme for new affordable housing as well as to improve specific schemes and estates that required it. Whilst the Borough Council had no formal role in approving the disposals, which were determined by the Secretary of State, it was asked for its view as part of the Ministerial consideration.
- 100.3 During the brief discussion which ensued, a Member expressed his sadness at the loss of a one bedroom unit in Winchcombe and he indicated that he would like to see Severn Vale providing something to replace it within the area. He did, however, fully appreciate being asked for his views as a local Member and felt that the meetings he had attended with Severn Vale had been very useful. With regard to the property in Hawling he expressed some concern that it may already have been sold and the Deputy Chief Executive undertook to investigate as that should not be the case.
- 100.4 Accordingly, it was

RESOLVED:

1. That the view that the nine asset disposals recommended by Severn Vale Housing Society are appropriate be **ENDORSED** and the active support of Severn Vale Housing Society in utilising any proceeds of those disposals to support the replacement of essential affordable homes in key rural locations be welcomed.
2. That authority be delegated to the Deputy Chief Executive, in consultation with the Lead Members for Built Environment and Finance and Asset Management, to determine any future consideration of asset disposals by registered providers operating in the Borough.

EX.101 REVIEW OF THE REVENUES AND BENEFITS WRITE-OFF POLICY

- 101.1 The report of the Revenues and Benefits Group Manager, circulated at Pages No. 308-312, set out the proposed changes to the Revenues and Benefits Write-Off Policy. Members were asked to consider those changes and adopt the revised policy.
- 101.2 Members were advised that the Policy was due for review by the Executive Committee which was the reason the report was before them. The current policy had been considered and there were a number of minor changes that were suggested at Paragraph 1.1 of the report; those were also highlighted in grey within Appendix 1. The changes included amendments to job titles; delegated authority to write-off a debt of up to and including £15,000 being given to the Finance and Asset Management Group Manager; authorisation to write-off debts greater than £15,000 being given to the Executive Committee; and the Revenues Team Leader and Revenues Officers being given delegated authority to write-off irrecoverable debts of up to £55.00.

101.3 Accordingly, it was

RESOLVED: That the revised Revenues and Benefits Write-Off Policy be **ADOPTED**.

EX.102 SEPARATE BUSINESS

102.1 The Chairman 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 12A of the Act.

EX.103 PROPERTY PURCHASE

(Exempt –Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 –Information relating to the financial or business affairs of any particular person (including the authority holding that information))

103.1 Members considered the purchase of property for investment purposes and agreed to authorise the Finance and Asset Management Group Manager, in consultation with the Lead Member for Finance and Asset Management, to negotiate terms within a particular set of parameters.

EX.104 FUNDING FOR COLLAPSED BANK REPAIRS - THE GRANGE, BISHOP'S CLEEVE

(Exempt –Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 –Information relating to the financial or business affairs of any particular person (including the authority holding that information))

104.1 The Committee considered the use of capital funds for the funding of collapsed bank repairs and made a recommendation to Council accordingly.

EX.105 ABBEY CARAVAN SITE, TEWKESBURY

(Exempt –Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 –Information relating to the financial or business affairs of any particular person (including the authority holding that information))

105.1 Members considered a request from the Abbey Caravan Site, Tewkesbury and agreed arrangements to allow the negotiation of a new lease for the site.

EX.106 TEWKESBURY TOWN REGENERATION

(Exempt –Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 –Information relating to the financial or business affairs of any particular person (including the authority holding that information))

106.1 The Committee considered the way forward in respect of Tewkesbury Town Regeneration and made a recommendation to Council thereon.

The meeting closed at 4:40 pm

EXECUTIVE COMMITTEE FORWARD PLAN

JUNE 2016 TO NOVEMBER 2016 (No meeting in September)

REGULAR ITEM:

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

<p><u>Addition to 8 June 2016</u></p> <ul style="list-style-type: none"> • Terms of Reference for the Spring Gardens and Oldbury Road Regeneration Member Reference Group. • Request for Write-Off – Community Grant.
<p><u>Deletion from 8 June 2016</u></p> <ul style="list-style-type: none"> • Land at Canterbury Leys, Tewkesbury – No longer required.

Committee Date: 13 July 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Performance Management Report – Quarter Four 2015/16 (Annual).	To receive and respond to the findings of the Overview and Scrutiny Committee’s review of the quarter four performance management information.	Graeme Simpson, Corporate Services Group Manager.	No.
Financial Outturn Report incl capital financing and earmarked reserves (Annual).	To consider the Council’s financial outturn.	Simon Dix, Finance and Asset Management Group Manager.	No.
Procurement of Countywide Choice Based Lettings Scheme.	To update Committee on the progress of the procurement of the Countywide Choice Based Lettings Scheme.	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.

11

Agenda Item 6

Committee Date: 13 July 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Gold Standard	To update the committee on the DCLG Gold Programme for continuous improvement for statutory homeless services and homeless prevention and the progress made by Tewkesbury Borough Council in meeting these challenges	Richard Kirk, Interim Environmental and Housing Services Group Manager.	No.
Transfer of Land at The Hangings, Tewkesbury.	To approve the transfer of land at The Hangings, Tewkesbury to Tewkesbury Town Council.	Simon Dix, Finance and Asset Management Group Manager.	Yes – deferred from 8 June 2016 due to ongoing discussions.
Financial Inclusion Policy.	To approve a Financial Inclusion Policy.	Richard Horton, Revenues and Benefits Group Manager.	Deleted as information awaited from the government on the way forward.

Committee Date: 31 August 2016			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Financial Update – Quarter 1 Performance (Annual).	To consider the quarterly budget position.	Simon Dix, Finance and Asset Management Group Manager.	No.
Cemetery Provision in Tewkesbury Town.	To review the options for the provision of cemetery facilities within Tewkesbury Town.	Simon Dix, Finance and Asset Management Group Manager.	Yes – deferred from 8 June 2016.

Committee Date: 12 October 2016

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Medium Term Financial Strategy (MTFS) (Annual).	To recommend to Council the adoption of the five year MTFS which describes the financial environment the Council is operating in and the pressures it will face in delivering its services and a balanced budget over the period.	Simon Dix, Finance and Asset Management Group Manager.	No.
Performance Management Report – Quarter 1 2016/17 (Annual).	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management information.	Graeme Simpson, Corporate Services Group Manager.	No.
Policy for the Localism Agenda on Revenues and Benefits.	To consider a new discretionary relief for business rates under the Localism Agenda.	Richard Horton, Revenues and Benefits Group Manager.	Yes – Deferred from 6 April 2016 for further information from the Government.
Review of Procurement Strategy.	To approve the Procurement Strategy.	Simon Dix, Finance and Asset Management Group Manager.	No.

Committee Date: 23 November 2016

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

Lead Member Portfolios

Robert Vines	Mike Dean	Elaine MacTiernan	Dave Waters	Derek Davies	Jim Mason	Kay Berry	Rob Bird	Ron Allen
Leader of the Council	Customer Focus	Organisational Development	Finance and Asset Management	Built Environment	Clean and Green Environment	Community	Economic Development/Promotion	Health and Wellbeing
<ul style="list-style-type: none"> . Council Plan . External Relations and Communication . Community Leader for Emergencies . Corporate Governance . Audit . Risk Management . Democratic Service . One Legal . Business Continuity . Member Development 	<ul style="list-style-type: none"> . Customer Services Strategy . Customer Services . ICT . Service Commissioning . Customer Engagement and Access . Equalities 	<ul style="list-style-type: none"> . Business Transformation . Performance Management . Organisational Development . Workforce Development Plan . Human Resources . Joint Staff . Overview and Scrutiny Process . Corporate Health and Safety 	<ul style="list-style-type: none"> . Financial Strategy . VFM and Efficiency . Procurement . Revenues . Investments . Property/Asset Management including Car Park Asset Management . Facilities Management . Housing Benefit Administration 	<ul style="list-style-type: none"> . Strategic Planning . Development Management . Conservation . Building Control . Strategic Housing . Affordable Housing . Gypsy and Traveller Site Provision . Land Charges 	<ul style="list-style-type: none"> . Waste Collection . Recycling . Street Cleansing . Grounds Maintenance . Environmental Health and Licensing . Land Drainage and Flooding Response . Climate Change 	<ul style="list-style-type: none"> . Community Development . Community Safety . Community Partnerships . Town and Parish Council Community Support . Emergency Planning . Safeguarding Children and Adults 	<ul style="list-style-type: none"> . Economic Development and Promotion . LEP and Economic Partnerships . Tourism . Markets and Festivals . Car Parking Strategy and Transport 	<ul style="list-style-type: none"> . Public Health . Leisure and Culture . Families First . Public Service Centre – Strategic Outcomes . Military Covenant . Operational Housing/ Homelessness
Support Member - Gill Blackwell	Support Member - Heather McLain	Support Member - Julie Greening	Support Member - Ron Furolo	Support Member - Bob East	Support Member - Mark Williams	Support Member - Pearl Stokes	Support Member - Philip Surman	Support Member - Terry Spencer
<ul style="list-style-type: none"> •Leadership Glos •LGA •South West Councils •District Councils Network •Glos Economic Growth Joint Committee 					<ul style="list-style-type: none"> •Joint Waste Committee 	<ul style="list-style-type: none"> •Community Safety Partnership 	<ul style="list-style-type: none"> •GFirst/LEP (Observer) 	<ul style="list-style-type: none"> •Health and Wellbeing Partnerships

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	8 June 2016
Subject:	Flood Risk Management Group Monitoring Report and Action Plan
Report of:	Richard Kirk, Interim Environmental and Housing Group Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor J R Mason
Number of Appendices:	Two

Executive Summary:

The Overview and Scrutiny Committee has been monitoring progress of the work of the Flood Risk Management Group. This report reviews the Terms of Reference of the Group and associated action plan. The report recommendations have been considered and approved by the Overview and Scrutiny Committee on 12 April 2016.

