



23 March 2021

Committee	Executive
Date	Wednesday, 31 March 2021
Time of Meeting	4:00 pm
<p>This is a remote meeting in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.</p> <p>Members of the public will be able to view this meeting whilst it is in session by clicking on the link that will be available on the Agenda publication page immediately prior to the commencement of the meeting.</p>	

Agenda

1. ANNOUNCEMENTS

2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

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 - 6

To approve the Minutes of the meeting held on 3 March 2021.



	Item	Page(s)
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 25 March 2021)</i>	
6. EXECUTIVE COMMITTEE FORWARD PLAN 2021/22		7 - 13
	To consider the Committee's Forward Plan for 2021/22.	
7. COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER THREE 2020/21		14 - 115
	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter three performance management and recovery information.	
8. CIVIL PENALTY, RENT REPAYMENT ORDER AND MINIMUM ENERGY EFFICIENCY STANDARDS IN PRIVATELY RENTED HOMES POLICIES		116 - 148
	To approve the Civil Penalty Policy, Rent Repayment Order Policy and Minimum Energy Efficiency Standards in Privately Rented Homes Policy.	
9. TREASURY AND CAPITAL MANAGEMENT		149 - 153
	To accept the Section 31 grant for the replacement of the heating system at the Council Offices and to delegate authority to the Head of Finance and Asset Management to enter into any necessary documentation in respect of the grant award.	
10. FORMAL COMPLAINTS POLICY		154 - 163
	To approve the revised Formal Complaints Policy and 'Have your Say' approach.	
11. 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.	
12. SEPARATE MINUTES		164
	To approve the separate Minutes of the meeting of the Committee held on 3 March 2021.	

Item	Page(s)
13. TRADE / COMMERCIAL WASTE SERVICE BUSINESS CASE <i>(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))</i>	165 - 193

To consider following a recommendation from the Overview and Scrutiny Committee and agree the way forward for developing the trade/commercial waste service.

DATE OF NEXT MEETING WEDNESDAY, 2 JUNE 2021 COUNCILLORS CONSTITUTING COMMITTEE

Councillors: R A Bird (Chair), G F Blackwell, M Dean, M A Gore, D J Harwood, E J MacTiernan, J R Mason (Vice-Chair), C Softley, R J Stanley, M G Sztymiak and R J E Vines

Substitution Arrangements

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded.

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held remotely on
Wednesday, 3 March 2021 commencing at 4:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

M Dean, M A Gore, D J Harwood, E J MacTiernan, H S Munro (Substitute for C Softley),
R J Stanley, M G Sztymiak and R J E Vines

EX.89 ANNOUNCEMENTS

- 89.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, The Local Authorities and Police and Crime panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

EX.90 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 90.1 Apologies for absence had been received from Councillors G F Blackwell and C Softley. Councillor H S Munro would be acting as a substitute for the meeting.

EX.91 DECLARATIONS OF INTEREST

- 91.1 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.
- 91.2 There were no declarations of interest made on this occasion.

EX.92 MINUTES

- 92.1 The Minutes of the meeting held on 3 February 2021, copies of which had been circulated, were approved as a correct record.

EX.93 ITEMS FROM MEMBERS OF THE PUBLIC

- 93.1 There were no items from members of the public.

EX.94 EXECUTIVE COMMITTEE FORWARD PLAN

- 94.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 10-12. Members were asked to consider the Plan.
- 94.2 Accordingly, it was

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

EX.95 TREASURY AND CAPITAL MANAGEMENT

- 95.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 13-45, provided a range of strategies, policies and statements which the Council was required to adopt at the start of each financial year. The Committee was asked to recommend the adoption of the documents to the Council.
- 95.2 The Head of Finance and Asset Management explained that the strategies, policies and statements sought to provide clarity on the plans for the financial management of the Council for the forthcoming year. They were largely technical documents but in summary; the Capital Strategy, alongside a number of indicators, detailed a high-level overview of the Council's approach to capital expenditure, capital financing and treasury management activity and how that contributed to the provision of local public services and how associated risk was managed; the Investment Strategy came from the Ministry for Housing, Communities and Local Government (MHCLG) statutory guidance – it was not the Council's strategy for actual investment in either commercial or service property and it did not commit the Council to any future direction or expenditure; the Minimum Revenue Provision Statement detailed how the Council repaid its debt on borrowing; the Treasury Management Strategy set the framework within which the day to day and strategic treasury activities operated – the pooled funds were doing really well with returns of over 4% so Officers were pleased the decision had been taken to make them at the start of the COVID-19 pandemic; and the Flexible Use of Capital Receipts Policy detailed that the Council had no new requirements for flexible use in 2021/22 and did not have any known additional capital receipts which could be applied.
- 95.3 Referring to the Investment Strategy, a Member questioned whether the introduction could include an additional bullet point headed "To help support green recovery and fight climate change". In response, the Head of Finance and Asset Management confirmed that the headings in the document were specified so could not be amended or added to but the climate emergency was high on the Council's Agenda anyway so, even though it was not specified, it was always part of the work going forward. Another Member referred to the Capital Strategy and the statement that "the authority expects to remain borrowed above its liability benchmark" and questioned whether Councillors should be concerned about this. In response, the Finance Manager indicated that this was a complicated issue whereby the amount actually borrowed was compared against a different strategy to show the lowest level of borrowing. Essentially, the optimum position was to have the minimum amount of borrowing but the volatile nature of the Council's cashflow meant it needed to borrow above the minimum in order to ensure all its commitments could be met and there was no risk that it would run out of cashflow. The Member also queried why, in terms of 'borrowing in advance of need', the Council had chosen not to follow the government guidance. In response, the Head of Finance and Asset Management confirmed that going forward the Council would be operating in line with the guidance as it did not intend to make any more commercial property purchases; however, in the past it had not been possible to

follow the guidance as the Council needed to increase its income to balance its budgets. He undertook to add a note to the covering paragraphs to make that clearer. One Member queried who the Council had a service investment loan with and he was advised that was the Roses Theatre and the loan remained outstanding at this time. The Council stayed in discussions with the Roses Theatre Board and Director about its future but, in the short term at least, the Arts Council funding received should ensure it remained viable.

95.4 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the following be **ADOPTED**:

- The Capital Strategy 2021/22.
- The Investment Strategy 2021/22.
- The Minimum Revenue Provision Statement 2021/22.
- The Treasury Management Strategy 2021/22.
- The Flexible Use of Capital Receipts Policy 2021/22.

EX.96 FINANCIAL UPDATE - QUARTER THREE 2020/21

96.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 46-59, provided the financial performance information for the third quarter of 2020/21 which Members were asked to consider.

96.2 The Committee was advised that the report highlighted a projected year-end surplus of £818,822 on the revenue budget and detailed the expenditure to date against both the capital programme and the approved reserves. The Head of Finance and Asset Management indicated that he was pleased to be able to report a projection of a year-end position surplus despite the impact of the COVID-19 pandemic. Staff savings had been generated through staff vacancies across all services meaning employee costs were showing a surplus of £870,155; and supplies and services was showing a surplus of £107,351 - most of which were linked to the change in working practices resulting from the pandemic. Balanced against this was a deficit of £867,605 against COVID costs and of £1,272,945 against income. In terms of the direct expenditure relating to COVID-19, the largest cost was as a result of the contractual requirement with Places Leisure for the Council to provide revenue support to cover the costs of operating the Leisure Centre as a result of the change in law which brought about operating restrictions. The Council's investment properties were performing well and the business rates were in surplus given that the Council had been paid in full by the government for certain sectors. In terms of the £818,822 surplus, a large amount of carry forward requests were expected which would utilise a large proportion of it.

96.3 Accordingly, it was

RESOLVED: That the financial performance information for the third quarter of 2020/21 be **NOTED**.

EX.97 ACTIVE GLOUCESTERSHIRE FUNDING - WE CAN MOVE

- 97.1 The report of the Head of Development Services, circulated at Pages No. 60-64, outlined the 'We Can Move' project and the potential impact for the Borough's communities. Members were asked to approve partnership funding of £10,000 per year for five years from 2021/22 to 2025/26 to support the project and to agree that, as a condition of the funding, Active Gloucestershire was requested to report the progress of the 'We Can Move' programme to the Council's Overview and Scrutiny Committee on an annual basis.
- 97.2 The Community and Economic Development Manager explained that the 'We Can Move' project was an Active Gloucestershire initiative about making physical activity the norm and to reduce inactivity. The Borough would see the impact of the project through the promotion of leisure and sporting activities in the Borough, through marketing, people being encouraged to be healthy and active and through training and support for volunteers. In addition, everyone was aware of the value of activity and the impact on mental health which had been heightened by the COVID-19 pandemic. During the pandemic there had been a drop in physical activity across the country of around 7%.
- 97.3 A Member indicated that, whilst she understood the project aimed to avoid the issues of past health campaigns by encouraging activity in the inactive rather than merely encouraging the already active to be more active, she queried exactly what would be done to make that happen. Essentially, £750,000 across all organisations over five years was the input but she wondered what the output would be other than promotion, networking, events and social media i.e. would it be possible to know how many additional people over 65 years were now walking on a daily basis. In response, the Community and Economic Development Manager advised that Active Gloucestershire would work with the Council and its communities to develop schemes in line with the need in the area; examples of the types of help offered would be influencing the design of new developments, interactive opportunities such as 'Beat the Street', help with exercise classes in the community, like paying for promotion, and work with older people to encourage them to be more flexible and help with falls prevention. There was also an annual survey through Sport England which looked at the rates of participation to see if they were increasing or decreasing, the age groups affected etc. Another Member expressed the view that it was not just older people that needed to move more, there was also a lot of concern about obesity in young people and he queried what might be on offer for them. In response, Community and Economic Development Manager agreed that it was vital to engrain good habits from a young age and to that end there would be initiatives in schools such as introducing the daily mile.
- 97.4 Members generally agreed it was a good idea to encourage people to be more active but there were some concerns about how the impacts in the Borough would be reported back to the Council. It was suggested that it may be helpful to make reports through the Member Update Sheet to all Members rather than just annually to the Overview and Scrutiny Committee. This would ensure all Members were aware and informed of what was taking place. The Chief Executive confirmed this would be possible and, in addition, the Council could also publicise opportunities for Members to engage if they wanted to increase their activity levels. The Head of Development Services indicated that Active Gloucestershire would be working with the Integrated Locality Partnership and the Clinical Commissioning Group and would be trying to understand the reasons for obesity, the low instances of exercise take-up, the additional provision of physical activity etc. and how it could be benchmarked.

97.5 It was agreed that Members were behind the principle to encourage good health in the Borough and it was understood that there were a lot of people who had been less active during the pandemic – the Committee just wanted to be sure the project was effective. A Member suggested that public health was such a huge challenge and it was hard to see where the Council's £10,000 would impact. However, it could not be the only district not participating so the Council needed to drive the project in the direction that would work best for the Borough. The Community and Economic Development Manager explained that Active Gloucestershire would assign a member of staff to each district to engage with communities, Parishes, Officers and Members. In addition, he would be happy to ask that person to present to Members at a seminar to discuss what they did and what had worked elsewhere etc.

97.6 Accordingly, it was

RESOLVED:

1. That partnership funding of £10,000 per year for five years, from 2021/22 to 2025/26, be **APPROVED** to support the Active Gloucestershire 'We Can Move' Project.
2. That, as a condition of the funding, Active Gloucestershire be requested to report the progress of the 'We Can Move' Project to the Council's Overview and Scrutiny Committee on an annual basis.

EX.98 DISPOSAL OF LAND ADJACENT TO TEWKESBURY CRICKET PAVILION

98.1 The report of the Asset Manager, circulated at Pages No. 65-69, outlined a proposal for the disposal of the site adjacent to Tewkesbury Cricket Club's cricket pavilion which Members were asked to approve.

98.2 In introducing the report, the Asset Manager explained that the Cricket Club had aspirations to extend the current pavilion to provide more space for its members, increase membership, improve the cricket and social provisions for the community and provide more storage. The purchase of a small area of land within the leased area would secure the future of the Club's financial investment by obtaining the freehold of the land where enhancements would be made. In accordance with S123 of the Local Government Act, a valuer had been commissioned to value the land which had concluded a value of £4,000 based on using comparable and reinvestment methods of valuation. The valuer had considered that the site was on a flood plain for the River Swilgate and was subjected to flooding several times per year but mainly in the winter; therefore, it had little use as a winter sporting facility. Whilst that generally did not affect the cricket sporting season it would impact and increase the management of the pitch. The valuer had highlighted an alternative use of the site, other than a sporting facility, of agricultural grazing with a value in the region of £10,000 to £15,000 per acre. Officers had concluded that the proposed disposal had no impact on the rental receipt of the remaining land within the ongoing lease and the land had limited use for other sporting activities due to its proximity to the River Swilgate and annual flooding. However, the proposed scheme would enhance the sporting and social benefit to the local community and generate a capital receipt for the authority, as such it was recommended that the Committee approve the disposal in this case.

98.3 Members agreed that this was a good way to enhance the offering of the cricket club to its Members and the wider community. In seconding the proposal, a Member raised a question about the riparian ownership of the land and, in response, the Asset Manager explained that the land was in the ownership of the cricket club and as part of that the club had the rights to maintain the area to a point and then the Borough Council took over the responsibility; the Council's contractors carried out work in the area of the River Swilgate and would continue to do so.

98.4 Accordingly, it was proposed, seconded and

- RESOLVED:**
1. That the Head of Finance and Asset Management takes such steps as he considers reasonably necessary to secure the sale, at best consideration, of the land adjacent to Tewkesbury Cricket Pavilion to Tewkesbury Cricket Club, as shaded on the plan appended to the report, upon terms recommended by an appropriately qualified and experienced valuer.
 2. That the Borough Solicitor be authorised, in consultation with the Head of Finance and Asset Management, to prepare the necessary legal documentation for the disposal of the asset on behalf of the Council upon the terms agreed by the Head of Finance and Asset Management and such other terms as they consider reasonably necessary or desirable.

EX.99 SEPARATE BUSINESS

99.1 The Chair proposed, and it was

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

EX.100 IRRECOVERABLE DEBTS WRITE-OFF REPORT

(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))

100.1 The Committee considered and approved the write-off of irrecoverable debts.

The meeting closed at 5:00 pm

EXECUTIVE COMMITTEE FORWARD PLAN 2021/22

REGULAR ITEM:

- Forward Plan – To note the forthcoming items.

Committee Date: 2 June 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required

Committee Date: 7 July 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Financial Outturn Report (including Capital Financing and Earmarked Reserves) (Annual).	To consider the Council's financial outturn.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Four 2020/21.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter four performance management and recovery information.	Head of Corporate Services.	No.

Committee Date: 1 September 2021

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Financial Update – Quarter One 2021/22.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Proceeds of Crime and Anti-Money Laundering Policy.	To approve the Money Laundering Policy following a recommendation from the Audit and Governance Committee.	Head of Corporate Services.	Yes – Moved from June meeting to enable consideration by the Audit and Governance Committee in July.
Internet and Social Media Investigation Policy.	To approve the Internet and Social Media Investigation Policy following a recommendation from the Audit and Governance Committee.	Head of Corporate Services.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

cc

Committee Date: 6 October 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter One 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management and recovery information.	Head of Corporate Services.	

Committee Date: 17 November 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Financial Update – Quarter Two 2020/21.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

Committee Date: 5 January 2022

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Medium Term Financial Strategy (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.	Head of Finance and Asset Management.	No.
Housing Strategy Monitoring Report (Annual).	To approve the Housing Strategy Monitoring Report.	Housing Services Manager.	No.
Treasury and Capital Management (Annual)	To approve and recommend approval to Council, a range of statutorily required policies and strategies relating to treasury and capital management.	Head of Finance and Asset Management.	No.

01

Committee Date: 2 February 2022			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Budget 2022/23 (Annual).	To recommend a budget for 2022/23 to the Council.	Head of Finance and Asset Management.	No.
Financial Update - Quarter Three 2021/22.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Two 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter two performance management and recovery information.	Head of Corporate Services.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

Committee Date: 2 March 2022			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required

2

Committee Date: 30 March 2022			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Three 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter three performance management and recovery information.	Head of Corporate Services.	No.
Council Plan 2020/24 Refresh (Annual).	To consider the Council Plan and make a recommendation to Council.	Head of Corporate Services.	No.
High Level Service Plan Summaries (Annual).	To consider the key activities of each service grouping during 2021/22.	Head of Corporate Services.	No.

PENDING ITEMS

Agenda Item	Overview of Agenda Item	Date Item Added to Pending
Shopfronts Supplementary Planning Document (SPD).	To agree the document for the purposes of consultation.	12 June 2019
Spring Gardens Regeneration Phase 1a report.	To agree the recommendation of the preferred option for the regeneration of Spring Gardens.	4 September 2019
Parking Strategy Review.	To consider the recommendations from the Overview and Scrutiny Committee.	6 January 2020
Parking Strategy Review.	To consider the statutory responses to the Parking Strategy Review.	6 January 2020
Council Plan 2020/24 Refresh (Annual).	To consider the Council Plan and make a recommendation to Council.	3 February 2021
COVID-19 Corporate Recovery Plan Refresh	To consider the COVID-19 Corporate Recovery Plan.	3 February 2021

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	31 March 2021
Subject:	Council Plan Performance Tracker and Covid-19 Recovery Plan Tracker 2020/21 (Qtr3)
Report of:	Chair of Overview and Scrutiny Committee
Corporate Lead:	Chief Executive
Lead Members:	Lead Member Commercial Transformation
Number of Appendices:	Six

Executive Summary:

A new Council Plan (2020-24) was approved by Council on 28 January 2020. The approved plan included four existing priorities i.e. finance and resources, economic growth, housing and communities and customer first plus the approval of two new priorities i.e. garden communities and sustainable environment. Supporting the priorities is a set of objectives and actions. Progress in delivering the objectives and actions is reported through a Council Plan Performance Tracker. The tracker is a combined document which also includes a set of key performance indicators. At Overview and Scrutiny Committee on 9 March 2021, consideration was given to quarter three performance management information for 2020/21. The observations made by the Committee can be found in Appendix 1. The tracker document can be found at Appendix 2.

Since the approval of the new Council Plan, the Council's response to the COVID-19 pandemic has meant that resources have been prioritised and deployed to support staff, residents, businesses and communities whilst maintaining core service delivery. COVID-19 continues to present the Council with significant challenges and a corporate COVID-19 recovery plan has been established to address those challenges. The plan has been designed around the six priorities of the Council Plan. Despite COVID-19 the strategic priorities of the Council remain the same. Similar to the Council Plan, the recovery plan has a number of objectives and actions. The recovery plan was approved by Executive Committee on 5 August 2020. A recovery plan tracker has been created to monitor progress in delivering those objectives and actions. The observations made by the Committee regarding these recovery actions can also be found in Appendix 1. The tracker document itself can be found at Appendix 3.

Given the synergies of the two tracker documents, they are reported together. For example, given that resources have been deployed in response to the pandemic, this will inevitably mean that some of the actions within the Council Plan will not have progressed as intended. It could also mean that those actions remain undeliverable as prioritisation is given to actions within the recovery plan.

Key financial information is also reported so Members have a rounded view of overall performance information. Attached is the revenue budget summary statement (Appendix 4), capital monitoring statement (Appendix 5) and the reserves position summary (Appendix 6).

This performance information is reported to the Overview and Scrutiny Committee on a quarterly basis and the outcome is then reported to the Executive Committee by the Chair of the Overview and Scrutiny Committee.

Recommendation:

To scrutinise the performance management information, and where appropriate require action or response from the Executive Committee.

Reasons for Recommendation:

The Overview and Scrutiny Committee Terms of Reference require it to review and scrutinise the decisions and performance of the Council and its Committees.

Resource Implications:

None directly associated with this report other than to note that a number of actions to date have been impacted by the Council's response to COVID-19.

Legal Implications:

None directly associated with this report.

Risk Management Implications:

If delivery of the Council's priorities is not effectively monitored, then the Council cannot identify where it is performing strongly or where improvement in performance is necessary. The impact of COVID-19 has been commented upon in relation to a number of Council Plan actions. A separate corporate recovery plan has been developed to assist in risk identification and risk management in relation to COVID-19 and the Council's responsibilities in relation to recovery.

Performance Management Follow-up:

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

Environmental Implications:

None directly associated with this report.

1.0 INTRODUCTION/BACKGROUND

- 1.1** A new Council Plan (2020-24) was approved by Council on 28 January 2020. The approved plan included four existing priorities i.e. finance and resources, economic growth, housing and communities and customer first plus the approval of two new priorities i.e. garden communities and sustainable environment. Supporting the priorities is a set of objectives and actions. Progress in delivering the objectives and actions is reported through a Council Plan Performance Tracker. The tracker is a combined document which also includes a set of key performance indicators.
- 1.2** This performance information is reported to Overview and Scrutiny Committee on a quarterly basis. The outcome of this scrutiny review is then reported to the Executive Committee by the Chair of the Overview and Scrutiny Committee. The observations and questions raised on the Council Plan tracker and recovery tracker can be found in Appendix 1. The Council Plan Performance Tracker can be found at Appendix 2.

- 1.3** Since the approval of the new Council Plan, the Council's response to the COVID-19 pandemic has meant that resources have been prioritised and deployed to support staff, residents, businesses and communities whilst maintaining core service delivery. COVID-19 continues to present the Council with significant challenges and a corporate COVID-19 recovery plan has been established to address those challenges. The plan has been designed around the six priorities of the Council Plan as, despite COVID-19, the strategic priorities of the Council remain the same. Similar to the Council Plan, the recovery plan has a number of objectives and actions. The recovery plan was approved by Executive Committee on 5 August 2020. A recovery plan tracker has been created to monitor progress in delivering those objectives and actions. The observations made by the Committee regarding these recovery actions can also be found in Appendix 1. The recovery tracker itself can be found at Appendix 3.
- 1.4** Given the synergies of the two tracker documents, they are reported together. For example, given that resources have been deployed in response to the pandemic, this will inevitably mean that some of the actions within the Council Plan will not have progressed as intended. It could also mean that those actions remain undeliverable as prioritisation is given to actions within the recovery plan.

- 1.5** Key financial information is also reported so Members have a rounded view of overall performance information. Attached is the revenue budget summary statement (Appendix 4), capital monitoring statement (Appendix 5) and the reserves position summary (Appendix 6).

2.0 COUNCIL PLAN PERFORMANCE TRACKER

- 2.1** The Council Plan (2020-24) has six priorities which contribute to the overall Council Plan vision "*Tewkesbury Borough, a place where a good quality of life is open to all*". The priorities are:

- Finance and resources.
- Economic growth.
- Housing and communities.
- Customer first.
- Garden communities.
- Sustainable environment.

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

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

😊 – action progressing well.

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

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

Grey – project has not yet commenced.

✓ – action complete or annual target achieved.

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

↑ - PI is showing improved performance on previous year.

↔ - PI is on par with previous year performance.

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

2.3 This report presents the third quarter of the new Council Plan (2020-2024). Key successful activities specific to the Council Plan, to bring to Members' attention since the last performance report include:

- Medium-Term Financial Strategy was approved at Executive Committee on 26 January 2021 (page 2 of the tracker).
- The business case for improving the trade waste service is complete and will be presented to the Committee as a separate agenda item (page 3 of the tracker).
- Preparations have started to in-source management of our homeless property portfolio from the current management arrangements (page 3 of the tracker).
- The Growth Hub delivered 23 online business works and 1-2-1 events to help support businesses with social media, video promotion, branding, developing an eco-business etc (page 4 of the tracker).
- The Joint Core Strategy Local Development Scheme was approved at Executive Committee on 6 January. This sets out the timetable for the JCS review (page 5 of the tracker).
- The Tewkesbury Borough Plan examination started on Tuesday 16 February 2021 (page 6 of the tracker).
- The new Business Transformation team is making great strides on the implementation of the new digital platform and the end-to-end review of the Council's bulky waste service (page 28 of the tracker).
- The Tewkesbury Garden Town governance structure was approved at Executive Committee on 3 February 2021 (page 37 of the tracker).
- The natural capital asset mapping project is complete with maps now available to view online (page 42 of the tracker).

Reported to Members through various channels, both formally and informally since the onset of the pandemic, has been the Council's response and recovery to this significant challenge - whilst still maintaining core service delivery. This is evident through the various commentaries within the tracker and why some actions have not progressed as well as intended or have been deferred. This is exemplified within the tables below.

- 2.4** Even in ‘normal’ times, due to the complex nature of the actions being delivered, inevitably some may not progress as smoothly or quickly as envisaged. This has obviously been amplified by the response to COVID-19. Actions with either a ☹ or ☺ are highlighted below:

Action	Status and reason for status
Celebrate with partners the significance of 2021 for Tewkesbury. (Page No. 10 of the Council Plan performance tracker)	☺ The 2021 committee has agreed that many of the planned events will no longer go ahead this year due to the pandemic. Such as the beer festival, river festival and business launch. The committee will now focus on delivering some community - based events to mark both anniversaries such as the Son et Lumiere at the Abbey towards the end of the year. This is the big event of the festival.
Develop a work programme with landlords to ensure residents have a supply of rented properties to meet their needs. (Page No. 14 of the Council Plan performance tracker).	☹ The target date has been amended from March 2021 to June 2021 . The report focussing on the activity for Tewkesbury was received on 8 February, this is currently being reviewed and will be brought to the committee in April 2021. The target date has been amended six times previously.
Carry out housing needs assessments to deliver affordable housing in rural areas. (Page No. 14 of the Council Plan performance tracker).	☺ Gloucestershire Rural Community Council (GRCC) undertake the Housing needs survey on the council’s behalf. Production of the reports following recent survey work has not yet been received but might be further delayed due to long term illness at GRCC. This target date has been amended once previously and could potentially change again.
Implement an online offering for the licensing service. (Page No. 28 of the Council Plan performance tracker).	☹ The target date has been amended from April 2021 to September 2021 . There have been delays with resolving issues with the software provider, Idox, and a decision has now been made to not progress with the online forms. Instead, the team will work with the Business Transformation Team and the new digital platform to deliver an online offering for the licensing service.

<p>Deliver the first phase of the ‘bridge project’, in line with the funding requirements.</p> <p>(Page No. 38 of the Council Plan performance tracker).</p>	<p> The planning application was due to go to Planning Committee in February but due to technical details of the application there were slight delays. It is now scheduled to go to Planning Committee in March. The deadline for the overall completion of the first phase of the ‘bridge project’ is March 2022.</p>
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- 2.5 Some actions of the Council Plan have been affected or put on hold in order for staff resources to focus on responding to new central government measures and guidance as a result of COVID-19. The greyed actions within the Council Plan affected as a result are as follows:

Action	Status and reason for status
Introducing and complying with CIPFA’s new Financial Management Code (Page No. 1 of the Council Plan performance tracker).	Project has been deferred until the next financial year or until resources becomes available. The majority of the code is within the council’s working practices so broadly compliant in any case.
Update the Council’s asset management plan. (Page No. 2 of the Council Plan performance tracker).	Project has been deferred until the next financial year. The current AMP will be rolled over into the new year.
Approve a new planned maintenance programme. (Page No. 2 of the Council Plan performance tracker).	Project has been deferred until the next financial year.
Work with the Local Enterprise Partnership (LEP) and other partners to deliver the Local Industrial Strategy (LIS). (Page No. 5 of the Council Plan performance tracker).	The LEP is awaiting guidance from Business, Energy and Industrial Strategy (BEIS) on the next steps and timescales. Until this has been received no further updates can be provided .
Bring forward plans for the redevelopment of Spring Gardens. (Page No. 8 of the Council Plan performance tacker).	Project has been deferred until resources become available. Whilst a draft phase 1a report has been completed by the consultants and presented to the Member Working Group, there is no dedicated internal resources to take this project forward.
Continue to improve the proactive homelessness prevention programme. (Page No. 26 of the Council Plan performance tacker).	Project has been deferred.

Work with Gloucestershire County Council and other partners to help local residents and businesses take action to reduce their own carbon footprint, and to make better use of resources. (Page No. 39 of the Council Plan performance tacker).	Project has been deferred for six months.
Improve bio-diversity across the borough and educate communities on its benefits. (Page No. 41 of the Council Plan performance tacker).	Project has been deferred for six months - initial projects had commenced.