Recommendations:

- 1. That the Terms of Reference and Flood Risk Management Group Action Plan be ADOPTED for the next 12 months; and**
- 2. That the Flood Risk Management Group Action Plan progress be MONITORED by the Overview and Scrutiny Committee on an annual basis.**

Reasons for Recommendation:

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

Resource Implications:

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

Legal Implications:

None arising from this report.

Risk Management Implications:

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

Performance Management Follow-up:

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

Environmental Implications:

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

1.0 INTRODUCTION/BACKGROUND

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

2.0 FLOOD RISK MANAGEMENT GROUP ACTION PLAN

- 2.1 The action plan at Appendix 1 to the report is based on land drainage projects monitored by the Flood Risk Management Group. The action plan is a 'living' document to which funding or partnership opportunities can be added as and when they arise.
- 2.2 Tewkesbury Borough Council owns various parcels of land across the Borough and some of these have watercourses either running through them or adjacent to them. This means that Tewkesbury Borough Council is a 'riparian owner' with responsibilities to maintain these watercourses in good condition. In 2010, Tewkesbury Borough Council agreed to increase the land drainage revenue budget in order to allow for routine maintenance work to be carried out.
- 2.3 The Flood Risk Management Group last met on 15 March 2016. The action plan represents the report that was presented at that meeting albeit updated to reflect work carried out since then. The next meeting of the Group is scheduled for 27 June 2016.

3.0 FLOOD RISK MANAGEMENT: 12 MONTH UPDATE

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

4.0 OTHER OPTIONS CONSIDERED

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

5.0 CONSULTATION

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

6.0 RELEVANT COUNCIL POLICIES/STRATEGIES

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

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

7.0 RELEVANT GOVERNMENT POLICIES

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

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

8.0 RESOURCE IMPLICATIONS (Human/Property)

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

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

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

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

10.1 None.

11.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

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

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

Background Papers: None.

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

Appendices: Appendix 1: Flood Risk Management Group Action Plan
Appendix 2: Terms of Reference, Tewkesbury Borough Council Flood Risk Management Group

Flood Risk Management Group Action Plan

i) “Live” capital projects

Table 1: Live Capital Projects

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

ii) Tewkesbury Borough Council Programme of Watercourse Maintenance

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

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

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

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

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

41	Lower Lode La/Bloody Meadow	Tewkesbury	Fallen tree removals (Blocking watercourse)	sum	£550.00
42	Mill Avon	Tewkesbury	Vegetation and tree clearance (Access difficult - by Glos Road)	sum	£7,020.00
43	Rails Meadow	Tewkesbury	Flail cutting	395	£230.00
44	Rails Meadow	Tewkesbury	De Silt	395	£3,950.00
45	St Marys Lane	Tewkesbury	Flail cutting of bank & trees (Access difficult)	50	£800.00
46	The Vineyards	Tewkesbury	Flail cutting of banks	446	£289.90
47	The Vineyards	Tewkesbury	Flail cutting of banks (second cut due to growth)	446	£276.00
48	Honeybourne Meadow	Woodmancote	Blockage removal + tree clearance	sum	£700.00
49	Honeybourne Meadow	Woodmancote	De silt concrete channel	sum	£448.00
	-	-			£39,832.49

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

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

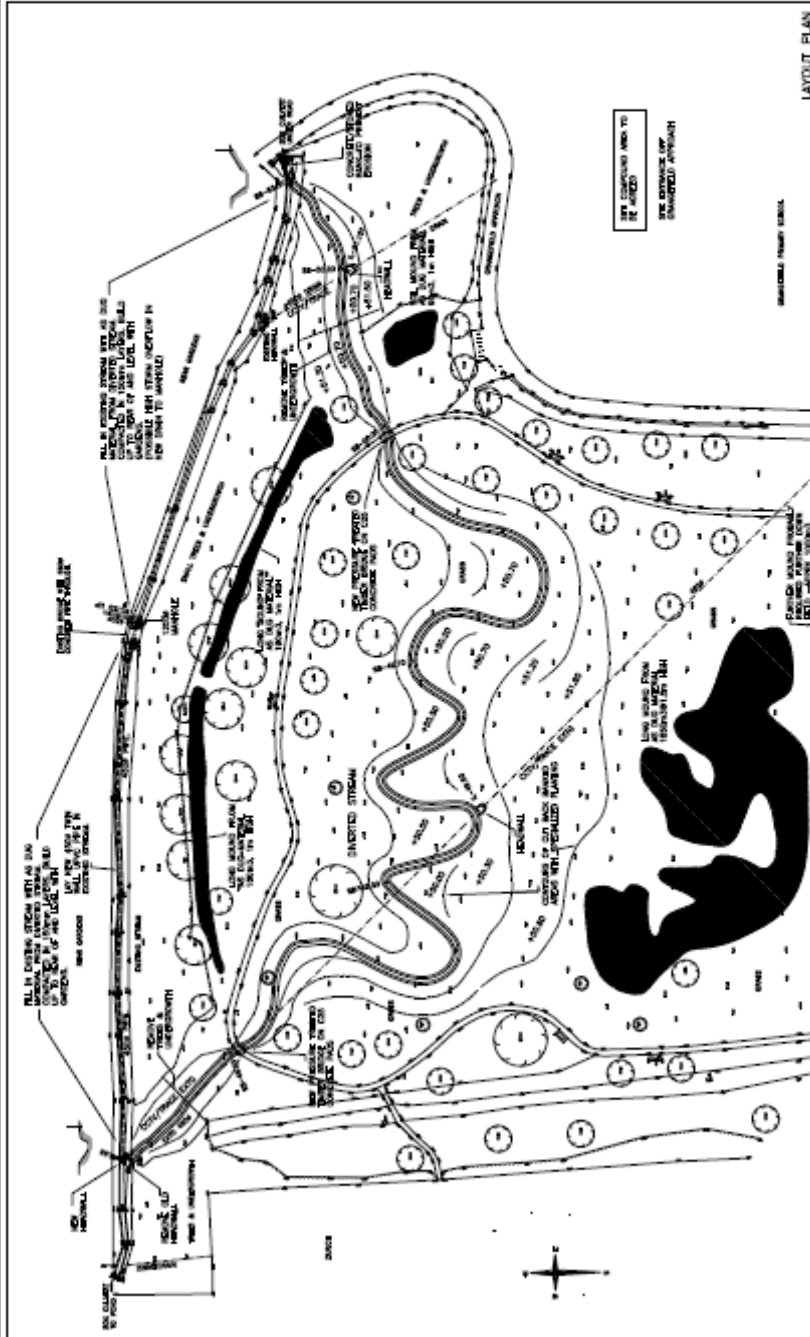
12	St Marys Lane	Tewkesbury	Flail cutting of bank & trees (Access difficult)	50	£800.00
13	Beauchamp Road	Walton Cardiff	Clearance of reeds	sum	£500.00
14	Crown Road	Walton Cardiff	Clearance of reeds	sum	£500.00
15	Various Sites	Various	Footbridges over watercourses inspection and repairs	sum	£1,000.00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

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

Table 4 – Insurance claim

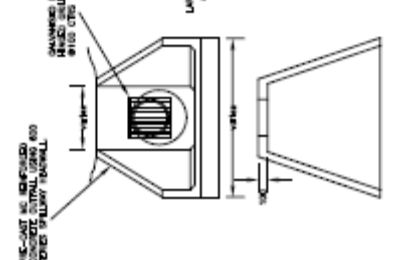
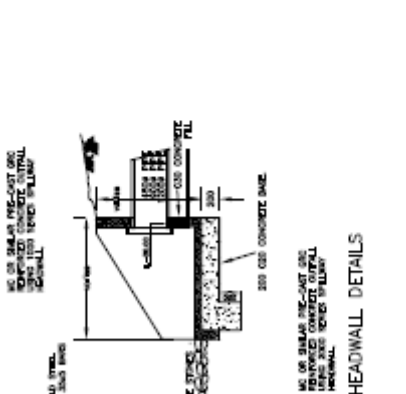
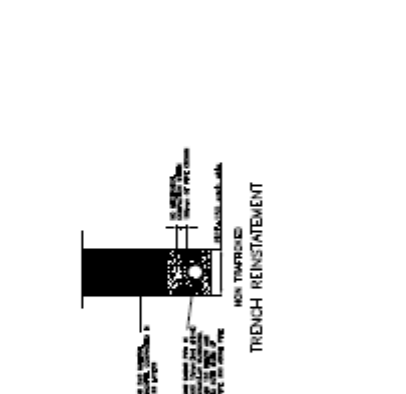
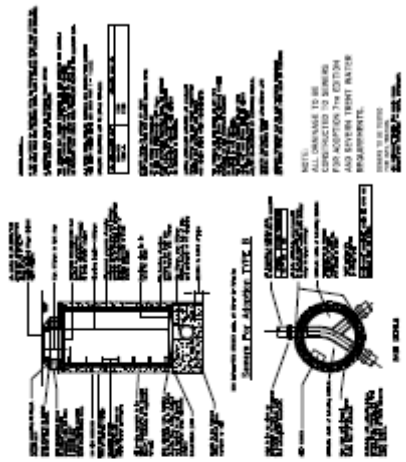
	Location	Parish	Works	Estimated Length (m)	Cost
1	9 The Highgrove (Structural Engineers - Employed to work out budget costs and alternative schemes)	Bishops Cleeve	Banks collapsing rear of garden adjoining The Grange Watercourse	N/A	£4,300.00