3.0 COUNCIL PLAN KEY PERFORMANCE INDICATORS (KPIs)

- 3.1 The set of Key Performance Indicators (KPIs) are a combination of contextual indicators and target related indicators. The set of KPIs must remain flexible to ensure they meet our needs. The data reported is the position at end of December 2020. For 2020/21, four new KPI's (KPI 15- KPI 18) have been added. These were requested by Overview and Scrutiny Committee and relate to planning enforcement responsiveness. Crime related indicators have been removed, again this was at the request of the committee
- 3.2 Of the **21** indicators with targets, their status as at the end of quarter three for 2020/21 is:

😊 (on target)	☺ (below target but confident annual target will be achieved)	☹ (below target and target unlikely to be achieved)	Data not available
6	2	10	3*

In terms of the direction of travel i.e. performance compared to last year, for all indicators the status is:

↑ (better performance than last year)	↓ (not as good as last year)	↔ (on par with previous year performance)	Data not available
6	11	1	3*

*3 KPIs where data is not available relate to KPI 5 (number of visitors to Tewkesbury Tourist Information Centre), KPI 6 (number of visitors to Winchcombe Tourist Information Centre) and KPI 7 (number of visitors entering the Growth Hub). The sites in which the KPIs relate to are currently closed due to the pandemic.

3.3 KPI's where the direction of travel is down and/ or KPI is either a ☹ or ☺ are highlighted below:

KPI No.	KPI description	Reason for ☹ or ☺
12	Percentage of 'major' applications determined within 13 weeks or alternative period agreed with the applicant. (Page No. 23 of the Council Plan performance tracker)	↓ ☺ Seven major decisions were issued, of which six were issued within the target timescale. Whilst the Q3 figure (85.7%) is above the local target (85%) and national target (60%), cumulatively the year-to-date performance is 76.19% which is below both the local target and the outturn for 2019/20.
14	Percentage of 'other' applications determined within 8 weeks or alternative period agreed with the applicant. (Page No. 24 of the Council Plan performance tracker)	↓ ☹ 134 of 157 decisions were made within agreed timescales. This equates to performance of 88.37% in Q3, cumulatively for the year-to-date it stands at 85.93%, which is just below the local target of 90% and last year's outturn of 87%. It is considerably above the national target of 70%.
16	Investigate category B cases within five working days (development causing, or likely to cause, irreparable harm or damage). (Page No 24 of the Council Plan performance tracker).	☹ Four category B cases were received, two of these were handled within the target timeframe. This equates to 50% for Q3, and cumulatively for the year it stands at 72.73% - which is below the local target of 90%.
17	Investigate category C cases within 10 working days (risk of material harm to the environment or undue harm to residential amenity). (Page No. 25 of the Council Plan performance tracker)	↓ ☹ 26 category C cases were received in Q3, and eight. of these were handled within the target timeframe. The fall in performance reflects the priority being given to, and large amount of time required to deal with the formal action on category A and B cases. Cumulatively 40.48% of cases have been handled within the timeframe for the year so far. This is below both the local target of 80% and last year's outturn of 66.10%.
18	Investigate category D cases within 15 working days (breaches causing limited material disturbance to local residents or to the environment). (Page No. 25 of the Council Plan performance tracker)	↓ ☹ During Q3, 17 category D cases were received, and 29.41% of these were handled within the target timeframe. The cumulative figure for the year so far is 42.55%. This is lower than this year's target of 70% and also last year's outturn of 76.92%.

24	Average number of days to process new benefit claims. (Page No. 32 of the Council Plan performance tracker)	↓ Whilst performance for quarter Q3 (seven days), is well below the council's target of 14 days, it is slightly above last year's outturn of six days. It is still considerably lower than the national average of 17 days.
25	Average number of days to process change in circumstances. (Page No. 33 of the Council Plan performance tracker)	↓ Whilst performance for Q3 (three days) is on par with the target for 2020/21 and the national average of three days, it is slightly lower than the outturn for last year of two days.
26	Percentage of council tax collected. (Page No. 33 of the Council Plan performance tracker)	↓ 😞 During Q3 the council tax collection performance has been significantly affected by the Covid-19 pandemic, the council remains unable to take formal action for unpaid council tax as the magistrates' court has not reopened for liability order hearings. This has resulted in 85.6% collected.
27	Percentage of NNDR collected. (Page No. 33 of the Council Plan performance tracker)	↓ 😞 Business rates collection was significantly below target at the end of Q3. We continue to send reminders for non-payment, however as the magistrates' court remains closed to liability order hearings, we are not able to take any further enforcement action to collect outstanding debt. This has resulted in 79.8% NNDR collected.
28	Average number of sick days per full time equivalent. (Page 34 of the Council Plan performance tracker)	😊 There has been an increase in the number of sick days taken in Q3 bringing the average number of days for the year to 7.25 days. The target is eight days. If rates remain at this level, it is predicted a year end rate of around 10 days, which is lower than the outturn for 2019/20 of 12.62 days.
31	Percentage of formal complaints answered on time (page 36 of the Council Plan performance tracker).	😞 23 formal complaints were received in Q3, of which 16 were answered within the timeframe. The overall figure for the year for complaints answered on time is 89%. This is slightly below this year's target of 90%. The impact of the pandemic is likely to have affected capacity to respond within the required timescales.

32	Number of reported enviro crimes. (Page No. 43 of the Council Plan performance tracker).	↓ 😞 542 enviro crimes were reported in Q3 bringing the total this year so far to 1,469. This is exceeding both this year's target of 1000 and last year's outturn of 1,271. There has been an increase in all areas of enviro-crimes but particularly fly tips and bonfires during Q3.
33	Percentage of waste recycled or composted. (Page No. 43 of the Council Plan performance tracker).	↓ 😞 Performance for Q3 was 49.81%. This is below the local target of 52% and last year's outturn of 51.47%. This has been due to an increase in all waste streams during the pandemic. There has been an increase of recyclable material in the residual waste and fly tipping.
34	Residual household waste collected per property in Kgs. (Page No. 44 of performance tracker)	↓ 😞 The residual household waste collected during Q3 is 114kg, and the cumulative figure for the year to date is 377k - an increase as a result of the pandemic. Both last year's outturn of 414kg and this year's local target of 430kg will not be met.

New KPI's or areas where key indicators are performing particularly well, include:

- KPI 13: In Q3, 84.44% of minor planning applications were answered within the agreed timescale -this is above both the local (80%) and national target of 70%.
- KPI 24: It is taking an average of seven days to process new benefit claims, which remains below the national average of 17 days.
- KPI 30: 85% of Freedom of information requests received during Q3 were answered within the 20-working day timescale, which is above the 80% target. KPI 31: 42 formal complaints were received of which only three was answered outside of the timescale resulting in 93% answered in time; this is an improvement compared to the outturn of 2019/20 of 86%.

4.0 COVID-19 CORPORATE RECOVERY TRACKER

- 4.1 For monitoring the progress of the corporate recovery plan actions and for consistency, the same symbols as the council plan tracker are used:

😊 – action progressing well

😐 – the action has some issues or delay but there is no significant slippage in the delivery of the action

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

Grey – project has not yet commenced

4.2 Key activities to bring to Members' attention include:

- £170,000 of support funding has been received to support Tewkesbury Leisure Centre (page 2 of the recover tracker).
- Despite additional financial pressures arising from COVID-19, the Medium Term Financial Strategy (MTFS) was approved at Council on 26 January 2021. (page 3 of recovery tracker).
- The Growth Hub has delivered COVID-specific support to business through a variety of delivery mechanisms. (page 7-9 of recovery tracker).
- A grant action plan for the recovery of the High Street Safety Fund has been submitted to government for approval (page 10 of the recovery tracker).
- 39 emergency community grants were awarded in quarter 3 (page 13 of the recovery tracker).
- Executive Committee recommended Council approve the Interim Housing Strategy to cover 2021-2022 at its meeting on 3 February 2021 (page 15 of the recovery tracker).
- A new Customer Care Strategy was approved at Executive Committee on 3 February 2021 (page 17 of the recovery tracker).
- Review of the Corporate Website and COVID-19 microsite is complete and a preferred new platform has been identified (page 19 of the recovery tracker).
- The Council has been successful in securing feasibility funding for the replacement of the heating system at the Public Services Office (page 26 of the recovery tracker).

4.3 As explained when the recovery tracker was first presented in October, a number areas of the Council are still in response mode, for example in relation to business grants. This means there are services operating across one of response, recovery and business as usual mode or in some cases operating across a combination of the three, for example, communications. This will inevitably mean that actions within the recovery tracker may not progress as originally intended. Such actions are detailed in the table below:

Action	Status of action
Produce a new six-monthly internal audit plan and review the whole suite of internal audit recommendations to determine if recommendations remain relevant and timescales for implementation remain feasible (page 1 of recovery tracker)	(⌚) A new six monthly internal audit plan was approved by Audit and Governance Committee on 24 September. This was based on one full-time equivalent officer delivering the plan rather than two, as one officer remains deployed on business grants. Since the plan was approved, other additional business grants have come online. The audit function remains deployed within the business cell as well as overseeing GDPR activities. It is expected to have some form of internal audit activity operational in April 2021.

Maximise the use of business intelligence within the council to ensure the accuracy of the rating list. (page 3 of recovery tracker)	Yet to commence - Recruitment of a new business intelligence officer will take place in the new financial year. A cross service project plan will need to be developed so business intelligence is shared by relevant services moving forward.
Undertake an economic impact assessment and analysis to understand the needs of local businesses. (page 5 of the recovery tracker).	Yet to commence - This assessment will be commissioned once the long-term impact on the business community is clearer.
Refocus the council's Place Approach to reflect the issues within our communities arising from COVID-19. (page 11 of recovery tracker).	Deferred for six months - The place approach will be simplified to reflect some of the key priorities arising through the community from COVID-19. Principles around how we can work best with our communities will be developed for approval.
Consider future working arrangements within new communities to ensure there are adequate local businesses and self-employment hubs. (page 15 of recovery tracker).	Deferred - Work has not yet commenced.
Review the effectiveness and efficiency of the environmental health service, including an assessment of additional demand and available resources. (page 16 of recovery tracker).	:(The team has been further impacted by the additional work to respond to the national lockdown and rapid changes between tier restrictions in Q3. As a result, business as usual work that was set to be achieved in April 2021 has been delayed until September 2021.
Support the safe re-opening of buildings that provide a council service. (page 18 of recovery tracker)	Deferred - Tourist Information Centres – remain closed due to further lockdowns. Advice and Information Centres (AIC) - all four AIC remain closed. Recent discussions with the four centres have confirmed that there has been very little demand for council services since being closed. The Public Services Centre remains closed to the public.
Re-instigate and deliver the council tax and business rates paperless project. (page 19 of the recovery tracker).	:(Due to priority being focused on the annual billing run and dealing with an increase in customer demand as a result of COVID-19, this has resulted in the target date has been amended from February 2021 to May 2021 to allow the team time to test the new system before it goes live.

<p>Seek further government funding with our partners to support sustained delivery of the garden community programmes. (Page 21 of the recovery tracker)</p>	<p>⌚ A decision for a bid for further capacity funding to support the early stages of the Garden Town programme was due in December from the Ministry of Housing and Communities and Local Government (MHCLG). The MHCLG have informed the team it is still pending.</p>
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4.4 COVID-19 RECOVERY FUND

In June 2020, Executive Committee agreed to allocate £500,000 from the Business Rates Collection Fund surplus to support the Council and Service Recovery Plans. Allocations have been made against this fund as per the table below and a balance of £83,500 remains available.

COVID Recovery Fund

Opening balance	-£500,000
Allocations:	
Environmental Health & Licencing support	£86,900
IT support post	£42,000
Additional Revenues staffing	£35,600
Review of the Statement of Community Involvement	£20,000
S106 monitoring officer	£42,000
Economic Needs Assessment	£15,000
Business recovery support	£100,000
Community grants	£50,000
Planning support	£25,000 £416,500
Current balance	-£83,500

5.0 FINANCIAL SUMMARY - REVENUE POSITION

5.1 The financial budget summary at Q3 shows a 818,822 surplus against the full year budget. The surplus stated includes government support grant expected during the year.

The projected service position is a £1.6m deficit. This is in line with expectations of financial performance during the coronavirus lockdown. The Council is very much aware of the additional costs and reduced income caused by coronavirus during the year. This report now brings into focus the core operational activities of the Council during the period and highlights some of the savings made which generates an overall surplus to the Council.

The following table is a summary of the expenditure position for the Council, split out between the main expenditure types.

5.2	Services expenditure	Budget	Full Year	Full Year
			Projection	Variance
		£	£	£
	Employees	10,673,188	9,866,033	807,155
	Premises	614,421	552,871	61,550
	Transport	86,630	29,779	56,851
	Supplies & Services	1,991,814	1,884,463	107,351
	Payments to Third Parties	5,870,076	5,946,451	(76,375)
	Transfer Payments	12,449,021	12,369,382	76,639
	COVID-19 Costs	0	867,605	(867,605)

COVID-19 Recovery	0	24,958	(24,958)
Projects Funded Externally	0	559,703	(559,703)
Income	(19,968,839	(18,695,894)	(1,272,945)
)		
	11,716,311	13,405,351	(1,689,040)

Corporate Codes

Interest Received	(501,300)	(536,448)	35,148
Interest Costs	513,000	552,434	(39,434)
Investment Properties	(2,713,904)	(2,795,506)	81,602
Corporate Savings Targets	(57,500)	0	(57,500)
Reserve Funding	0	(584,661)	584,661
RSG and other grant funding	(36,936)	(1,737,003)	1,700,067
New Homes Bonus	(3,762,756)	(3,762,756)	0
Business rates	(2,585,070)	(2,788,389)	203,319
Council Tax Surplus	(82,200)	(82,200)	0
Parish Precepts	2,145,238	2,145,238	0
Use of reserves, MRP	1,905,347	1,905,347	0
	(5,176,081)	(7,683,943)	2,507,862
Net budget to be funded from CT	6,540,230	5,721,408	818,822

Note: With regards to savings and deficits, items in brackets are overspends/deficit

5.3 Expenditure on providing services

The budget position in relation to service expenditure shows an overall budget deficit of (£1,689,040).