NOT FOR CONSTRUCTION



LAYOUT PLAN

PROJECT NO.	10230/10-10
DATE	10/23/10
DESIGNER	CLARK NICHOLS MARSH
CHECKED	CLARK NICHOLS MARSH
APPROVED	CLARK NICHOLS MARSH
PROJECT NAME	PUBLIC OPEN SPACE REAR THE GRANGE BISHOP'S CLEEVE
LOCATION	STREAM DIVERSION SCHEME
CITY	TENNESSEY B.C.
CLIENT	CLARK NICHOLS MARSH
SCALE	AS SHOWN
DATE	10/23/10
PROJECT NO.	10230/10-10



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

PROJECT NO.	10230/C-01
DATE	10/20/2015
PROJECT NAME	PUBLIC OPEN SPACE REAR THE GRANGE BISHOPS CLEEVE
CLIENT	STREAM REPAIR WORKS
LOCATION	TENNESBURRY B.C.
DESIGNER	Clark Nichols Marine
DATE	10/20/2015
PROJECT	PRELIMINARY
SCALE	AS SHOWN
PROJECT NO.	10230/C-01

NOT FOR CONSTRUCTION

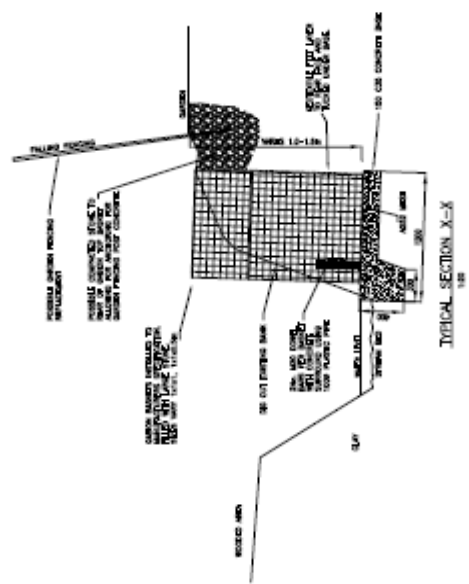
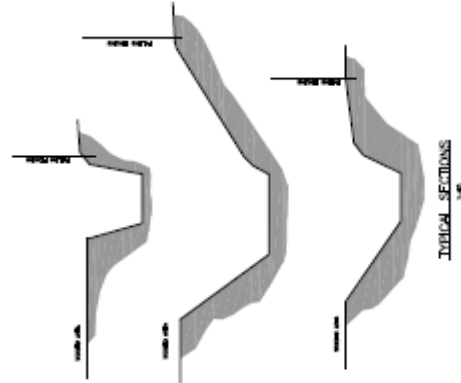
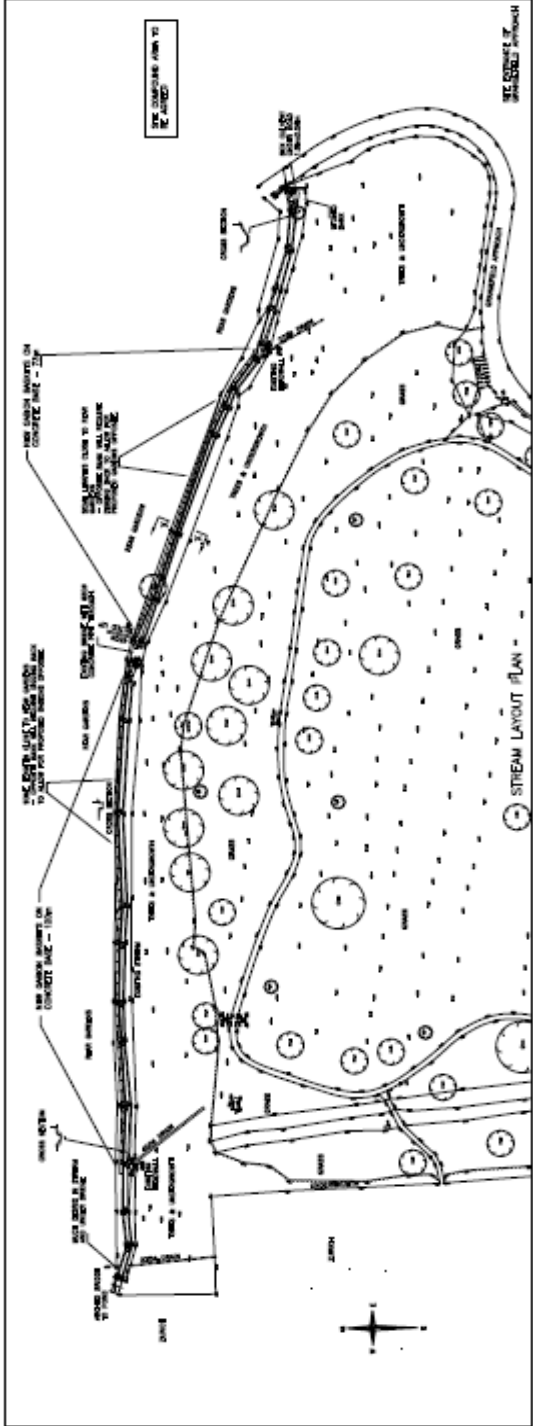


Table 5 – Forward Plan – Future Maintenance Issues

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

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

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

Table 6 – Land Adoptions/Transfers to Tewkesbury Borough Council

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

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

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

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

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



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

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

Progress reporting is divided into 3 activities:

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

1. Formulation and Governance.

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

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

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

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

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

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

2. ICG Delivery Plan

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

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

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

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

3. Funding and work undertaken so far.

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

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

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

vi) Watercourse Maintenance Programme in Tewkesbury

Aims

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

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

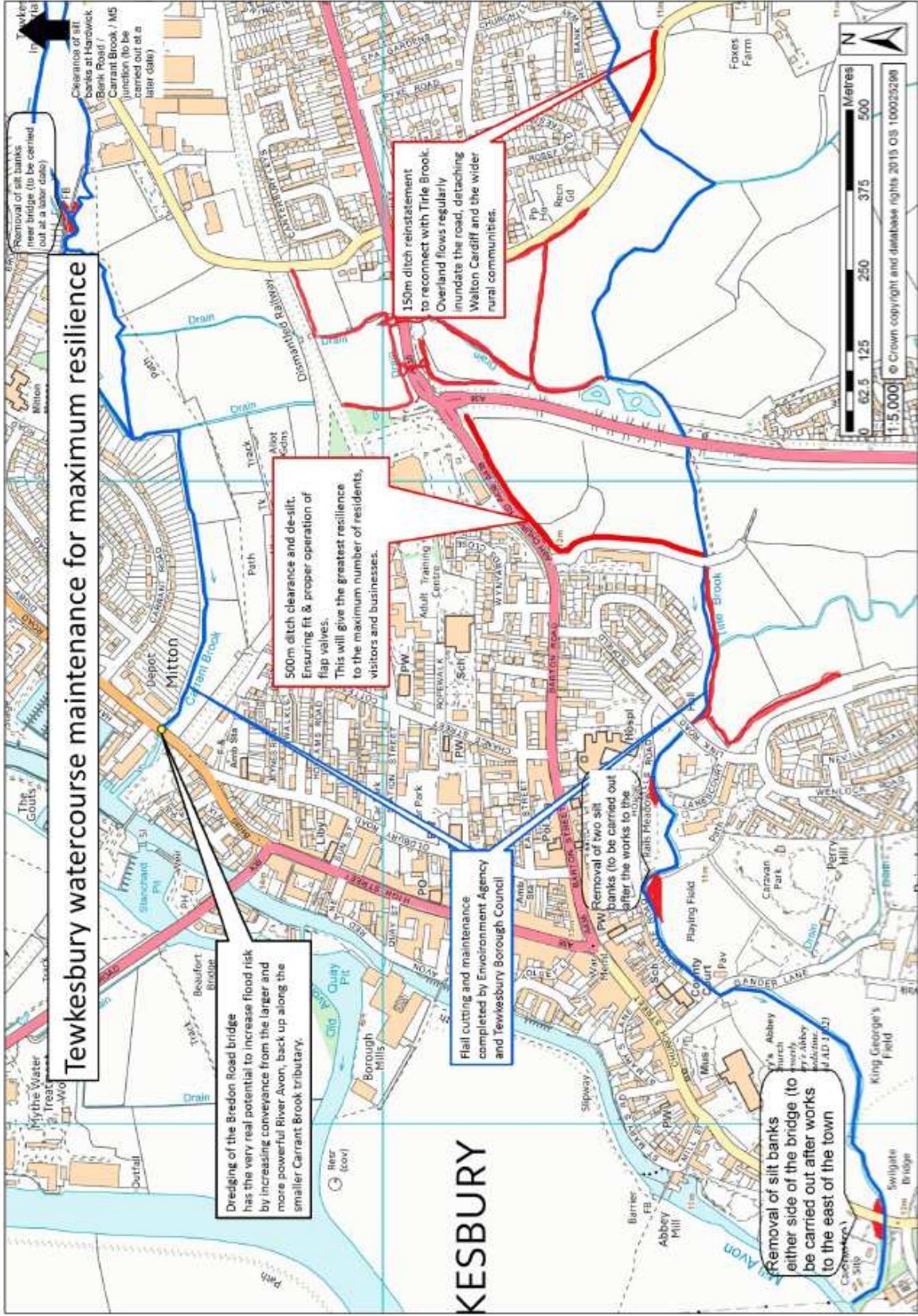
1. Clears watercourse 'pinch points' both in and serving the town.
2. Create a high profile focus to visitors and residents, of work being carried out on watercourses in highly visible areas of the town.
3. Request financial contributions from landowners.
4. Once cleared, to encourage all parties (both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

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

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

Finance

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



Flood Risk Management Group Terms of Reference

1. AIMS AND OBJECTIVES

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

2. CONSTITUTION AND POWERS

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

3. TERMS OF REFERENCE

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

4. DELEGATED POWERS

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

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	8 June 2016
Subject:	Spring Gardens & Oldbury Road Regeneration Member Reference Group - Terms of Reference
Report of:	Simon Dix , Finance and Asset Management Group Manager
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor D J Waters
Number of Appendices:	One

Executive Summary:

At the meeting of Executive Committee on 6 April 2016, Members approved the establishment of a Member Reference Group to oversee the regeneration of Spring Gardens and Oldbury Road in Tewkesbury. This approval included approval of the suggested Terms of Reference of the Group. Further discussion on the regeneration of this area was held at Council on 19 April 2016 and some amendments, including the enlargement of the Group, were suggested.

The first meeting of the Reference Group took place on 11 May 2016 and consideration was given to amending the approved Terms of Reference. The revised Terms of Reference are proposed for the Executive Committee to consider.

Recommendation:

That the Executive Committee approves the revised Terms of Reference for the Spring Gardens and Oldbury Road Regeneration Member Reference Group as contained in Appendix A to the report.

Reasons for Recommendation:

To enable the Reference Group to be expanded to include 10 Members rather than the seven as previously recommended.

Resource Implications:

None.

Legal Implications:

The Executive Committee needs to specifically approve the revisions contained within the Appendix.

Risk Management Implications:

None.

Performance Management Follow-up:

None.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

- 1.1** At the meeting of Executive Committee on 6 April 2016, Members were presented with proposals for the regeneration of the Spring Gardens and Oldbury Road areas of Tewkesbury. The proposals included the establishment of a Member Reference Group to oversee the regeneration project. The suggested Terms of Reference of that Group, which were included as an Appendix to the main report, were also approved by the Executive Committee.
- 1.2** The report also included a number of recommendations which could only be approved by Council and therefore it was considered by all Members at the meeting on 19 April 2016. During the discussion on the report, a number of recommendations to improve the Terms of Reference, and widen the breadth of Member involvement, were made. However, this element of the report had already received approval at Executive Committee and could not be amended at Council.
- 1.3** In order to consider the proposed amendments, the first meeting of the Member Reference Group took place on 11 May 2016 under the auspices of the approved Terms of Reference.

2.0 REVISED TERMS OF REFERENCE

- 2.1** The Member Reference Group has recommended a number of changes to the approved Terms of Reference and a revised set of Terms is attached to this report at Appendix A.
- 2.2** In summary, the changes being recommended are as follows:
- To increase the membership of the group from seven Members to 10 Members.
 - To include reference to 'acting as a critical friend to the project'.
- 2.3** The Executive Committee is asked to approve the revisions which will allow the next meeting of the Group in late June to take place under these Terms of Reference.

3.0 CONSULTATION

- 3.1** Amendments were originally suggested at Council. The Member Reference Group reviewed the Terms of Reference as the first agenda item of its first meeting.

4.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 4.1** None.

5.0 RELEVANT GOVERNMENT POLICIES

- 5.1** None.

6.0 RESOURCE IMPLICATIONS (Human/Property)

6.1 None.

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

7.1 None.

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

8.1 None.

9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

9.1 Tewkesbury Town Regeneration - Executive Committee – 6 April 2016.
Tewkesbury Town Regeneration - Council – 19 April 2016.

Background Papers: None

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Appendices: A – Revised Terms of Reference

**Spring Gardens & Oldbury Road Regeneration Member Reference Group
Terms of Reference**

1. AIMS AND OBJECTIVES

To receive progress updates and information pertinent to the regeneration of the Spring Gardens and Oldbury Road areas of Tewkesbury Town.

2. CONSTITUTION AND POWERS

- (i) The Group shall comprise ten Members of the Council (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, the Finance and Asset Management Group Manager, the Development Services Group Manager and the Asset Manager.
- (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

- (a) To oversee and receive updates on the works required to progress the regeneration of Spring Gardens and Oldbury Road up to the completion of the approved works.
- (b) To act as a critical friend and sounding board for issues emerging.
- (c) To ensure the needs and aspirations of Tewkesbury Borough's communities, including its Members, are adequately considered in the regeneration of Spring Gardens and Oldbury Road.
- (d) To involve and communicate with the wider elected membership of the Council.
- (e) Due to the nature of the subject, and possible sensitivity, all discussions and notes are to remain confidential.

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

Report to:	Executive Committee
Date of Meeting:	8 June 2016
Subject:	Request for Write-Off – Community Grant
Report of:	Rachel North, Deputy Chief Executive
Corporate Lead:	Rachel North, Deputy Chief Executive
Lead Member:	Councillor D J Waters
Number of Appendices:	None

Executive Summary:

In April 2010 a local community run organisation, the Prior's Park Neighbourhood Project (PPNP), was successful in being awarded a capital grant of £73,646.69 from the Borough Council to convert 101-105 Queens Road, Tewkesbury into a community centre within which to deliver a range of community facilities. The property was leased, at no cost, to PPNP by Severn Vale Housing Society (SVHS) and as such the capital grant was placed as a charge against the leasehold title to safeguard the Borough Council's financial interest into the future.

Given the fundamental changes in the financial climate around public services since 2010 SVHS has been forced to rationalise its assets and to thus terminate the lease to PPNP at the end of 2015. This was done with the involvement of the PPNP and with active support to ensure the important community facilities offered at Queens Road were retained for the local community and are now delivered from PPNP's own offices within the Prior's Park neighbourhood.

SVHS has identified new leaseholders who are keen to rent the property in Queens Road and pay full rent to further support the financial viability of the Housing Society in its service to tenants; however this cannot be confirmed until the Borough Council releases the charge which has been placed on the lease. SVHS recognises the legitimacy of its obligation to repay the grant to the Borough Council and is prepared to honour this legal requirement.

However, at the time of the capital grant award, the Borough Council's grant scheme was relatively simplistic and required any recipient to repay the whole of the grant at any time in the 21 years after receipt, or such lesser sum as the Council may require. Subsequent to this a review was completed of the process to introduce a more appropriate depreciation clause to account for the length of time after the use of the capital monies and to shorten the repayment period to 10 years, and for the repayment to be on a diminishing proportion spread over the 10 years.

This report asks Executive Committee to apply the 2 above amendments to the capital grant conditions retrospectively to this charge to enable SVHS to repay a sum of £38,715.69. Without the application of these two amendments to the conditions the total repayment would be the full £73,646.69.

Recommendation:

That Executive Committee RESOLVES:

1. to write-off a sum not exceeding £34,931, due under the legal charge by PPNP on 101-105 Queens Road Tewkesbury, conditional upon the sum of £38,715.69 being first received; and
2. subject to receipt of the sum of £38,715.69, to authorise the Borough Solicitor to release the legal charge upon 101-105 Queens Road Tewkesbury.

Reasons for Recommendation:

The application of these two rules to the repayment required amounts to write off of £34,931 and thus requires Executive Committee approval.

Resource Implications:

Any monies recouped would be a windfall receipt and be added back to the capital receipts account for further capital expenditure.

Legal Implications:

The presence of the legal charge upon the leasehold title means that the freeholder, Severn Vale Housing Society Ltd, cannot clear the lease from its freehold title without either a Court Order or the co-operation of the Council.

The original legal charge gave the Council discretion as to whether or not it reclaimed the original sum advanced under the legal charge (grant), or to accept a lesser amount. The Council has a general duty to act reasonably. The Committee may consider it reasonable to apply the current grant terms of repayment on a diminishing sliding scale over a 10 year period rather than demand the repayment of the original full sum advanced.

Risk Management Implications:

None.

Performance Management Follow-up:

None.

Environmental Implications:

None.

1.0 INTRODUCTION

- 1.1 On 23 April 2010, the Borough Council's Capital Grant programme awarded a grant of £106,356 to the Prior's Park Neighbourhood Project (PPNP) for works to 101-105 Queens Road in Tewkesbury. These works included conversion of an existing retail unit into a space suitable for community use.

1.2 Clear objectives were placed by the Borough Council on the award of the grant, and these were as follows;

The provision of, at a reasonable or no cost:

1. Community and family based information facilities available to a wide cross-section of the community.
2. Accommodation for training programmes for 16-25 year olds, skills for work courses for disadvantaged groups.
3. Facilities for meetings of a Residents' Panel.
4. Facilities for children's clubs and groups.

1.3 Only £73,646.69 of the award was utilised by the local Project to carry out the necessary alterations to the building and the 4 key outcomes were delivered to support enhanced community facilities in the neighbourhood.

1.4 As the property in question was only leased by PPNP the Borough Council, in accordance with its capital grant procedures, placed a charge for the full amount of the grant onto the lease. The Council's co-operation is required in order for Severn Vale Housing Society to be able to clear the record of the lease and the charge from the Society's freehold title.

1.5 Capital/Community Grant Conditions

1.5.1 From 2010 until 2015 a number of community focused activities were run by PPNP from the Queens Road property including;

- The Optimists: Over 55's club.
- Edible Garden and Allotments Project.
- The Play on the Park After School and Breakfast Club.
- Health Trainer.
- CAB sessions.

These activities met the Borough Council's strategic objectives set against the grant award to provide accommodation for youth training and skills development, information and support to local families and community space for resident groups and young people.

1.5.2 In 2011 the Borough Council carried out a review of the conditions applied under the community grants scheme and introduced a number of changes to the process of clawing back allocated grants.