Employee Costs – surplus of £870,155

These savings are being generated through staff vacancies, across all services. Corporate Services are predicting £144,000 of savings, Development Services £114,000 and One Legal £386,000. An impact of COVID-19 was to delay recruitment from the end of March, which may have left a greater number of posts open than normal, however recruitment processes are operating again with some vacant posts now recruited to. In the short term, the Council are employing agency staff to fill business as usual roles, as well as COVID specific roles.

Supplies & Services – surplus of £107,351

Most of the savings are linked to the change in working practices resulting from the pandemic. For example, postages have reduced, giving a saving of £30,000. Similarly, substantial savings have been made on mileage and public office utility bills shown under premises expenditure. Unfortunately, the provision of some Council services have not been possible due to national restrictions. The Tourist Information Centres and the Growth Hub have been closed since March 2020. For this reason, we have spent £45,000 less than expected on these services.

COVID-19 Costs – deficit of (£867,605)

The Council has separately identified where we have incurred costs as a direct response to the COVID-19 pandemic. The aim of identifying these costs is to demonstrate to central government the impact on our revenue position and that without additional financial support these costs would have a significant impact on the reserves held by the Council. The areas that have been identified are:

- 1) The Council has a contractual requirement with Places Leisure to provide revenue support to cover the costs of operating the leisure centre as a result of the change in law which brought about operating restrictions. The contract requires that on a month by month basis the Council will pay the difference between unavoidable costs and revenue, so that a break-even position is maintained for the operator. The total cost to the Council will be £435,000. This is an ongoing support agreement until the leisure centre is able to return to normal operating capacity. It is anticipated that the Council will be required to cover the funding shortfall until March 2022 at which point it is hoped to move to a cost neutral position. The Council has been awarded £170,000 from the National Leisure Recovery Fund. This will be used to offset some of the costs.
- 2) The Council has purchased over 180 laptops to ensure that staff have been able to work from home. As there was a plan to move some staff onto laptops during the year, £40,000 of cost have been paid for from the approved capital programme. The remaining purchase cost and the additional agency resource required to help build laptops for staff resulted in an additional £85,000 cost.
- 3) Ubico has been recording the additional costs it has incurred as it responds to the COVID-19 pandemic as it has continued to provide services, whilst ensuring that staff are protected. It incurred additional costs of agency workers, seconded staff and hire of vehicles to deliver additional rounds as the service could not be delivered safely as per normal operating conditions. The purchase of personal protective equipment was a priority to ensure teams could work together on rounds. Ubico is predicting an additional £85,000 of expenditure.
- 4) Across all areas of the Council there has been a significant increase in demand on services particularly supporting vulnerable people in the borough whether that is residents who were shielding, those finding themselves homeless and those that are facing unemployment and requiring financial support. There was also a significant effort required to support businesses particularly delivering central government's business grants schemes. The Council has had additional costs from providing staff with unsociable hours payments and paying overtime claims in the region of £79,000 at Q3. Overtime claims are expected to continue in some services as more central government schemes relating to COVID-19 are introduced. For example, self-isolation payments and additional national grant scheme resulting from the latest lockdown. In some instances, the Council has needed to use agency to backfill core services or help with the COVID response. The total in year cost is estimated to be £178,000.

Income – deficit of (£1,272,945)

The deficit on income has currently been attributed to the COVID-19 pandemic, and has resulted in:

- 1) Planning income is expected to be under budget by £195,000, including planning fees, land charges and planning performance agreements. One major loss was the Ministry of Defence deciding not to submit a budgeted application worth £230,000. Development services have reviewed forecasts for the year, particularly in regard to large applications which are expected and generate significant fees. In total five major applications are either no longer being submitted, or will be deferred. We are still expecting a further £184,000 in Q4 from three applications.

- 2) £334,000 of lost income from car parks as all charges were suspended during the initial lockdown period. Fees are unlikely to pick up in the last quarter, especially now with further closures of retail and hospitality businesses.
- 3) £42,000 of lost income from rental income as some businesses were closed during the lockdown period e.g. the Caravan Club.
- 4) £72,000 lost income on trade waste during the first half of the year, as a significant number of our customers businesses were closed and their accounts were suspended during the lockdown period. The full service has now resumed and the impact of the 2nd and 3rd lockdowns are less significant on trade waste collections.
- 5) £33,000 budget deficit on licencing particularly around lost renewals on vehicle and taxi licences and also premises licences.
- 6) £40,000 budget deficit on the recovery of housing benefit overpayments and as the Courts have been closed there has been no revenue from Council Tax Summons. This amounts to a £100,000 loss.
- 7) A potential budget deficit on One Legal fees, as partner Councils and third party clients focus has been on response to the pandemic rather than day to day business requiring legal support. This deficit comprises lost income due to a significant reduction in s106 planning agreements, property transactions including licences for use of land and road closures during this financial year. In addition, One Legal anticipated significant growth during the financial year but the pandemic has not made this possible. One Legal has not been able to proactively market the service to Registered Providers and other public bodies nor has it been able to recruit staff in the current climate of uncertainty in order to resource the anticipated growth areas.
- 8) The Leisure Centre contracts allows for a management fee of £173,000 to be paid to the Council. The centre is currently operating at a loss, supported by the Council, and so the management fee will not be received for 2020/21.

5.4 Attached at Appendix 4 is a summary of the position for each Head of Service, which shows the current variance against their budget. Where the main types of expenditure headings within the head of service's responsibility have a variance over £10,000, a short explanation for the reason for the variance has been provided.

5.5 Corporate codes

The corporate codes include the other sources of financing which are needed to balance the budget.

Our commercial investment portfolio is currently showing a surplus on budget. Two new commercial properties were purchased during the year, resulting in a small windfall of rental income. We have negotiated two income deferral schemes where clients are managing cash flows by deferring the payment of the rental income due to a later date. However, we still account for the income in the period that it is due.

Treasury Management is showing a small gain. The uncertainty caused by the pandemic has made investing money increasingly challenging. We have received large amounts of government grants that we have been able to invest in the short term, but the returns are not substantial. The Council's investments in Pooled Funds continue to produce good income returns which balances out the reductions in short term investments.

Interest costs on borrowing are forecasted to be over budget at the end of the financial year. One reason being the decision to undertake liquidity borrowing of £15 million in late March. This decision was taken prior to the announcement of government business grants and the deferral of business rates payments to the government and was made to ensure we could meet our creditor requirements during the early days of the pandemic. The additional borrowing undertaken has now been repaid. Borrowing was also required for the purchase of our new investment property in Tipton. The Council will keep under review its liquidity and will look to take out further borrowing if it is deemed necessary.

At the end of Q3 we are showing a small gain on business rates, based on current information. There is no doubt that COVID-19 has impacted on businesses, and we will continue to monitor business rates on a monthly basis. A large part of this is business intelligence and knowing if businesses are likely to cease trading. This would impact on future years estimates of retained business income rather than an impact in the current year. The government has also provided over £10 million in business rates relief to the retail, hospitality and leisure sectors, meaning that the Council is insulated from business failings in these sectors this year. Retail relief has been extended into 2021/22 by the Chancellor with eligible properties now entitled to receive 100% relief until the end of June and 66% for the remainder of the year. Councils will be fully compensated by way of a s31 grant for the relief awarded.

5.6 Government Support

The government has allocated £1,423,140 of un-ringfenced additional funding in 2020/21 to support the Council's spending pressures. This has not been directly allocated to individual service areas but will be kept as additional general funding to support the overall budget of the Council.

The government is also providing revenue contributions to cover lost income, which will also help improve the revenue position. The announcement was that the government will reimburse authorities for 75% of income losses relating to sales, fees and charges occurring in 2020-21, as a result of COVID-19. Authorities will be responsible for losses up to a 5% threshold. The first claim was submitted in September and the Council received £176,000. The second claim was submitted in December and we expect to receive a further £79,000. There will be final reconciliation of losses in April 2021. The estimate for the final compensation is approximately £50,000, bringing the total compensation to just over £300,000. This will cover some of the budget deficits identified on income above.

The level of support, if any, for next financial year is unknown beyond the fifth tranche of funding totalling £425,000. Income losses and additional expenditure are likely to continue as the economy recovers, and the Council supports businesses and residents.

5.7 COVID-19 Business Grants

As part of the government's response to the COVID-19 pandemic, a number of grants were made available for business to claim. The government asked local government bodies to administer the distribution of grants.

As a result of the first national lockdown, Tewkesbury Borough Council was initially allocated a total of £18,059,000 to distribute to businesses, of which a total of £17,947,980 was paid to businesses. The first scheme was closed on 28 August 2020. There was a significant amount of effort from the grants team and communications to distribute the full amount and to make businesses aware. Whilst the aim was to distribute as much of the allocated funds as possible, within the parameters of the scheme defined by government, there was a small balance remaining at the closure of the scheme. The balances have now been returned to government.

Through the Autumn and Winter, the Council has been responsible for administering a series of different business grant schemes. These are summarised in the table below:

Period	Title	Amount
5/11 - 31/3	Additional Restrictions Grants	£1,900,380
	Local Restrictions Support Grants (LRSG) (Closed)	
5/11 - 2/12	Addendum	£1,107,360
2/12 - 19/12	LRSG Open	£213,933
2/12 - 19/12	LRSG Closed	£9,392
2/12 - 31/12	Christmas support package	£32,000
19/12 - 4/1	LRSG Open	£93,484
19/12 - 4/1	LRSG Closed	£286,742
5/1 - 15/2	Additional Restrictions Grants (top up)	£844,059
5/1 - 15/2	Closed Business Lockdown Payment	£3,321,000
5/1 - 15/2	Closed Addendum Payment	£1,661,040
		£9,469,390

All of these schemes are still live and the Council continues to make payments against them.

The next phase of the scheme will involve the grants team returning to the post payment assurance checks required by government. Whilst Tewkesbury put in place many checks pre-payment, there still remains a significant workload to meet all of the requirements. The local and additional restrictions grant scheme might also resume after the current lockdown. Government have paid a new burdens grant of £188,500 to the Council to cover the costs of the administration of the business grants schemes.

From 12 October, the Council is also administering the Test and Trace Support payments. Tewkesbury have been given £93,262 from central government in order to grant £500 to low income individuals who are asked to self-isolate. At the time of writing the Council had paid £61,000 out to those self-isolating.

The government has announced new Restart Business Grants to be paid from 1 April which will mirror the road map out of the current lockdown. Some existing business grants schemes will also remain open until the summer. The Council will continue to inform and update Members on the COVID response, including the financial implications, on a quarterly basis.

5.8 Full year forecast

The full year forecast, for all aspects of the Council's activities during 2020/21, shows an estimated surplus of £818,822. A number of assumptions have been made in calculating this forecast and are subject to change, particularly as there is uncertainty over when the current national lockdown will end and whether the tier system will be reintroduced.

It should also be noted that it is expected that a large amount of carry overs will be expected at year end in respect of current year commitments that have not progressed as a result of coronavirus or from funding awards related to coronavirus that stretch beyond the end of the financial year.

At the end of the financial year a significant surplus, gained in the 2019/20 financial year, will be released from the business rates collection fund account. This is a one-off benefit, resulting from a release in provision for appeals. This figure has not been shown above, as most of it has already been earmarked for specific purposes, namely the future financial challenges facing the Council.

6.0 CAPITAL BUDGET POSITION

- 6.1 Appendix 5 shows the capital budget position as at Q3. This is currently showing an underspend against the profiled budget of £2,275,507.

- 6.2** The capital programme for the year has an approved budget of £21.6 million to secure commercial investment properties. The acquisition of one property was completed in quarter one and the second acquisition has completed in quarter 3. The purchases have passed the Council's due diligence processes and have come in under budget by £1.9 million.
- 6.3** The capital replacement programme assumed that we would purchase a number of laptops in the current year, to replace older equipment. The impact of COVID-19 has meant laptops were purchased for all staff to enable them to work from home. We have allocated some of those laptop purchases against the available capital budget.

7.0 RESERVES POSITION

- 7.1** Appendix 6 provides a summary of the current usage of available reserves.
- 7.2** Reserves have been set aside from previous years to fund known future costs and the strategic planning of the authority's operation. The information in the appendix does not take account of reserves which have been committed, but not yet paid.
- 7.3** Whilst the Q3 position shows that there remains a significant balance on the reserves, the expectation is that the balances will be spent in the future. Finance has asked for updates from all departments about their plans to ensure that earmarked reserves are either used for their intended purpose or released back to the general fund.

8.0 OTHER OPTIONS CONSIDERED

- 8.1** None.

9.0 CONSULTATION

- 9.1** None.

10.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 10.1** Council Plan 2020-24.
Covid-19 Corporate Recovery Plan 2020.

11.0 RELEVANT GOVERNMENT POLICIES

- 11.1** None directly.

12.0 RESOURCE IMPLICATIONS (Human/Property)

- 12.1** None directly.

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

- 13.1** Linked to individual Council Plan and COVID-19 Corporate Recovery Plan actions.

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

- 14.1** Linked to individual Council Plan and COVID-19 Corporate Recovery Plan actions.

15.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

- 15.1** Council Plan 2020-24 approved by Council 28 January 2020.
COVID-19 Corporate Recovery Plan 2020 approved by Executive Committee 8 August 2020.

Background Papers: None.

Contact Officer: Head of Corporate Services (Appendix 1-3)
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Head of Finance and Asset Management (Appendix 4-6)
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Appendices: 1- Overview and Scrutiny Committee review.
2 – Council Plan Performance Tracker Qtr 1 2020/21.
3 – Covid-19 Corporate Recovery Plan performance tracker 2020/21.
4 - Revenue Budget.
5 - Capital Budget.
6 - Reserves.