Prior to 2011 the capital grant conditions did not allow for any tapering of the clawback over time and calculated the repayment in full of any grant for the whole 21 years subsequent to an award. Members clearly determined that these conditions were unreasonable and amended them to better account for the true cost of the works and the extent of community benefit.

In 2015 Members also agreed to reduce the term over which repayment is required and reduced the overall period from 21 to 10 years.

1.6 101-105 Queens Road

1.6.1 Work utilising the capital grant took place at these premises in 2010 and the following improvements were made to the property:

- Electrical installation.
- Painting/decorating.
- New windows and other structural improvements.
- Furniture and fittings.
- Toilet and kitchen refurbishment.
- Office equipment.

1.6.2 The grant was subject to a charge on the property which we could claw back if the property was sold/lease relinquished within 21 years.

2.0 CONCLUSION

2.1 The award of £73,646.69 for capital grant in 2010 to the PPNP has been effectively utilised to provide much needed community space to support local activities which have benefitted the lives of people living at Prior's Park in Tewkesbury. Five years after the award unforeseen circumstances have meant the property has been returned to the owner and other local community space used to maintain the effective community based work. As such a proportion of the original grant is due to be repaid to the Borough Council but, given the subsequent review of grant conditions, it is recommended that depreciation and the new length of repayment amendments are applied to this debt.

3.0 OTHER OPTIONS CONSIDERED

3.1 If we applied the 2011 amendments with regards to the sliding scale but not the reduction in term of 21 years we would be owed £61,444 and if we requested the whole amount it would be £73,646.69 or £85,547 with inflation.

3.2 Not applying the grant condition amendments, and requesting the whole amount, could legally be justified however the Borough Council has clearly recognised the need to amend the grant conditions for all new grants and, given the length of community benefits delivered over the last five years, it appears reasonable to adjust the amount due in light of subsequent changes.

4.0 CONSULTATION

4.1 As detailed.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 None.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 None.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 None.

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

8.1 None.

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

9.1 None.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

Background Papers: Community Grants – Executive Committee 2 September 2015.

Prior's Park Neighbourhood Project Community Facilities – Executive Committee 8 July 2009.

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Appendices: None.

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	8 June 2016
Subject:	Redundancy and Redeployment Policy
Report of:	Graeme Simpson, Corporate Services Group Manager
Chief Officer:	Mike Dawson, Chief Executive
Lead Member:	Councillor Mrs E J MacTiernan
Number of Appendices:	Four

Executive Summary:

Local authorities have discretion to make certain payments over and above the statutory redundancy payment scheme. In the light of the current economic climate and the budget, the discretionary elements of the Council's Redundancy and Redeployment Scheme have been reviewed.

The Council currently pays an enhanced redundancy payment to employees who are dismissed by reason of redundancy. The calculation of a redundancy payment is calculated on actual weekly pay. The statutory redundancy table is used to calculate the redundancy payment, based on age and length of service, and a multiplier of 2.2 is applied. This provides for a maximum of 66 weeks pay. It is proposed to remove the multiplier to provide for a maximum of 30 weeks' pay.

The current policy was formulated and adopted to ensure fairness and consistency in the treatment of employees, regardless of age, whilst at the same time facilitating the changes required by the authority. The benefit to the Council is that it facilitates a reduction in staff where needed and the enhanced redundancy payment was deemed, at that time, an acceptable compensation for loss of office to staff.

Recommendation:

The Committee is asked to agree:

- 1. That a redundancy payment continues to be calculated on an Employee's actual weekly pay.**
- 2. That the multiplier is reduced from 2.2 to 1.**
- 3. The amendments to the Redundancy and Redeployment Policy.**

Reasons for Recommendation:

The financial implications of continuing with the current multiplier of 2.2 cannot be justified in the economic climate of austerity and the financial pressures on this authority.

Resource Implications:

The resource implications are contained with the body of the report.

Legal Implications:

The current Redundancy Scheme is deemed to be discretionary and not contractual; therefore the Council is able to make changes to the Policy without seeking the Unions agreement.

It is however recommended that consultation should be undertaken with the Unions in order to protect the Council's position

An Equality Impact Assessment should be undertaken to ensure that the Council follows a transparent process with regard to the changes to the Redundancy Policy.

Risk Management Implications:

The costs of redundancy can be significant, particularly, when there are strain costs (the cost to the Council of someone having their pension released early) to the Local Government Pension Scheme. The risk is that, unless the method in which a redundancy payment is calculated is changed, efficiencies may not be achieved as they could be unaffordable.

Performance Management Follow-up:

The policy will be reviewed in two years time.

Environmental Implications:

None arising from this report.

1.0 INTRODUCTION/BACKGROUND

- 1.1** Redundancy is one of the fair reasons for dismissal and is covered by statutory employment legislation, the Employment Rights Act 1996 (ERA 1996). In the event of a redundancy situation, the authority is expected to operate within a well-defined procedural framework, as well as following specific legal provisions, which underpin good practice. The purpose of a redundancy payment is to compensate the employee for loss of employment and to assist them until they find alternative work.
- 1.2** The policy is designed to provide that the procedural framework, complies with employment law, and follows the specific regulations for Local Government employees concerning the payment of severance compensation, as well as guidance and recommendations produced by the Employers Organisation. The policy aims to maintain motivation and good employee relations, without the Council over committing to ongoing costs. The policy was last reviewed in March 2011 in a different economic and financial context.
- 1.3** The regulations that govern what local authorities can pay to redundant staff are the Local Government (Discretionary Payments) Regulations, which were initially introduced as the 1996 regulations, but were amended in 2000 and 2006. Payments regarding additional pension benefits are governed by the Local Government Pension Scheme Regulations 2014.
- 1.4** The Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999 (as amended) makes it mandatory for authorities to count continuous service in local government (and with other specified bodies) when calculating redundancy payments, up to a maximum of 20 years.

1.5 The Equality Act 2010 (and in particular the Age Discrimination element which predates this and was introduced in 2006) also impacts upon how local authorities award discretionary payments. There is, however, discretion under the Equality Act (Age Exceptions for Pension Schemes) Order 2010 to award more to older employees as long as it is done in a particular way, i.e. based on statutory redundancy payments table.

1.6 The Employment Rights Act 1996, section 162 sets out how a redundancy payment is calculated: The amount is calculated as follows–

- Up to the age of 21 - 0.5 week's pay for each completed year of service.
- 22 - 40 years of age - 1 week's pay for each completed year of service.
- 41+ years of age - 1.5 weeks' pay for each completed year of service.

The maximum number of years of employment that can be taken into account is 20. The maximum week's pay that can be taken into account is £479 (from 6 April 2016). This figure increases in line with the Retail Prices Index (RPI) under the automatic indexation provisions of the Employment Relations Act 1999.

1.7 The Council's current policy is to pay:

- A redundancy payment calculated on an Employee's actual weekly pay.
- Using the statutory redundancy table, the redundancy payment is factored up by a multiplier of 2.2, providing for a maximum calculation of up to 66 weeks' pay.
- The authority does not award additional pension.

2.0 DISCRETIONARY ELEMENTS RELATING TO REDUNDANCY COMPENSATION

2.1 REDUNDANCY COMPENSATION

2.1.1 Certain elements contained within the policy, relating to redundancy compensation are discretionary, and are within local authority's powers to agree, under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. These are:

- Payment of an enhanced severance payment of up to 104 weeks pay.
- A redundancy payment based on an employee's actual weekly pay rather than the statutory maximum amount of £479 per week.

3.0 DISCRETIONARY ELEMENTS RELATING TO THE LOCAL GOVERNMENT PENSION SCHEME REGULATIONS 2014 -

3.1 THE AWARD OF ADDITIONAL PENSION (REGULATION 31)

3.1.1 The discretionary power for an authority to award Compensatory Added Years no longer exists. This has been replaced by the ability to award additional pension (Regulation 31) to an active member, or to a member who is dismissed by reason of redundancy, or business efficiency. The additional pension limit is £6,500 (value of limit as at 1 April 2014). If this provision was only made available to staff aged 55 and over in the case of redundancy, this could be seen as age discriminatory.

The Council's pension's policy is not to apply the discretion to award additional pension because of the significant costs that could be incurred, and for the potential for a claim of age discrimination. No other Gloucestershire Authority awards additional pension.

4.0 FACTORS TO BE CONSIDERED - THE COST OF REDUNDANCY

4.1 The most obvious cost is the redundancy payment itself and the early retirement costs (strain on the fund costs) in respect of employees who qualify for an immediate pension.

4.2 Where an individual leaves on the grounds of redundancy at or after the age of 55 they will have an automatic entitlement to their pension benefits without any reduction to their pension. The Council is required to meet all the strain costs to the Local Government Pension Scheme, and this cost has to be paid as a lump sum up front. The retirement cost to the pension scheme can be significant, and even more so when added to the cost of the redundancy payment.

5.0 CONSIDERATION OF ALTERNATIVES

5.1 The alternatives are to consider whether to continue calculating the redundancy payment on an actual week's pay and using a multiplier to enhance the redundancy payment.

6.0 THE CALCULATION OF A WEEK'S PAY IN GLOUCESTERSHIRE

6.1 As stated above, the authority has the power to calculate redundancy payments based on an actual week's pay, rather than on the statutory ceiling. It has been the authority's policy to calculate redundancy payments on actual week's pay. The situation in the other Gloucestershire Councils is shown below:

Gloucestershire County Council	*Actual pay
Stroud District Council	Actual pay capped at the statutory ceiling of £479
Cheltenham Borough Council	Actual pay
Gloucester City Council	Actual pay
Forest of Dean District Council	Actual pay
Cotswold District Council	**Actual pay
Tewkesbury Borough Council	Actual pay

* Gloucestershire County Council cap employees on fixed term contracts at the statutory level.