Questions raised by Overview and Scrutiny Committee at meeting held on

9 March 2021

Council Plan	
Questions raised by Overview and Scrutiny	Response from officers
Performance tracker- priority: Finance and Resources	
Objective 3b) Approve a new planned maintenance programme – a Member questioned what this was and whether the Council had a current plan until the new plan was in place.	The Head of Finance and Asset Management advised that the planned maintenance programme covered all major assets of the Council. There was already an Asset Management Plan in place but the Council did not have a detailed 20 year maintenance programme which was what was being worked on. The management and maintenance of assets was going well, e.g. update of the offices / heating system, but a detailed plan was required.
Performance Tracker – Priority: Economic Growth	
Objective 4c) Celebrate with partners the significance of 2021 for Tewkesbury – a Member queried whether Officers had any insight into whether it was expected that the £25,000 the Council had put into the project would be spent.	In response, the Community and Economic Development Manager expected that the Steering Group anticipated using the funding and proposals would be provided by the project team shortly. It was anticipated that more events would be held towards the end of the year in accordance with the roadmap out of lockdown.
Performance Tracker – Priority: Housing and Communities	
Objective 1c) Develop a work programme with landlords to ensure residents have a supply of rented properties to meet their needs – a Member questioned what was happening with this as the target date had been amended six times already and had now been amended again.	In response, the Head of Community Services confirmed that this had been a countywide project and the ‘goal posts’ had been shifted a number of times. However, he was now confident that the summary report from the pilot would be available for the Committee’s consideration in June.

<p>Objective 1d) Carry out housing needs assessments to deliver affordable housing in rural areas – a Member questioned whether the completion time for the Gloucestershire Rural Community Council (GRCC) survey work was at risk due to staff illness. He indicated that there was pressure for housing in the Borough and the more options that were available the better.</p>	<p>The Head of Community Services advised that work on the housing needs surveys had been put on hold due to sickness at GRCC; however, the Council had been in contact and GRCC had identified someone else to undertake the work and it was hoped the housing needs assessments could be done quite quickly so the final end date would not slip; he would update Members on this in the usual way through the Council Plan performance tracker.</p>
<p>Objective 3b) – Through the development process, work with communities to deliver the Community Infrastructure Levy (CIL) and Section 106 – a Member noted that a workshop had been held in October which had been well received by Parishes and, as attendance had been limited to one or two representatives from each Parish, she questioned whether another workshop was planned.</p>	<p>The Head of Development Services explained that Parishes had indicated they had found the session useful so she was happy to arrange another session in October this year. In response to a suggestion that Borough Councillors would also find the information of interest, she confirmed that a session would also be organised for them.</p>
<p>Performance Tracker – Priority: Customer first</p>	
<p>Objective 1a) Continue to improve the proactive homelessness prevention programme – a Member noted that this action had been deferred and questioned how long it would be deferred for.</p>	<p>The Head of Community Services indicated that he was not aware any homelessness prevention work had stopped so he may need to reconsider the wording in the comment; he would provide an update to the Committee following the meeting.</p>
<p>Objective 2b) Implement an online offering for the licensing service – a Member queried why the current software was not being used for the project.</p>	<p>The Head of Community Services explained that the current system was used for Environmental Health and Licensing but the ‘add on’ needed to get the service online was quite clunky and not very user-friendly. As the Council was currently in the process of implementing a new digital platform it was felt using that instead would be more effective. The Head of Corporate Services confirmed that the Business Transformation team was looking at the online licensing project as a priority in the new financial year and there would be cost savings from not buying in additional elements to the Idox system. In response to a query regarding whether</p>

	<p>Members were used to test new online systems, the Head of Corporate Services advised that the Council's Citizens Panel was used for that purpose which had been incredibly helpful in terms of feedback. He indicated that he was keen to raise the profile of the Business Transformation team and undertook to set up an information session for Overview and Scrutiny Committee Members to understand what the team was doing.</p>
Performance Tracker- Priority: Garden Communities	
Objective 1d) Deliver the first phase of the 'bridge project', in line with the funding requirements – a Member queried whether an overrun of costs was likely on this project.	The Head of Development Services explained that there had been some further information sought on a number of technical issues in respect of the planning application which had caused a slight delay – those had now been resolved and the application would be considered by the Planning Committee on 16 March. In terms of the costs, the Chief Executive advised that the project was still within both the cost and timescale envelope. The next big milestone was the Planning Committee's consideration of the planning application after which the Garden Town team would be able to provide a briefing note for all Members on what was happening with the project.
Performance Tracker – Priority: Sustainable environment	
Objective 3b) – Working with Gloucestershire Waste and Resources Partnership to encourage recycling and reduce plastic waste – a Member questioned why this action had a smiley face when the plastics recycling awareness campaign had not yet commenced.	The Head of Community Services advised that some additional narrative was required in the comments column to show that the plastics campaign was only one element of the action and there were actually a number of campaigns ongoing which was why the action was shown as a smiley face.

Key Performance Indicator – Priority: Sustainable environment	
KPI 32 – Number of reported enviro-crimes – a Member noted that fly tips had increased from 248 in 2019/20 to 395 currently. She questioned whether there was anymore the Council could do to minimise flytipping. She also advised that she was surprised to see incidents of dog fouling had decreased given the current issues residents in her area were facing and she queried whether this was because the Environmental Health team was working on different issues.	In response, the Head of Community Services advised that flytipping was on the rise across the country. The Council was tackling it as part of a countywide partnership to educate people about handling their waste responsibly. In addition, the Council had had a successful prosecution in the last couple of weeks which had been publicised in the press to show that robust action was taken against such crimes. All of that information was placed on the 'Tewkesbury Waste Aware' website which detailed the prosecutions undertaken, and the fixed penalty notices issued, over the last year or two and the Head of Community Services undertook to provide the link to that website following the meeting. In terms of dog fouling, this was about whether people were reporting instances of dog fouling rather than the Environmental Health team not dealing with dog fouling. The Environmental Health team had been working on COVID-19 matters consistently in the last 12 months but it was hoped they would be able to start working more on other areas in the next three to four months.
KPI 33 – Percentage of waste recycled or composted – a Member noted that contamination had been a real issue and he questioned whether it remained a problem.	The Head of Community Services advised that unfortunately two or three bins may contaminate a whole load of 15-20 tonnes. There were still high rejection levels at Avonmouth but this was a problem faced across the country at the moment. Used nappies in the recycling were a recent problem and education campaigns were being put together. The Waste Contracts Manager confirmed that waste management was quite challenging at the moment. Tonnages of all waste streams had increased and this inevitably led to higher rates of contamination – information was due to be circulated shortly which sought to remind residents what should go where with particular emphasis on the different types of plastics and what residents should do with

	the plastic that the Council's collection did not accept. The Head of Community Services indicated that there was always a need to look at recycling figures alongside residual waste as that was what really needed to be lower. Officers were working on a plan to reduce residual waste.
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Recovery Plan	
Questions raised by Overview and Scrutiny	Response from officers
Priority: Finance and Resources	
Action – Refocus c) Produce a new six-monthly internal audit plan and review the whole suite of internal audit recommendations to determine if recommendations remain relevant and timescales for implementation remain feasible – a Member questioned what was meant by 'some form of internal audit activity was expected in April 2021'.	In response the Head of Corporate Services confirmed that at least one of the internal audit team would be returning to internal audit work from 1 April 2021.
Priority: Economic Growth	
Action – Refocus d) – Work closely with partners, businesses and groups to enable the safe and successful reopening of high streets and retail centres – a Member questioned what plans the Council had going forward to ensure safe reopening; he noted that there were a number of measures in place at the moment, such as bollards, floor stickers and sanitiser stations, that had not worked very well to date and questioned whether the Council intended to proactively make changes to address those issues before the high street reopened fully.	The Head of Development Services advised that Officers were working hard to support the reopening of the high street and a company had been commissioned to work on the campaign with positive messaging and physical measures. A briefing with the local Members for Tewkesbury, Winchcombe and Bishop's Cleeve was to be organised so everyone was aware of what was being put into place. 12 April was the date being worked to when non-essential shops could reopen and Officers were conscious that some people would not have really been out into a town centre for a year so it was imperative that confidence was built to encourage people to 'shop local and shop safe'. It was hoped the fact that the towns in the Borough were smaller would encourage people to feel safer to visit. Weekly messages would be pushed out to communities about being safe and to indicate what businesses were doing to help people feel safe as part of the 'lets spring back' campaign. In response to a Member's concerns about the safety of the bollards in Tewkesbury high street as they were often moved from where they should be, the Head of Development Services confirmed

Appendix 1

	<p>that the physical measures in the high streets would be reviewed and Environmental Health Officers were working with businesses on COVID safety and addressing the issues such as those raised. The Chief Executive reminded the Committee that the overall message at the moment remained to stay at home so, whilst the high streets were open for essential services, there were not very many people using them but the measures currently in place were ensuring those people were safe. In terms of the 'lets spring back' campaign, a Member asked that thought be given to using paid advertising on social media etc. to target people rather than relying on them to access the Council's digital platforms. The Head of Development Services confirmed that one of the reasons for engaging the publicity company was to ensure the right messages were getting to all age ranges of residents.</p>
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Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

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

PRIORITY: FINANCE AND RESOURCES				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 1. To ensure the council remains financially secure in the long term.				
a) Introducing and complying with CIPFA's new Financial Management Code.	Target date: to be confirmed.	Head of Finance & Asset Management Lead Member for Finance and Asset Management	Deferred for 2020/21	Project on hold until the next financial year or until resource becomes available to support it. The majority of the code's requirements are already standard practice within the council.
b) To maximise the return and balance the risk of our treasury investments.	Target date: March 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management		Income from pooled funds has held up well although capital values have reduced. Longer term investments have also continued to produce strong returns. These two areas have offset reductions in income from short term investments where market rates have fallen. Current projections suggest that budgetary targets will be hit in 2020/21.

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

Priority: Finance and Resources				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 2. Maintain a low council tax.				
a) Produce a Medium-Term Financial Strategy, which ensures that council tax remains low for our residents.	Target date: January 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	✓	MTFS approved at Council on 26 January 2021. This action will be monitored through the corporate Covid-19 recovery plan performance tracker. (Finance and resources- rebuild- action a).
Objective 3. Maintain our assets to maximise financial returns.				
a) Update the council's asset management plan.	Target date: to be confirmed.	Head of Finance & Asset Management Lead Member for Finance and Asset Management	Deferred for 2020/21	No resource available to undertake the task in the current year. The current Asset Management Plan (AMP) will be rolled over for a further year and the need for an updated version will be addressed in the new financial year.
b) Approve a new planned maintenance programme.	Target date: to be confirmed.	Head of Finance & Asset Management Lead Member for Finance and Asset Management	Deferred for 2020/21	No resource available to undertake the task in the current year.
c) Review our property portfolio to ensure ongoing benefits to our communities.	Target date: March 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	😊	Final purchase of our current commercial property strategy made in quarter 3. The majority of the net rental income, circa £2m, is used to support council services whilst the balance is set aside to meet any future lease events. Leaving circa £6m unspent from the original allocation of the property investment fund.

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

Priority: Finance and Resources				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 4. Deliver the council's commercial strategy.				
a) Develop a business case to ensure our trade waste service operates more commercially.	Target date: April 2017 July 2017 August 2017 April 2018 April 2019 December 2019 September 2020 February 2021 Target date: March 2021 (revised date reported to O&S committee in October 2020)	Head of Community Services Lead Member for Clean and Green Environment	😊	A high-level business case for commercially improving the service will be presented to Overview and Scrutiny Committee in March. Once considered and if subsequently approved by Executive Committee then a more detailed operational business plan and supporting timetable will be implemented.
b) In-source the management of our homeless property portfolio.	Target date: April 2021	Head of Community Services Lead Member for Housing	😊	Preparations have begun to take on management of the properties. Property Services will work together with Housing Services and Stonham on a handover process from the current management arrangements with Stonham. New arrangements are due to take place from the 1 April 2021; this will generate a saving of £18,000.

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

Priority: Economic Growth				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 1. Deliver our strategic plans and economic development plans.				
a) Deliver the final year of the Economic Development and Tourism Strategy	Target date: June 2021 June 2022 (reported to O&S committee in November 2020)	Head of Development Services Lead Member for Economic Development/Promotion	☺	<p>Year four of the strategy started in June 2020.</p> <p>Work achieved includes:</p> <ul style="list-style-type: none"> • Growth Hub service moved online • Proactive support to the business community • Year 2 delivery of Tewkesbury Growth Hub and Service. • Roll out and delivery of Hub Surgery Sessions for businesses with a Planning Champion. • Delivery of Countywide Inward Investment Service • Year 2 delivery of 'Uncover the Cotswolds' project. • Successful Tewkesbury Heritage Action Zone Fund bid and delivery programme development. • Delivery of Reopening High Streets Safely Fund – working closely with the retail centres in the borough, supporting the safe re-opening of businesses. <p>Reported to November O&S committee, that current strategy will now run until 2022.</p> <p>This will be monitored through the Covid-19 recovery performance tracker. (Economic Growth- refocus- action a).</p>
b) Deliver growth hub services in the Public Services Centre.	Target date: April 2021	Head of Development Services Lead Member for Economic Development/Promotion	☺	<p>The hub was launched in November 2018 and continues to support the business community. Since opening, 1965 businesses have visited the hub.</p> <p>In this quarter, 23 online business workshops and 1-2-1 events have been delivered including social media, video promotion, branding, developing an eco-business and growth reviews. Advice continues to include Covid-19 response and recovery support, providing advice and signposting to relevant support, as well as business as usual Growth Plans. In line with Government</p>

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

				guidelines the service remains as a virtual offer - online and telephone. The team has also been partially redeployed into both the Covid-19 business cell and the recovery cell. A presentation on the hub's activities will be reported to O&S committee in April. Also reported in the Covid-19 Corporate Recovery Plan performance tracker. (Economic Growth- Recover- action a).
c) Work with the Local Enterprise Partnership (LEP) and other partners to deliver the Local Industrial Strategy (LIS).	Target date: December 2019 June 2020 Date to be confirmed (as reported to O&S July 2020)	Head of Development Services Lead Member for Economic Development/Promotion	Deferred pending response from BEIS	The draft Local Industrial Strategy (LIS) had successfully passed through the Local Industrial Strategy analysts' panel and was ready to be submitted to central government for approval. As a result of Covid-19, submission has been postponed with further guidance awaited from the Department for Business, Energy and Industrial Strategy (BEIS) on the next steps and timescales. Further work will now be looked at to potentially to include a Covid-19 recovery plan/ addendum as part of the final LIS.
PRIORITY: ECONOMIC GROWTH				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 2. Deliver employment land and infrastructure to facilitate economic growth.				
a) Deliver employment land through allocating land in the Joint Core Strategy (JCS) and Tewkesbury Borough Plan (TBP).	Autumn 2019 Spring 2020 Target date: Winter 2020 Summer 2021 (preferred options consultation) (revised date reported to O&S committee in October 2020)	Head of Development Services Lead Member for the Built Environment	😊	112ha of employment land has been allocated within the JCS. The take up of employment land will be monitored in the Authority Monitoring Report (AMR) which government planning guidance requires the council to publish. At Executive Committee on 6 January 2021 the Local Development Scheme was approved. This sets out the timetable for the JCS review. <ul style="list-style-type: none"> • Issues & Options Consultation – Winter 2018/19 • Preferred Options Consultation – Summer 2021 • Pre-Submission Consultation – Winter 2022 • Submission to the Secretary of State – Spring 2023 • Examination – Summer 2023

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

				<ul style="list-style-type: none"> Adoption – Winter 2023
	<p>Winter 2018 Summer 2019 Autumn 2019 December 2019 Spring 2021</p> <p>Target date: Adoption: Autumn 2021 (revised date reported to O&S committee in January 2021)</p>		😊	<p>The Tewkesbury Borough Plan has identified further employment sites which have been informed by the Employment Land Review. Potential employment sites have been assessed to see if they would make sustainable allocations for inclusion in the plan. This has been supported by several evidence base documents to support evidence of deliverability. As such, over 40ha of new employment has been identified in the plan.</p> <p>The examination into the Local Plan started on Tuesday 16 February 2021, adoption is expected later in the year.</p>

PRIORITY: ECONOMIC GROWTH				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 2. Deliver employment land and infrastructure to facilitate economic growth.				
b) Work with partners to secure transport infrastructure improvements around the borough, including the all-ways junction 10, junction 9 and	Target date: March 2021 (Junction 10)	Director of Garden Communities Lead Member for the Built Environment	😊	<p><u>All-ways Junction 10</u> As part of the budget announcement, Gloucestershire County Council has been awarded £249m to deliver an all-ways J10. This project consists of an all-ways motorway junction, link road to the West Cheltenham development site and a park and ride interchange. Public consultation has taken place and finished on 25 November 2020. Post public consultation, further detailed option analysis will be undertaken in order to support an announcement about the preferred scheme design and location in Spring 2021. Another public consultation exercise will then accompany the planning application which follows. Additional project information can be found on the GCC website -</p>

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

the A46 improvements.				https://www.gloucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme/ Also reported in the Covid-19 Corporate Recovery Plan performance tracker. (Garden communities- Rebuild- action a).
	Target date: October 2021 (business case for Gov't funding approved- J9 and A46)		😊	<u>J9 and A46 Offline Solution</u> The council continues to be actively engaged in both the A46 Partnership and Midlands Connect to promote the development opportunities at the Garden Town. A first stage bid for major investment to support the delivery of an off-line J9/A46 solution has been submitted to the Department for Transport and work continues finalising the next stage business case. Gloucestershire County Council continues with the project with submission date to the Department of Transport of September 2021. Also reported in the Covid-19 Corporate Recovery Plan performance tracker. (Garden communities- Rebuild- action a).
c) Support the delivery of the County's Local Transport Plan.	Target date: March 2021 (Ongoing project)	Head of Development Services Lead Member for the Built Environment	😊	Officers have been working with Gloucestershire County Council on developing a revised Gloucestershire Local Transport Plan 2021-2041. The plan has been agreed by Gloucestershire County Council cabinet on 27 January 2021. It is scheduled to go to GCC Full Council on 17 March 2021 for proposed adoption.

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Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

Priority: Economic Growth				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 3. Deliver borough regeneration schemes.				
a) Work with partners to deliver the Heritage Action Zone (HAZ).	Target date: March 2021	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>A contract has now been signed between the council and Historic England. The programme design has been amended to reflect the new timescales due to Covid19.</p> <p>A new temporary High Street Heritage Action Zone (HSHAZ) Coordinator has been appointed and bi-weekly meetings with Historic England are now in place.</p> <p>The HSHAZ programme is a four-year plan which will include several activities such as:</p> <ul style="list-style-type: none"> • manage a grant scheme for shopfront and façade improvements including promotion of habitation above historic shops and the promotion of the use of traditional skills and materials for repair. • The Council has set up a 'Cultural Consortium' consisting of six to eight local community groups (from business groups to amenity societies and schools etc.). <p>Background work is now being implemented. The final HSHAZ delivery will be in 2024.</p>
b) Bring forward plans for the redevelopment of Spring Gardens.	Target date: June 2019, July 2019, March 2020, October 2020 Revised target date: To be confirmed.	Head of Development Services and Head of Finance and Asset Lead Member for Economic Development/Promotion	Deferred	<p>A draft phase 1a report has been completed by the council's appointed consultants and was presented to the member working group in November 2020. An assessment of the resource needed to take this project forward will need to be made as the original reserve allocated is spent and there is no dedicated internal resource for the project as these have been deployed to the Covid response and recovery.</p>

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

Priority: Economic Growth				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 4. Promote the borough as an attractive place to live and visit.				
a) Work with Cotswold Tourism to promote the area.	Target date: March 2021	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>Working with Cotswold Tourism over the last quarter, the following has occurred:</p> <ul style="list-style-type: none"> • Continued social media posts • Website promotion • Promotional campaigns • Interactive workshops and training sessions, supporting businesses affected by Covid-19 <p>This work will be ongoing throughout the year.</p> <p>We are supporting Visit Gloucestershire in developing their Tourism strategy.</p> <p>This action will also be monitored through the Corporate Covid-19 Recovery performance tracker (economic growth- refocus- action c), to understand when and how to safely encourage visitors back to the borough.</p>
b) Promote, through the Heritage Action Zone (HAZ), the heritage offer of Tewkesbury through the cultural consortium.	Target date: March 2021 (ongoing project)	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>The Cultural Consortium (also known as Tewkesbury Culture) has been instigated and includes over 12 community organisations. It is currently chaired by Director of the Roses Theatre. They have developed ideas for community projects and started drawing down funds from Historic England.</p> <p>The initial project, which is now completed was entitled 'Light Up for Tewkesbury' and was in response to cancelling of the town's annual Christmas lights switch on celebrations. The project involved liaison between selected local artists and local schools to explore subjects of Tewkesbury's culture such as past industries, religion and Tewkesbury in the future. This culminated in illuminated artworks being displayed in shop windows along with</p>

Appendix 2 - Council Plan Performance Tracker and Key Performance Indicators 2020-21 Progress Report

				interpretation. Tewkesbury Culture has now submitted a major project bid to historic England for up to £90,000 to cover the next three years entitled 'Rise up Tewkesbury Culture'. This involves several sub projects to engage under-represented sectors of the community. This includes setting up a 'Youth Space', 'Tewkesbury in Medieval Bloom' (a school project), 'Tewkesbury festival of light' and 'Tewkesbury Arts Festival'. The intention is to create a legacy beyond the end of the High Street Heritage Action Zone and galvanise Tewkesbury's community groups to be able to tap into additional sources of funding and revenue to sustain the group into the future.
c) Celebrate with partners the significance of 2021 for Tewkesbury.	Target date: December 2021	Head of Development Services Lead Member for Economic Development/Promotion	:(The 2021 committee has agreed that many of the planned events will now not go ahead this year due to the pandemic. The beer festival, river festival and business launch are all cancelled. The committee will now focus on delivering some community-based events to mark both anniversaries. The committee is still planning to go ahead with the Son et Lumiere at the Abbey towards the end of the year. This is the big event of the festival. The Tewkesbury 2021 committee is looking to employ a marketing consultant to further promote Tewkesbury 2021 both locally and further afield.

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Key performance indicators for priority: ECONOMIC GROWTH											
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
1	Employment rate 16-64 year olds.	81.8%		82.4%						82.4% relates to 47,700 people within the borough. This is above the national rate of 76.0% (Source ONS April 2019 – March 2020 current figures)	Lead Member for Economic Development/ Promotion Head of Development Services
2	Claimant unemployment rate.	1.8%		4.2%	4.1%	3.8%				December 2020 figure of 3.8% relates to 2150 people within the borough. This figure is below the county rate of 45%. (Source: ONS).	Lead Member for Economic Development/ Promotion Head of Development Services
3	Number of business births.	425 (2018 figure)				465 (2019 figure)				These are the current ONS figures for Business Births and Death Rates. Business births have increased with 465 new businesses in 2019.	Lead Member for Economic Development/ Promotion Head of Development Services
4	Number of business deaths	395 (2018 figure)				415 (2019 figure)				The number of business deaths has increased on last year but remains below the county, regional	Lead Member for Economic Development/ Promotion Head of Development Services

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										and national average.	
5	Number of visitors to Tewkesbury Tourist Information Centre (TIC)	22,551	4,000 (2019-20 target-28,000)	0	0	0				Both TICs were closed during this period, due to Covid-19. The reopening of the Tewkesbury TIC was planned for February half-term. However, the focus is now for Easter re-opening, depending on the pandemic.	Lead Member for Economic Development/Promotion
6	Number of visitors to Winchcombe Tourist Information Centre (TIC)	Data for Q4 not available (Q1-Q3= 8,960)	1,000 (2019-20 target-7,500)	0	0	0				Discussions are ongoing about moving back to the refurbished Winchcombe Heritage Centre, rather than the temporary location of Winchcombe Library.	Head of Development Services
7	Number of visitors entering the Growth Hub	1346	1000	0	0	0				Tewkesbury Growth Hub remains closed to visitors as a result of Covid-19.	Lead Member for Economic Development/Promotion Head of Development Services

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PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 1. Deliver the housing needs of our communities				
a) Work with partners to undertake the required review of the JCS.	Autumn 2019 Spring 2020 Target date: Winter 2020 Summer 2021 (Preferred Options Consultation) (revised date reported to O&S committee in October 2020)	Head of Development Services Lead Member for the Built Environment	😊	<p>Key pieces of evidence for the review have been completed or are nearing completion, including a retail assessment, a study on the potential for strategic sites; a sustainable transport strategy and an assessment of economic need requirements. Two dedicated JCS staff have also now been appointed to progress the plan towards a draft for consultation.</p> <p>At Executive Committee on 6 January 2021 the Local Development Scheme was approved. This sets out the timetable for the JCS review.</p> <ul style="list-style-type: none"> • Issues & Options Consultation – Winter 2018/19 • Preferred Options Consultation – Summer 2021 • Pre-Submission Consultation – Winter 2022 • Submission to the Secretary of State – Spring 2023 • Examination – Summer 2023 • Adoption – Winter 2023
b) Finalise and adopt the Tewkesbury Borough Plan.	Winter 2018 Summer 2019 Autumn 2019 December 2019 Spring 2021 Target date: Adoption: Autumn 2021 (revised date reported to O&S	Head of Development Services Lead Member for the Built Environment	😊	The examination into the Local plan will commence on Tuesday 16 February 2021, with adoption expected later in the year.

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	committee in January 2021)			
PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 1. Deliver the housing needs of our communities				
c) Develop a work programme with landlords to ensure residents have a supply of rented properties to meet their needs.	<p>March 2019, June 2019, September 2019, December 2019, November 2020, January 2021</p> <p>New revised target date: March 2024</p> <p>June 2021</p> <p>(New revised date reported to O&S committee in March 2021)</p>	<p>Head of Community Services</p> <p>Lead Member for Housing</p>	:(<p>Work with private landlords was limited during Q1 due to Covid-19 restrictions. Lettings of properties were reduced, and the council was unable to meet with landlords and tenants face-to-face to build relationships.</p> <p>The council has continued to engage with landlords/agents through surveys to assess potential eviction action.</p> <p>The county-wide pilot has ended, and a summary report has been produced from a county perspective. The report focussing on the activity for Tewkesbury specifically was received on 8 February, this is currently being reviewed and will be brought to the committee in June 2021.</p>
d) Carry out housing needs assessments to deliver affordable housing in rural areas.	<p>March 2020</p> <p>Target date: February 2021</p> <p>March 2023 (overall completion)</p> <p>(Target date reported to O&S committee in October 2020)</p>	<p>Head of Community Services</p> <p>Lead Member for Housing</p>	:(<p>Gloucestershire Rural Community Council (GRCC) will undertake a Housing Needs Survey on our behalf. To capture all rural areas across the borough, surveys will be carried out in phases. The latest round of surveys was posted to households throughout September 2020.</p> <p>These surveys went to households in Forthampton, Chaceley, Tirley, Hasfield, Ashleworth and Deerhurst and included a focus on Community Led Housing (CLH), where people and communities play a leading role in addressing their own housing needs. Homes England is helping with funds to support the delivery of CLH and we have used this survey to inform our next steps in this area.</p>

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				Production of the reports for recent survey work were delayed due to long term illness at GRCC and a report is due to be delivered in February 2021, but this could be subject to change. The next phase of surveys is scheduled—for spring 2021 and will continue until March 2023 to ensure all areas of the borough are covered.
PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 2. Ensure development plans provide for the five year land supply requirement.				
a) Ensure adequate land is allocated within the JCS and Tewkesbury Borough Plan to meet housing need.	Autumn 2019 Spring 2020 Target date: Winter 2020 Summer 2021 (Preferred Options Consultation) (revised date reported to O&S committee in October 2020)	Head of Development Services Lead Member for the Built Environment	☺	<p>The JCS Review and the initial issues and options consultation was completed on 11 January 2019. Responses to the consultation are now being considered to progress the review to Draft Plan stage.</p> <p>The review will consider future growth requirements in the area, including addressing the shortfalls identified in the adopted JCS as well as planning for the long term. A key piece of ongoing work is an assessment of the potential options for strategic growth in the area.</p> <p>At Executive Committee on 6 January 2021 the Local Development Scheme was approved. This sets out the timetable for the JCS review.</p> <ul style="list-style-type: none"> • Issues & Options Consultation – Winter 2018/19 • Preferred Options Consultation – Summer 2021 • Pre-Submission Consultation – Winter 2022 • Submission to the Secretary of State – Spring 2023 • Examination – Summer 2023 • Adoption – Winter 2023
	Winter 2018 Summer 2019 Autumn 2019 December 2019		☺	The examination into the Local plan started on Tuesday 16 February 2021, adoption is expected later in the year.