**Cotswold District Council has agreed that if an employee earns below the top of their grade scale 5 (currently £22,770 per annum), the top of grade 5 is used for the calculation of a week's pay.

7.0 THE PAYMENT OF ENHANCED REDUNDANCY PAYMENTS IN GLOUCESTERSHIRE

7.1 The authority currently awards an enhanced redundancy payment, which includes the statutory redundancy payment element multiplied by a factor of 2.2. This provides for a maximum calculation of up to 66 weeks depending upon age and length of service. The policy in the other Gloucestershire authorities is set out below:

Gloucestershire County Council	1.75
Stroud District Council	1
Cheltenham Borough Council	1
Gloucester City Council	2
Forest of Dean District Council	2
Cotswold District Council	1
Tewkesbury Borough Council	2.2

8.0 OTHER OPTIONS CONSIDERED

8.1 The options considered were to continue calculating the redundancy payment on actual week's pay, using a multiplier to enhance the redundancy payment, and capping the redundancy payment. The calculation of a redundancy payment based on the statutory amount of £479 was considered. The payment of a redundancy payment is deemed to be compensation for loss of employment. The statutory redundancy table enables the Council to pay more to an older employee, as compensation for loss of employment, as they are less likely to be able to find another job as easily as a younger person. The older employee is usually in a managerial or professional or specialist post and the opportunities for future employment at a similar level may be limited. In terms of fairness it was deemed appropriate to continue using an actual week's pay, rather than the statutory amount of £479. It was felt that skills and experience should be recognised and this can be reflected by using the employees actual week's pay. The option to continue using a multiplier was considered. The situation amongst the Gloucestershire authorities is varied. It is deemed appropriate for the authority to propose to change the multiplier from 2.2 to 1, providing the actual week's pay is used as the basis of the redundancy payment. On this basis a reasonable redundancy payment can still be paid as compensation to an employee for loss of employment. The capping of the redundancy payment was considered. In order to cap the redundancy payment, the statutory amount of £479 would need to form the basis of the calculation, using the statutory redundancy tables. The statutory amount could have a multiplier attached to it to enhance the week's pay used for the calculation of the redundancy payment. It was deemed that this would not be fair to an older employee because the week's pay would be the same for everyone, and this would also be a completely different method for calculating a redundancy payment amongst the Gloucestershire authorities.

9.0 CONSULTATION

- 9.1** The trade unions have been consulted. The GMB trade union would like to see a phased approach to the reduction in the enhanced severance payment. It has suggested that in year 2016 -2017 it is reduced to 1.75, in year 2017-2018 it is reduced to 1.50, and in year 2018-2019 it is reduced to 1.25. The GMB is aware that this does not match the proposed reduction; however, as this is only paid to people at a time when they have been unfortunate enough to lose their employment, every penny will count.

10.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 10.1** Redundancy and Redeployment Policy.
Allocations Procedure.
The Council's statement of Pension Policy.

11.0 RELEVANT GOVERNMENT POLICIES

- 11.1** The Employment Rights Act 1996 (ERA 1996). The Redundancy Payments (Continuity of Employment in Local Government) (Modification) Order 1999 (as amended). The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. The Local Government Pension Scheme Regulations 2014 and the Equality Act 2010.

12.0 RESOURCE IMPLICATIONS (Human/Property)

- 12.1** These are contained within the Redundancy and Redeployment Policy.

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

- 13.1** None.

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

- 14.1** An Equality Impact Assessment has been carried out on this policy. All staff will be treated with dignity and respect and care will be taken to ensure that any policies or decisions do not involve any form of discrimination on any ground.

15.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

- 15.1** Executive Committee 2 March 2011 – Approval of the current Redundancy and Redeployment Policy.

Background Papers: None.

Contact Officer: Janet Martin, Human Resources Manager /Claire Jefferies, Human Resources. Email: humanresources@tewkesbury.gov.uk

Appendices:

- 1 – Redundancy and Redeployment Policy with amendments highlighted.
- 2 – Equality Impact Assessment.
- 3 – Statutory Redundancy Payments Table.
- 4 – Statutory Redundancy Payments Table factored up by 2.2.

1. POLICY STATEMENT

- 1.1 Tewkesbury Borough Council (“the council”) is committed to the principle of avoiding compulsory redundancies if at all possible. However, it is recognised that there may be changes in organisational requirements and other internal and external conditions, which require a reduction in the overall number of staff, which result in some employees being made redundant.
- 1.2 It is agreed by the council that:
- 1) the efficiency of the council shall be maintained and enhanced in order to safeguard the current and future employment of the council’s employees, and
 - 2) The council will at all time use its best endeavours to avoid or minimise compulsory redundancies and their effects.
- 1.3 Under current legislation employees can be dismissed as redundant if the dismissal is attributed wholly or mainly to:
- 1) The fact that their employer has ceased, or intends to cease, to carry on the business for the purposes for which the employees were employed, or has ceased, or intends to cease, to carry on that business in the place where the employees were so employed or
 - 2) The fact that the requirements of that business for employees to carry out work of a particular kind, or for employees to carry out work of a particular kind in the place where they were so employed, has ceased or diminished, or are expected to cease or diminish (*Section 139 (1) ERA1996*).
- 1.4 In order to be entitled to a Redundancy payment an employee would have to have 2 years continuous service.
- 1.5 Redundancy is one of the potentially fair reasons for dismissal and may also occur where it is proposed :
- 1) to reorganise the council, a unit, section or post involving significant changes / reductions in the nature of work, location or hours.
 - 2) to allow a fixed term contract to expire without renewal.
- 1.6 This policy is a discretionary policy setting out the council’s approach to dealing with potential redundancies. It does not form part of an employees’ contractual terms and conditions of employment.

2. MEASURES TO MINIMISE REDUNDANCY

- 2.1 The Corporate Leadership Team will identify the possibility of redundancies as early as possible. This will allow the fullest possible investigation of the various alternatives to redundancy and will provide more time for the employee(s) at risk to find other employment.
- 2.2 Consideration will be given specifically to the following alternatives which may help to avoid or limit redundancies:
- reducing staff by natural wastage
 - restricting recruitment
 - retraining and redeployment
 - reviewing and reduction in overtime

- restricting temporary / short term and casual contracts
- early retirement of staff where appropriate
- restricting the use of external consultants and agencies
- seeking voluntary redundancies

3. SELECTION CRITERIA

- 3.1 Where the council identifies the need to reduce staff levels below that which can be achieved by the measures taken in section 2, or where these measures will not be effective for the categories of staff at risk, staff will need to be selected for compulsory redundancy.
- 3.2 Where there are several employees in similar posts, and only some of them are to be made redundant, those to be dismissed shall be selected on the basis of fair and reasonable criteria, ensuring that staff are not discriminated against on the grounds of age, sex, race, disability, gender reassignment, marital status, religion or belief, sexual orientation, pregnancy and maternity or part-time status.
- 3.3 The selection criteria will, in the first instance examine the breadth and range of an employees skills and experience. This will help retain a balanced workforce across the council. The selection methods and criteria are set out in the councils Allocation and Selection to posts policy.
- 3.4 Further selection criteria may include consideration of the following:
- job performance
 - length of service
 - attendance record
 - conduct
- 3.5 Specific selection methods and criteria will be decided on, agreed and applied as part of the consultation process in the event of a redundancy situation in consultation with the Unions.
- 3.6 Voluntary redundancies will always be considered by the authority. However, the possible current and future contribution of volunteers and the needs of the council will also be taken into account. The council therefore reserves the right not to accept a volunteer's request for redundancy, if to do so would mean the loss of valued and necessary skills and experience.

4. REDUNDANCY CONSULTATION

- 4.1 Appropriate consultation will take place with UNISON and GMB Trade Union representatives in respect of any redundancy proposals. Individual employees will also be consulted in respect of their own particular circumstances. Trade Union representatives and individuals will be given as much warning as possible, before decisions concerning redundancies are finally made and before any action to terminate employment is taken. In addition, consultation will take place not just with those directly facing redundancy but those facing changes as a result of the proposed redundancies.
- 4.2 Consultation should begin in good time and must begin:

- 4.2.1 at least 30 days before the first dismissal takes effect if 20 to 99 employees are to be made redundant at one establishment over a period of 90 days or less
- 4.2.2 at least 45 days before the first dismissal takes effect if 100 or more employees are to be made redundant at one establishment over a period of 90 days or less.
- 4.2.3 If more than 100 employees are to be made redundant, then the Department for Business, Innovation and Skills must be notified on the prescribed form HR1.
- 4.3 During the consultation period Trade Union representatives and the employees affected will be given full details of the proposed redundancies. The information given will include the reasons for the proposals and the numbers and description of employees whom it is proposed to dismiss as redundant. The Chief Executive or person authorised by him/her will arrange to meet with employees and their representatives, together with a representative from Human Resources, advising of the following:
- reasons for redundancy
 - possible timescales
 - possibilities of alternative employment
 - the proposed method of calculating any redundancy payments
- 4.4 Comments will be invited on:
- the need to make redundancies
 - ways to reduce the number of people to be made redundant
 - the selection process
 - ways of mitigating the effects of the redundancy
 - any opportunities for redeployment
 - facilities for seeking other work
- 4.5 The council will listen and give full consideration to any comments or views expressed by employees, or their representatives.