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	Spring 2021 Target date: Adoption: Autumn 2021 (revised date reported to O&S committee in January 2021)			
b) Work with developers and stakeholders to deliver sustainable sites to meet housing needs.	Target date: March 2021	Head of Development Services Lead Member for the Built Environment	😊	<p>The JCS was adopted on 11 December 2017. The JCS sets out the overall housing requirement for the borough and sets the spatial strategy for meeting development needs.</p> <p>In undertaking strategic duties with the planning authority, officers are working to deliver housing needs.</p> <p>The JCS review will further consider development needs and the identification of additional sites to meet growth requirements going forward. This will involve further work with developers and stakeholders to progress sustainable site options.</p>
c) Annually monitor the delivery of homes within the borough.	Target date: October 2020	Head of Development Services Lead Member for the Built Environment	✓	Both the five-year housing land supply statement and the Tewkesbury Borough Council housing monitoring report for 2019/20 is complete and are both available on the council's website.
PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Objective 3. Support infrastructure and facilities delivery to enable sustainable communities.				
a) Work with partners, infrastructure	Target date: March 2021	Head of Development Services		<u>Innsworth</u> <ul style="list-style-type: none"> • Reserved matters applications are being submitted. • Phase 1 for 253 dwellings has been approved and construction of dwellings on site has now started.

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<p>providers and developers, to progress the delivery of key sites.</p>	<p>Lead Member for the Built Environment</p>		<ul style="list-style-type: none"> Phase 2 for 175 dwellings has been approved. Condition's discharge/approval application have been recently submitted and are pending. On this basis it is assumed that works have not yet commenced. <p><u>Twigworth-</u></p> <ul style="list-style-type: none"> Reserved matters application for 79 dwellings (phase 1a – of the outline approval for 725 dwellings) has been approved. Further reserved matters application approved for 74 dwellings on separate parcel within the allocation. Reserved matters application approved for 154 dwellings and associated public open space, engineering operations, drainage infrastructure and landscaping (phase 1b) Reserved matters application approved for five residential units, public open space, and drainage infrastructure. Reserved matters application approved for access road to local centre (subject of a separate reserved matters application). Reserved matters application received for the erection of a local centre. Outline application for a further 32 dwellings received on a separate parcel within the allocation. Reserved matters application received and approved for the infrastructure on this site – vehicular access off the A38. Reserved matters application received for public open space (including formal sports area and MUGA), changing rooms and car park and infrastructure. Currently awaiting a Deed of Variation to be finalised in respect of the changing facilities. A full application for five dwellings at the allocated site has been approved. These have been constructed and it is believed are now occupied. A full application for a further six dwellings at the allocated has been approved and are currently under construction. <p><u>South Churchdown</u></p>
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				<ul style="list-style-type: none"> • Reserved matters application granted for 465 dwellings as a first phase of development within this allocation. The development is progressing on site with several dwellings now out of the ground. <p><u>Brockworth</u></p> <ul style="list-style-type: none"> • Reserved matters applications approved for 600 dwellings: Phase 1 (135 dwellings) and Phase 2&5 (240 dwellings) and Phase 3 (225 dwellings). Delivery of houses has now begun on two phases of this site. No further updates. <p><u>North West Cheltenham</u></p> <p>Outline application has been submitted. Officers continuing to work with the developers on transport issues in order to progress the planning application. The additional transport modelling has now been completed with a view to resolving the highway issues.</p> <p>The outputs have been provided to Highways England and once it has provided its comments the application can progress to determination. Due to delays, there will need to be updates to matters including ecology and the Transport Statement. A package of information will be submitted this month which will immediately go out to consultation. Work continues on the s106 agreement.</p> <p><u>West Cheltenham</u></p> <p>Related to above, officers are working on transport matters as well as other master planning/development issues. The Gold Valley (West Cheltenham) SPD has now been adopted to guide the development. No further updates.</p>
b) Through the development process, work with communities to deliver the Community	Target date: March 2021	Head of Development Services Lead Member for the Built Environment	😊	<p>Further funds were determined by the S106 Panel in December 2020. These included sums for community facility improvements in Winchcombe, Stoke Orchard and Brockworth. Officers have also been communicating with parishes to allocate S106 from the relevant s106 agreements across a number of parishes within the borough.</p> <p>To help parishes prepare for the spending and reporting</p>

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Infrastructure Levy (CIL) and Section 106.										requirements that go with the CIL funding, parishes who have had funding or will be receiving funding in the next two year were invited to a joint council/GRCC workshop on 14 October 2020. This seminar was well received. The CIL monies is paid out twice a year the next instalment will be paid out in April 2021.	
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Key performance indicators for priority: HOUSING AND COMMUNITIES

KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
8	Total number of homeless applications presented during quarter	704		135	178	146				This includes 72 triage cases as an indication of total service demand. This quarter has been quieter than the previous quarter but within the range of last year. This demand is primarily made up of triage or advice only cases, indicating the ongoing demand for housing advice. Whilst there has been a steady level of homeless applications being presented. The number of main duty and relief cases handled shows the Housing Advice Team	Lead member for Housing Head of Community Services

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										is still assisting households at an early stage.	
Key performance indicators for priority: HOUSING AND COMMUNITIES											
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
9	Total number of homeless applications with main duty accepted at end of the quarter	48		7	8	12				Following the changes in legislation a statutory homeless duty is accepted to all applicants likely to be homeless within 56 days. Nb- the way in which we record KPI 9 and 11 have changed due to changes in legislation and practice. This makes the data more difficult to interpretate in this format. This will be rectified in the new 2021/22 performance tracker.	Lead member for Housing Head of Community Services

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Key performance indicators for priority: HOUSING AND COMMUNITIES											
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
10	Total number of active applications on the housing register	1775 1 bed single = 674 1 bed couple = 184 2 bed = 555 3 bed = 259 4 bed = 83 5 bed = 17 6 bed = 3		1801 1 bed single= 699 1 bed couple= 192 2 bed= 538 3 bed= 260 4 bed=90 5 bed= 19 6 bed= 2 7 bed= 1	1877 1 bed single= 727 1 bed couple= 200 2 bed= 543 3 bed= 279 4 bed= 104 5 bed= 21 6 bed= 2 7 bed= 1	1857 1 bed single= 747 1 bed couple= 171 2 bed= 546 3 bed= 269 4 bed= 99 5 bed= 22 6 bed= 2 7 bed= 1				The breakdown of bands is: Emergency – 54 Gold – 74 Silver – 577 Bronze – 1152 Total – 1857	Lead member for Housing Head of Community Services
11	Total number of homeless prevention, relief and legacy prevention cases	311		70	88 (Q1 & Q2=	74 (Q1-Q3= 232)				Essentially, this is the total number of homeless applications presents (Q3-146 applications) minus the number of triage cases	Lead member for Housing Head of Community

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				158)					(Q3- 72 cases). This equates to the total number of homeless prevention, relief and legacy prevention cases opened- Q3 74. There are three distinct duties. Q3 figures are as follows: <ul style="list-style-type: none"> • Prevention duty which lasts 56 days: 41 • Relief duty for homeless households which lasts 56 days: 32 • Full or Main statutory homeless duty (this is similar to the old duty): 1 Nb- the way in which we record KPI 9 and 11 have changed due to changes in legislation and practice. This makes the data more difficult to interpretate in this format. This will be rectified in the new 2021/22 performance tracker.	Services
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Key performance indicators for priority: HOUSING AND COMMUNITIES											
KPI no.	KPI description	Outturn 2019-2020	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
12	Percentage of 'major' applications determined within 13 weeks or alternative period agreed with the applicant.	81%	85%	83.33%	62.50% (Q1-Q2= 71.43%)	85.71% (Q1-Q3 = 76.19%)		↓		For Q3, 85.71% of major decisions were within target timescales (6 of 7 decisions). This achieves the target of 85% for the quarter and is significantly above the national target of 60%. Cumulative performance for the year (76.19%) remains below the annual target of 85%.	Lead Member Built Environment/ Head of Development Services
13	Percentage of 'minor' applications determined within 8 weeks or alternative period agreed with the applicant.	75.27%	80%	93.55%	65.12% (Q1-Q2= 77.03%)	84.44% (Q1-Q3 = 79.83%)		↑		In Q3, 84.44% of minor decisions (38 of the 45 decisions issued) were within agreed timescales and is above the local target of 80%. Cumulative performance for the year (79.83%) is on target to achieve the annual target of 80%. In combination with 'other applications' below, well on target to meet the national target of 70% for non-major decisions.	Lead Member Built Environment/ Head of Development Services

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Key performance indicators for priority: HOUSING AND COMMUNITIES											
KPI no.	KPI description	Outturn 2019-2020	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
14	Percentage of 'other' applications determined within 8 weeks or alternative period agreed with the applicant.	87%	90%	88.70%	83.19% (Q1-Q2= 85.90%)	88.37% (Q1-Q3 = 85.93%)		↓	:(For Q3, 88.37% of other applications were within agreed timescales (134 out of 157 decisions issued). While performance is slightly below the local 90% target, it is considerably above the national target of 70%. In combination with 'minor' applications' above, well on target to meet the national target of 70% for non-major decisions.	Lead Member Built Environment/ Head of Development Services
15	Enforcement - Investigate category A cases within 24 hours (without prompt action, material risk of further harm which could be reduced by early intervention).	66.67%	90%	100%	100% (Q1-Q2= 100%)	100% (Q1-Q3 = 100%)		↑	:)	One Category A case was received in Q3 and investigated within the 24-hour target. Total Category A cases received so far for 2020/21 is four.	Lead Member Built Environment/ Head of Development Services

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16	<p>Investigate category B cases within five working days (development causing, or likely to cause, irreparable harm or damage).</p>	57.14%	90%	83.33%	100% (Q1-Q2= 100%)	50% (Q1-Q3 = 72.73%)		↑	:(<p>During Q3 4 Category B cases were received and 2 investigated within the target timeframe.</p> <p>Performance reflects the priority being given to, and large amount of time required to deal with, formal action being taken on category A and B cases.</p>	<p>Lead Member Built Environment/ Head of Development Services</p>
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Key performance indicators for priority: HOUSING AND COMMUNITIES

KPI no.	KPI description	Outturn 2019-2020	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
17	<p>Investigate category C cases within 10 working days (risk of material harm to the environment or undue harm to residential amenity).</p>	66.10%	80%	50%	40% (Q1-Q2= 44.82%)	30.77% (Q1-Q3 = 40.48%)		↓	:(<p>26 Category C cases were received during Q3. Eight were investigated within 10 working days.</p> <p>Fall in performance reflects the priority being given to, and large amount of time required to deal with, formal action being taken on category A and B cases.</p> <p>Performance is also hindered by the vacant senior enforcement post.</p>	<p>Lead Member Built Environment/ Head of Development Services</p>
18	<p>Investigate category D cases within 15 working days (breaches causing limited material</p>	76.92%	70%	50%	50% (Q1-Q2= 50%)	29.41% (Q1-Q3 = 42.55%)		↓	:(<p>During Q3, 17 category D cases were reported, five cases were reviewed within 15 working days.</p> <p>Fall in performance reflects the priority being given to, and large</p>	<p>Lead Member Built Environment/ Head of Development</p>

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	disturbance to local residents or to the environment).									amount of time required to deal with, formal action being taken on category A and B cases. Performance is also hindered by the vacant Senior Enforcement post.	Services
PRIORITY: CUSTOMER FIRST											
Actions	Target date	Reporting Line		Progress to date	Comment						
Objective 1. Maintain our culture of continuous service improvement.											
a) Continue to improve the proactive homelessness prevention programme.	Target date: March 2021	Head of Community Services Lead Member for Housing		Deferred	This action is linked to the Covid-19 Corporate Recovery Plan, Customer First – recover- action a- 'Explore options for alternative ways for customer engagement e.g. housing applicants.'						
b) Continue to build on the success of our garden waste club.	Target date: April 2021	Head of Community Services Lead Member for Clean and Green Environment		😊	<p>The annual renewal process has now started – with initial emails being sent to our Citizens' Panel and a first batch of customers. Initial figures show that sign up is proving to be highly successful with over 4593 stickers being sold equating to £235,000 being collected to date.</p> <p>For customers who previously paid via cash/cheque, we are introducing the option to pay via these methods through Paypoint – and each letter will be sent with a personalised map showing where the customer's nearest Paypoint location is.</p> <p>This year's renewal incorporates a price freeze, recognising the fact that some customers were affected by the suspension of the service last year.</p> <p>All customers will receive the bi-annual newsletter in April, which will once again be filled with gardening advice and tips, as well as offers from local businesses.</p>						

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PRIORITY: CUSTOMER FIRST				
Actions	Target date	Reporting Line	Progress to date	Comment
Objective 1. Maintain our culture of continuous service improvement.				
c) Deliver the planning service improvement plan.	Target date: March 2021 (on going project)	Head of Development Lead Member Built Environment		There was a legacy improvement plan inherited by the Head of Development. This is currently under review and if necessary a new plan developed and brought forward at an appropriate time. In lieu of this, interim work is being undertaken with the planning administration team to improve areas of customer focus. This is being undertaken in conjunction with the customer service leads for the council.
d) Deliver the council's Communication Strategy	Target date: March 2021	Head of Corporate Services Lead Member for Customer Focus	✓	<p>The 2021/22 action plan was approved by Overview and Scrutiny Committee on 12 January. There are a range of actions introduced, including carrying out a review of internal communications, increasing the use of video as a communications channel, and supporting the council's transformation team to promote new online services. This builds upon the 2020/21 actions which were mostly delivered.</p> <p>Responding to Covid-19 continues to require significant communications resource.</p> <p>This action is linked to the Covid-19 Corporate Recovery Plan. (Customer First – rebuild- action d)</p>