5. INDIVIDUAL INTERVIEWS

- 5.1 An individual interview will be held with an employee “at risk” to discuss the redundancy situation in terms of:
- employee aspirations
 - opportunities for redeployment
 - statutory entitlements (time off, trial and notice periods)
 - estimated entitlements to redundancy benefits
 - queries that may arise relating to work or domestic situation
- Individuals will be given the opportunity to have more than one redundancy support interview.
- 5.2 The interviews will be carried out by the Chief Executive or an officer authorised by him/her. A representative from the Human Resources Section will be present where appropriate. Employees may be accompanied by a trade union representative or work colleague at this meeting.
- 5.3 Once those employees selected for redundancy have been selected, using the agreed criteria, they will be served formal notice at a meeting with the Chief

Executive or the authorised officer together with a representative from Human Resources. The formal notice will state:

- redundancy calculations
- notice period
- final payments
- that consultation will continue during the notice period
- details of the additional support set out in paragraph 11

5.4 The Human Resources section will provide details of existing vacancies within the council.

6. RIGHT OF APPEAL

6.1 After the notice of dismissal has been issued, there is a right of appeal to the Employee Appeals Committee in respect of selection for redundancy and the way in which the procedures have been implemented. Appeals should be lodged in writing, stating the full grounds of the appeal within 10 working days of the notification of dismissal. The appeal will be heard within 15 working days or as soon as practicable after receiving the appeal. Individuals have the right to be accompanied by their Trade Union representative, or a work colleague. The employee will have an opportunity to make an oral representation to the Employees Appeal Committee meeting before a final decision is made.

7. If the employee is unable to attend the Appeal Hearing, a written representation made be made by the employee setting out his/her case. This should be presented at least 1 day before the Appeal Hearing.**REDEPLOYMENT & PROTECTION ARRANGEMENTS**

7.1 All employees who have been given notice of redundancy will be given prior consideration for redeployment to any internal vacancies occurring, during the period of notice.

7.2 Where suitable alternative employment within the council is identified, an offer of redeployment will be made as soon as possible.

7.3 Any employee so redeployed will be given a four week trial period in their new post. If during this trial period the new post proves not to be suitable the employee will still be entitled to a redundancy payment. The trial period would normally start at the end of the notice period.

7.4 Employees in a redundancy situation have a statutory entitlement to reasonable time off with pay to seek alternative employment. Employees wishing to take advantage of this right should make the appropriate arrangements with their line manager.

7.5 When redeployed to a lower graded post, an employee will be protected on their existing salary scale and continue to receive annual pay increases and incremental progression, if appropriate, for 12 months from the date of redeployment.

7.6 An employee will be paid at the top of the grade of the lower grade post when redeployed.

- 7.7 At the end of this period the protection will cease and the employee will then be paid a salary in accordance with the grading of the post to which they have then been redeployed.
- 7.8 Where an employee transfers from an essential car user post to a casual user, the lump sum will continue to be paid monthly until the next 31st March.

8. NOTICE PERIODS

- 8.1 Employees are entitled to formal redundancy notice as set out in *s86 of the ERA 1996*, as shown in the chart below, unless the contract of employment provides for a greater period.

Length of continuous service	Notice required
One month – two years	One week
Two – three years	Two weeks
Each additional year	One additional week
Twelve years plus	Twelve weeks

- 8.2 Employees under notice of dismissal may wish to leave the council before the expiry of their notice period. They are still deemed to be dismissed due to redundancy, but the date of termination will be the date of their counter notice
- 8.3 Depending on the circumstances, the council may waive its right to insist on staff working their notice and instead the employee would be placed on garden leave until the expiry of their notice.

9. REDUNDANCY PAYMENTS

- 9.1 An employee with two years' continuous service who is dismissed by reason of redundancy is entitled to compensation by way of a statutory redundancy payment.
- 9.2 Redundancy calculations are based upon an employee's actual week's salary i.e. without the statutory ceiling, based upon the number of weeks as defined in the Employment Relations Act 1996. This provides for a maximum calculation of up to 30 weeks depending upon age and length of service.
- 9.3 Length of service will be based on the aggregate of all continuous service with local authorities and other specified bodies scheduled in the Redundancy Payments (Continuity of Employment in Local Government, etc) (Modification) Order, 1999. Specific advice is available from the Human Resources section.
- 9.4 To calculate the number of weeks pay due, you should use the following amounts:
- 0.5 week's pay for each full year of service where age during year less than 22
 - 1.0 week's pay for each full year of service where age during year is 22 or above, but less than 41
 - 1.5 weeks' pay for each full year of service where age during year is 41+

Some examples are given below:

Example 1 - if you are 25 with 7 years service, you will be entitled to 5 weeks' redundancy pay. The 5 weeks entitlement is based on 0.5 weeks' pay for each completed year of service between age 18 and 22 and 1 week's pay for each completed year of service between age 22 and 25. (The middle band of 1 weeks' pay only applies where an employee, who is entitled to a redundancy payment, has completed a year service at age 22 or above).

Example 2 - if you are 38 years old and have 12 years of service, you will be entitled to 12 weeks' redundancy pay. The 12 weeks is based on 1 week's pay for each completed year of service between age 26 and 38.

Example 3 – if you are 49 years old and have 15 years of service, you will be entitled to 19 weeks redundancy pay. The 19 weeks' entitlement is based on 1 week's pay for each completed year of service between age 34 and 41 and 1.5 weeks' pay for each completed year of service between age 41 and 49. This would be enhanced by 1.5 to 28.5 weeks pay.

10. EARLIEST RETIREMENT AGE ON THE GROUNDS OF REDUNDANCY

- 10.1 Employees dismissed on the grounds of redundancy that are aged 55 years and over at the date of dismissal and who have completed two or more years of pensionable service are entitled to the immediate payment of their pension benefits.
- 10.2 There is no discretionary power for the authority to award additional pension.

11. Additional Support

- 11.1 When an employee is notified of that he/she is under notice of Redundancy they will be entitled to access:
- (i) advice on preparing a CV
 - (ii) guidance on preparing for interviews
 - (iii) IT skills training
 - (iv) reasonable time off to attend interviews
 - (v) advice on pension and options available
- 11.2 A letter will be sent to the employee with the notice of redundancy and a member of the Human Resources team will direct the employee where to obtain the help and advice as set out under 11.1.

12. The Policy complies with the ACAS Code of Practice

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.

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; The Race Relations Amendment Act, The Disability Discrimination Act and the amended Sex Discrimination Act all require local authorities to assess the impact of their functions, policies, practices and services, or the likely impact of any that are proposed, on equality.

However, 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.

Background

Name of service / policy and date	Redundancy and Redeployment Policy
Lead officer	Janet Martin
Other people involved in completing this form	Donna Marks

Step 1 - About the service / policy

<p>What is the aim of the service / policy and what outcomes is it contributing to</p>	<p>Tewkesbury Borough Council is committed to the principle of avoiding compulsory redundancies if at all possible. However, it is recognised that there may be changes in organisational requirements and other internal and external conditions, which require a reduction in the overall number of staff, which result in some employees being redundant.</p> <p>The efficiency of the council shall be maintained and enhanced in order to safeguard the current and future employment of its employees, and the council will at all time use its best endeavours to avoid or minimise compulsory redundancies and their effects.</p>
<p>Who are the primary customers of the service / policy and how do they / will they benefit</p>	<p>All staff including the Chief Executive and Chief Officers will be affected by this policy. All staff are treated the same and no-one is treated differently because of their position in the organisation. This policy is a discretionary policy; it is not contractual, setting out the council's approach to dealing with potential redundancies. It does not form part of an employees' contractual terms and conditions of employment.</p>
<p>How and where is the service / policy implemented</p>	<p>Redundancy is one of the potentially fair reasons for dismissal and may also occur where it is proposed :</p> <ol style="list-style-type: none"> 1) to reorganise the council, a unit, section or post involving significant changes / reductions in the nature of work, location or hours. 2) to allow a fixed term contract to expire without renewal.
<p>What potential barriers might already exist to achieving these outcomes</p>	<p>Written policies and procedures could be difficult for employees with low levels of literacy to understand. The redundancy payment is compensation for loss of employment and to assist an employee whilst they find alternative employment. The redundancy payment needs to be a reasonable amount in order to assist the council in making significant changes or reductions in the nature of work, location or hours, without making the changes unaffordable or causing financial hardship to staff that are made redundant.</p>

59

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

60

<p>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</p>	<p>The redundancy payment is currently enhanced by a multiplier of 2.2 and it is recommended that it is reduced to 1. The purpose of a redundancy payment is to compensate the employee for loss of employment and to assist them until they find alternative work. To reduce the multiplier significantly, or to remove it altogether and use the statutory maximum weekly pay of £479, could where applicable, affect the number of staff coming forward for voluntary redundancy, and significantly affect the morale of staff who are potentially at risk of redundancy.</p>
<p>What does it tell you about who use your service / policy and those that don't?</p>	<p>The policy has to be fair to all members of staff. The statutory tables recognise that older employees will most likely find it more difficult to find alternative employment, and they do allow for an older employee to receive a larger redundancy payment than a younger employee. Therefore, any changes to the calculation of a redundancy payment should always have at the basis of the calculation, the statutory redundancy tables. Otherwise the council could be in breach of the Equality Act 2010, through age discrimination. There is flexibility to factor up the redundancy tables or factor up the statutory weekly payment of £479, if the actual weekly pay is not used. Examples are shown below.</p>

Job Title	Age	Salary	Weekly Pay	Max Grade	Years Service	Stat Scheme	Multiplier 2.2	Multiplier 1.5	Multiplier 1	2.2 - 1.5	2.2 - 1	£479 x 1.5 = 718.5
Group Manager Operational	60	49490	949.12	SM8	20+	14130.50	61692.84	42235.87	28473.62	19456.97	33219.22	21195.75
Manager	50	42474	814.57	1	20+	11735.50	43986.65	30139.00	19956.91	13847.65	24029.75	17603.25
Supervisor	40	33106	634.91	G	15	7185.00	20951.96	14285.43	9523.62	6666.53	11428.34	10777.50
Employee	30	29033	556.80	E	10	4311.00	11135.91	7795.14	5011.16	3340.77	6124.75	6466.50

<p>What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?</p>	<p>The trade unions would favour the multiplier to be reduced in stages.</p>
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If not, who do you have plans to consult with about the service / policy?	This policy will be consulted upon prior to its implementation with the trade unions.
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Step 3 - Assessing Impact

How does your service / policy impact on different groups in the community? The groups in bullets are current priority groups identified by the CSP.

61

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 <ul style="list-style-type: none"> Bangladeshi women Economic migrants Chinese community BME young people 				No impact on any of these groups.
Gender and trans-gender <ul style="list-style-type: none"> Women who are not in work Trans-gender people 				No impact on this group. Women who are not in work are not in group are not within the scope of this policy.
Age <ul style="list-style-type: none"> Older people experiencing isolation and poverty Vulnerable children and young people 				The policy does not apply to older people experiencing isolation and poverty and vulnerable children. However, it does apply to older employees in the council.
Disability <ul style="list-style-type: none"> People experiencing mental ill-health People with physical disabilities Children and young people with learning difficulties and/or disabilities 				No impact on this group.

Religion or belief • Muslim community				No impact on this group.
Sexual orientation • Lesbian women • Gay men • Bi-sexual people				No impact on this group.
Other socially excluded groups or communities • People on low incomes • People with poor literacy skills • Gypsies and Travellers		Any written policy or procedure has the potential to disadvantage employees with poor literacy skills. The Redundancy policy is written in a way which can be difficult for employees with poor levels of literacy to understand fully.	Have an understanding of your employees in this group and their levels of literacy. An overview of the Redundancy policy would be verbally communicated to employees at risk of redundancy. At least two one to one meetings would be held with them and their trade union representative or work colleague.	

62

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?	All written policies and procedures could potentially discriminate against employees with poor levels of literacy. This policy could lead to a claim of age discrimination if the statutory redundancy tables are not used as the basis of the calculation, either with or without a multiplier. For example, if redundancy payments were capped at a certain level.
If yes, what can be done to improve this?	An HR Officer will have a one to one meeting with the employee to explain the policy to those at risk of redundancy, they can be accompanied by their Trade Union representative or a colleague. Ensure that the payment of a redundancy payment complies with the Equality Act 2010 and the ACAS code of practice.

<p>Are there any other ways in which the service can help support priority communities in Tewkesbury?</p>	
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Step 5 – taking things forward

<p>What are the key actions to be carried out and how will they be resourced and monitored?</p>	<p>The policy will be kept under review.</p>
<p>Who will play a role in the decision-making process?</p>	<p>Corporate Leadership Team, Human Resources, Trade Unions.</p>
<p>What are your learning and development needs?</p>	<p>Improved literacy skills</p>
<p>How will you capture these actions in your service planning?</p>	<p>Continue “Skills for Life” Training where applicable.</p>

63

Completed Service (Years)		2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
Age																					
18*[1]	1																				
19	1	1½																			
20	1	1½	2																		
21	1	1½	2	2½																	
22	1	1½	2	2½	3																
23	1½	2	2½	3	3½	4															
24	2	2½	3	3½	4	4½	5														
25	2	3	3½	4	4½	5	5½	6													
26	2	3	4	4½	5	5½	6	6½	7												
27	2	3	4	5	5½	6	6½	7	7½	8											
28	2	3	4	5	6	6½	7	7½	8	8½	9										
29	2	3	4	5	6	7	7½	8	8½	9	9½	10									
30	2	3	4	5	6	7	8	8½	9	9½	10	10½	11								
31	2	3	4	5	6	7	8	9	9½	10	10½	11	11½	12							
32	2	3	4	5	6	7	8	9	10	10½	11	11½	12	12½	13						
33	2	3	4	5	6	7	8	9	10	11	11½	12	12½	13	13½	14					
34	2	3	4	5	6	7	8	9	10	11	12	12½	13	13½	14	14½	15				
35	2	3	4	5	6	7	8	9	10	11	12	13	13½	14	14½	15	15½	16			
36	2	3	4	5	6	7	8	9	10	11	12	13	14	14½	15	15½	16	16½	17		
37	2	3	4	5	6	7	8	9	10	11	12	13	14	15	15½	16	16½	17	17½	18	
38	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	16½	17	17½	18		
39	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	17½	18	18½	19	
40	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	18½	19		
41	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	19½		
42	2½	3½	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½		
43	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21		
44	3	4½	5½	6½	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½		
45	3	4½	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		
46	3	4½	6	7½	8½	9½	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23	
47	3	4½	6	7½	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
48	3	4½	6	7½	9	10½	11½	12½	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24	
49	3	4½	6	7½	9	10½	12	13	14	15	16	17	18	19	20	21	22	23	24		
50	3	4½	6	7½	9	10½	12	13½	14½	15½	16½	17½	18½	19½	20½	21½	22½	23½	24½	25	
51	3	4½	6	7½	9	10½	12	13½	15	16	17	18	19	20	21	22	23	24	25		
52	3	4½	6	7½	9	10½	12	13½	15	16½	17½	18½	19½	20½	21½	22½	23½	24½	25½	26	
53	3	4½	6	7½	9	10½	12	13½	15	16½	18	19	20	21	22	23	24	25	26		
54	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	20½	21½	22½	23½	24½	25½	26½	27	
55	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22	23	24	25	26	27		
56	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	23½	24½	25½	26½	27½	28	
57	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25	26	27	28		
58	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	26½	27½	28½	29	
59	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28	29		
60	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	29½	30	
61*[2]	3	4½	6	7½	9	10½	12	13½	15	16½	18	19½	21	22½	24	25½	27	28½	30		

Redundancy Payments Offices

18* [1] - It is possible that an individual could start to build up continuous service before age 16, but this is likely to be rare, and

61* [2] – The same figures should be used when calculating the redundancy payment for a person aged 61 and above.

ERA table factored up by 2.2

Appendix 4

Completed Years of Service																			
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Age																			
20	2	2	2	2															
21	2	3	3	3	3	0													
22	2	3	4	4	4	4													
23	3	4	6	7	7	7	7												
24	4	6	7	8	9	9	9	9											
25	4	7	8	9	10	11	11	11	11										
26	4	7	9	10	11	12	13	13	13	13									
27	4	7	9	11	12	13	14	15	15	15	15								
28	4	7	9	11	13	14	15	17	18	18	18	18							
29	4	7	9	11	13	15	17	18	19	20	20	20	20						
30	4	7	9	11	13	15	18	19	20	21	22	22	22	22					
31	4	7	9	11	13	15	18	20	21	22	23	24	24	24	24				
32	4	7	9	11	13	15	18	20	22	23	24	25	26	26	26	26			
33	4	7	9	11	13	15	18	20	22	24	25	26	28	29	29	29	29		
34	4	7	9	11	13	15	18	20	22	24	26	28	29	30	31	31	31	31	31
35	4	7	9	11	13	15	18	20	22	24	26	29	30	31	32	33	33	33	33
36	4	7	9	11	13	15	18	20	22	24	26	29	31	32	33	34	35	35	35
37	4	7	9	11	13	15	18	20	22	24	26	29	31	33	34	35	36	37	37
38	4	7	9	11	13	15	18	20	22	24	26	29	31	33	35	36	37	39	40
39	4	7	9	11	13	15	18	20	22	24	26	29	31	33	35	37	39	40	41
40	4	7	9	11	13	15	18	20	22	24	26	29	31	33	35	37	40	41	42
41	4	7	9	11	13	15	18	20	22	24	26	29	31	33	35	37	40	42	43
42	6	8	10	12	14	17	19	21	23	25	28	30	32	34	36	39	41	43	45
43	7	9	11	13	15	18	20	22	24	26	29	31	33	35	37	40	42	44	46
44	7	10	12	14	17	19	21	23	25	28	30	32	34	36	39	41	43	45	47
45	7	10	13	15	18	20	22	24	26	29	31	33	35	37	40	42	44	46	48
46	7	10	13	17	19	21	23	25	28	30	32	34	36	39	41	43	45	47	50
47	7	10	13	17	20	22	24	26	29	31	33	35	37	40	42	44	46	48	51
48	7	10	13	17	20	23	25	28	30	32	34	36	39	41	43	45	47	50	52
49	7	10	13	17	20	23	26	29	31	33	35	37	40	42	44	46	48	51	53
50	7	10	13	17	20	23	26	30	32	34	36	39	41	43	45	47	50	52	54
51	7	10	13	17	20	23	26	30	33	35	37	40	42	44	46	48	51	53	55
52	7	10	13	17	20	23	26	30	33	36	39	41	43	45	47	50	52	54	56
53	7	10	13	17	20	23	26	30	33	36	40	42	44	46	48	51	53	55	57
54	7	10	13	17	20	23	26	30	33	36	40	43	45	47	50	52	54	56	58
55	7	10	13	17	20	23	26	30	33	36	40	43	46	48	51	53	55	57	59
56	7	10	13	17	20	23	26	30	33	36	40	43	46	50	52	54	56	58	61
57	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	55	57	59	62
58	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	58	61	63
59	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	62	64
60	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	63	65
61	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	63	66
62	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	63	66
63	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	63	66
64	7	10	13	17	20	23	26	30	33	36	40	43	46	50	53	56	59	63	66

Agenda Item 13

Document is Restricted