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e) Establish a new business transformation team to support service improvements	Target date: April 2020.	Head of Corporate Services Lead Member for Commercial Transformation	✓	See recovery tracker for further details and successful implementation of this action. (Recovery tracker- Customer first-rebuild- action a)
PRIORITY: CUSTOMER FIRST				
Actions	Target date	Reporting Line	Progress to date	Comment
Objective 2. Develop online services to achieve ‘digital by preference, access for all’.				
a) Develop and implement a corporate digital platform.	Target date: March 2021	Head of Corporate Services Lead Member for Commercial Transformation	😊	<p>The Business Transformation Team is continuing to work hard to ensure all current online forms are moved over to the new platform. This includes working with services across the council to ensure that when forms are transferred, they are reviewed and processes made to be as efficient as possible for both the customer and the council.</p> <p>In addition to moving across existing forms, the team is also making fantastic progress on other projects including moving bulky waste online, introducing a paperless billing service, and revamping our complaints system.</p>
b) Implement an online offering for the licensing service.	New target date: April 2021 Sept 2021 (new revised date reported to O&S)	Head of Community Services Lead Member for Clean and Green Environment	😢	<p>A full review of licensing service has started including fee income, and the project plan was approved by Licensing Committee in November 2020. The plan is in progress.</p> <p>Online applications were in two phases: Phase one - Licensing Act 2003 and Taxi/ Private Hire Vehicle was being implemented but there have been some delays which were not resolved with Idox and the decision was taken not to progress with these and to combine with Phase two via Business Transformation and the digital platform.</p>

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	committee in March 2021)				
c) A full review of the bulky waste service including the online bookings.	Target date: March 2021	Head of Community Services Lead Member for Clean and Green Environment	😊	A full review of the service has been presented to both Management Team and the Transform Working Group. The review includes the need to address: <ul style="list-style-type: none"> • recurring annual deficit of c.£70K • a requirement for us to provide a re-use or recycling service as part of the provision of bulky waste • a need to meet customer requirements for an online booking service • a better management system that enabled us to track the success of the service • to capitalise on the opportunity to relieve the strain on the customers services team time through automated processes and proactive measures. The service was put out to tender, which closed at the end of January 2021. One formal bid was submitted and this is currently being evaluated by the project team. The online bulky waste booking service is expected to be one of the first services to go live on the new digital platform.	
d) Explore the opportunity for an online offering for our cemeteries function.	Target date: 31 March 2022	Head of Finance and Asset Lead Member for Finance and Asset Management		Work will start once the Business Transformation Team has delivered its initial priorities. Anticipated work will start 2021/22. It was always the intention this would be within a second phase, even pre-Covid.	

Key performance indicators for priority: CUSTOMER FIRST

KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service

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19	Total enquiries logged by the Area Information Centre (AIC).	686		0	0	0				The AICs have been closed since 11 March due to Covid-19.	Lead Member Customer Focus/ Head of Corporate Services
20	Total number of people assisted within the borough by Citizens Advice Bureau (CAB).	1,644		415	742	1,300				<p>Throughout the period under review face-to-face advice was suspended and the service continued to be a telephone and website service.</p> <p>During the nine months, residents presented 2,855 issues compared to 2,535 in the same period last year - an increase of 12.6% With 67% (1,907) of the 2,855 issues raised being represented by the following:</p> <ul style="list-style-type: none"> Benefits & Tax credits- 22% Universal Credit: 10% Debt and Financial: 16% Employment: 14% Housing: 8% Relationships: 8% <p>Of the 1,300 Tewkesbury clients seen the heaviest demand was Churchdown, St. John's at 108 (9.7%). The following five wards represent 438 (39%) of</p>	Lead Member Economic Development/ Promotion / Head of Development Services

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									all clients seen: Churchdown St Johns- 108 clients Northway- 89 clients Cleeve St Michael- 82 clients Brockworth West- 81 clients Tewkesbury South- 78 clients	
21	Financial gain to clients resulting from CAB advice	£1,832,984		£377,852	£329,926	£471,748			During the nine months clients in Tewkesbury have benefitted from £1,179,526 of financial gains of which £275,803 represented debts written-off.	Lead Member Economic Development/Promotion / Head of Development Services
22	Community groups assisted with funding advice	124		71	82 (Q1 & Q2= 153)	68 (Q1-Q3= 221)			The council has been awarding emergency community grants to support the Voluntary and Community Sector. Approximately £100k has been awarded to over 100 groups since April 2020. Other work includes the development of a Community Funding Toolkit, the development of the time limited Capital Funding Scheme and an online funding seminar planned took place on 11 February 2021.	Lead Member Economic Development/Promotion / Head of Development Services

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Key performance indicators for priority: CUSTOMER FIRST											
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
23	Benefits caseload: a) Housing Benefit b) Council Tax Reduction	2,687 4,318		2,617 4,747	2,564 4,802	2,519 4,871				The housing benefit caseload continues to fall due to the migration of claimants to Universal Credit, however still not to the extent estimated previously. We receive an average of 13 new claims a month. Delays in managed migration means that we will continue to deal with some claim types until September 2024. There continues to be a significant increase in the working age Council Tax Reduction caseload due to the financial impact of the COVID-19 pandemic.	Lead Member Finance and Asset Management/ Head of Corporate Services
24	Average number of days to process new benefit claims	6	14 (2019-20 target 15)	8	7	7		↓	😊	Performance on new housing benefit claims continues to be well below the national average of 17 days.	Lead Member Finance and Asset Management/ Head of Corporate

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												Services
Key performance indicators for priority: CUSTOMER FIRST												
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service	
25	Average number of days to process change in circumstances	2	3 (2019-20 target 4)	3	3	3		↓	😊	Performance on change in circumstances continues to be on par with the national average of three days.	Lead Member Finance and Asset Management/ Head of Corporate Services	
26	Percentage of council tax collected	98.1%	98.3%	29.5%	57.5%	85.6%		↓	😢	Council tax collection performance continues to be significantly affected by the COVID-19 pandemic. We remain unable to take formal recovery action for unpaid council tax as the magistrates' court has not reopened for liability order hearings. We continue to send reminders for non-payment and are trying to engage with residents in other ways by making alternative payment	Lead Member Finance and Asset Management/ Head of Corporate Services	

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										plans. As at the end of Q3 council tax collection was 0.9% below target.	
27	Percentage of NNDR collected	99.2%	98.5%	31.1%	59.8%	79.8%		↓	:(Business rates collection was significantly below target at the end of Q3. We continue to send reminders for non-payment, however as the magistrates' court remains closed to liability order hearings, we are not able to take any further enforcement action to collect outstanding debt. More positively, some of the outstanding balance is due to a significant assessment £925,000 rateable value) which was brought into the Rating List in late November which meant their instalments didn't start until 1 January 2021.	Lead Member Finance and Asset Management/ Head of Corporate Services

Key performance indicators for priority: CUSTOMER FIRST

KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
28	Average number of sick days per full time equivalent	12.62	8.0	2.09	2.21 (Q1 & Q2= 4.3)	2.95 (Q1 -Q3 = 7.25)		↑	:(The total number of sick days taken during Q3 was 546.9 which is up from Q2 (389.5 days), and the rise is largely due to a rise in long term sickness absence. This	Lead Member Organisational Development/ Head of Corporate Services

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										is still a significant drop from Q2 in 2019/20 where the number of days was 599.8. The total comprised of: Short term = 118.3 (19/20 = 266.2) Long term = 428.6 (19/20 = 333.6) If rates remain at this level we can predict a year end rate of around 10 days per employee compared with 12.4 days per employee last year. A rise in sickness absence following the post-covid drop is also being reported by other councils. The HR and OD team are actively supporting the management of those currently on long term sickness, have added to our wellbeing agenda and will be reviewing the absence management policy to try to keep rates down.	
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Key performance indicators for priority: CUSTOMER FIRST

KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
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29	Food establishment hygiene ratings.	3.6%	5% With a food hygiene rating Under three	3.47%	4.01%	2.6%	↑	😊	There are 827 registered food premises, an overall increase of 19 on the previous quarter with new businesses still registering. Food inspections have been on hold during lockdown however we are progressing with unrated, Category A and B premises in line with Food Safety Agency (FSA) guidance by virtual inspections. These will still need to be physically inspected at a later date. N.b- Category A-E is the FSA risk scoring categories. Cat A is the highest risk, for example a large dairy or major food producer. This remains below the target of no more than 5% of food business having a food hygiene rating of less than 3. Output may be lower for Quarter 4.	Lead Member Clean and Green Environment/ Head of Community Services	
30	Percentage of Freedom of information (FOI) requests answered on time.	90%	80%	91%	92% (Q1 & Q2 = 92%)	85% (Q1-Q3= 89%)	↔	😊	170 FOIs was received in Q3. 144 of these were answered within the 20 working days deadline. Total received to date for 2020-21= 411. (565 received during 2019/20)	Lead Member Customer Focus/ Head of Corporate Services	

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31	Percentage of formal complaints answered on time.	86%	90%	97%	93% (Q1 & Q2 = 95%)	70% (Q1-Q3= 89%)			↑	:(23 formal complaints were received in Q3. 16 were answered within the 20 working days deadline. Total received to date for 2020-21= 97. (199 received during 2019/20)	Lead Member Customer Focus/ Head of Corporate Services
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PRIORITY: GARDEN COMMUNITIES

Actions	Target date	Responsible Officer/Group	Progress to date	Comment	
Objective 1. Delivery of Tewkesbury Garden Town					
a) Formally establish the Garden Town planning status.	Target date: Submission for examination 2022	Lead Member Built Environment Director of Garden Communities	😊	The Garden Town will form part of the Joint Core Strategy Review which is scheduled for submission for examination in 2022. At Executive Committee on 6 January 2021 the Local Development Scheme was approved. This sets out the timetable for the JCS review. <ul style="list-style-type: none"> • Issues & Options Consultation – Winter 2018/19 • Preferred Options Consultation – Summer 2021 • Pre-Submission Consultation – Winter 2022 • Submission to the Secretary of State – Spring 2023 • Examination – Summer 2023 • Adoption – Winter 2023 	
b) Establish a governance structure and ways of working with key stakeholders.	Target date: March 2021	Lead Member Built Environment Director of Garden Communities	✓	The Tewkesbury Garden Town governance structure was approved at Executive Committee on 3 February 2021. This will now be actioned by the Tewkesbury Garden Town Team.	

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c) Prepare a masterplan that sets out the key principles, quality development and infrastructure requirements.	Target date: March 2021 (evolution of masterplan)	Lead Member Built Environment Director of Garden Communities		The Evolution of the Concept Masterplan is being prepared by BDP (TGT consultants). Once completed this will be presented to Member Reference Panel and the Council. Linked to Covid-19 Corporate Recovery Plan performance tracker. (Garden communities- Rebuild-action b).
d) Deliver the first phase of the 'bridge project', in line with the funding requirements.	Target date: Contract award March 2021 Completion March 2022	Lead Member Built Environment Director of Garden Communities		A planning application for the bridge was submitted in September 2020- planning reference 20/00896/FUL. This application was due to go to February Planning Committee but due to the technical details to the application it has been delayed and is scheduled to go to Planning Committee in March. If the application is successful at Planning Committee, a construction partner will be commissioned in Spring 2021, with the aim of project completion in March 2022.

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PRIORITY: GARDEN COMMUNITIES

Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 2. Delivery of Cyber Central Garden Community.				
a) Produce a Supplementary Planning Document (SPD) for West Cheltenham Cyber Park in collaboration with Cheltenham Borough Council.	Target date: Summer 2020	Lead Member Built Environment Director of Garden Communities		The SPD, now known as the Golden Valley Development SPD, was adopted by Tewkesbury Borough Council on 28 July 2020.
b) Prepare a land assembly programme to aid in the delivery of the Garden	Target date: March 2021	Lead Member Built Environment Director of Garden		Work underway in collaboration with Cheltenham Borough Council and Homes England to identify key land holdings for potential acquisition.

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Village		Communities		Linked to Covid-19 Corporate Recovery Plan- Garden Communities, refocus- action a.
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PRIORITY: SUSTAINABLE ENVIRONMENT				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 1. Deliver the climate emergency action plan				
a) Review and update our plans in relation to environmental sustainability and carbon management, taking account of the latest evidence and national policy.	Target date: March 2021	All Heads of Services Lead Member for Clean and Green Environment		Whilst the review of the parking strategy is currently on hold, the recent request to council for funding to support the purchase of new parking machines, highlighted the intention to utilise solar power to run the machines and improving the councils carbon position. No relevant policies yet to come forward.
b) Seek to reduce waste and emissions across our own estate, assets and activities, and use natural resources more efficiently.	Target date: July 2021	Head of Finance and Asset Management Lead Member for Finance and Asset Management	😊	Delivery of the year 1 carbon reduction action plan continues. The council was successful in its application for funding to carry out feasibility studies for the replacement of the heating system at the council offices and hopes to be successful in securing capital funding in the next round of grant applications to the Decarbonisation fund. Feasibility works are being carried out in Q4. In addition, carbon surveys of our homeless properties are being commissioned which will then provide a min-action plan for works to these properties and additional work is ongoing to refine the baseline data for the

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				council and ensure an efficient process can be implemented for future monitoring.
c) Work with Gloucestershire County Council and other partners to help local residents and businesses take action to reduce their own carbon footprint, and to make better use of resources.	Target date: March 2021	Head of Development Services Lead Member for Clean and Green Environment	Deferred for six months	Discussions are underway reviewing and implementing cycle pathways and other measures with Gloucester County Council to increase the options of walking and cycling.
PRIORITY: SUSTAINABLE ENVIRONMENT				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 2. Promote a healthy and flourishing environment in the borough.				
a) Establish planning policies to ensure the delivery of healthy and sustainable communities.	Target date: March 2021 (ongoing as action is across a number of plans)	Head of Development Services Lead Member for Built Environment	😊	<p>The adopted JCS already contains strategic policies around sustainability and health.</p> <p>The emerging Tewkesbury Borough Plan is proposing further detailed policies around environmental quality, green infrastructure and biodiversity and sustainable transport to help to deliver healthy and sustainable communities. The Borough Plan has been submitted for examination which is scheduled to commence on Tuesday 16 February 2021.</p> <p>The JCS review will reconsider existing strategic policies around health and sustainability as well as whether any additional policy guidance would be appropriate.</p> <p>At Executive Committee on 6 January 2021 the Local Development Scheme was approved. This sets out the timetable for the JCS review as:</p>

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				<ul style="list-style-type: none"> • Issues & Options Consultation – Winter 2018/19 • Preferred Options Consultation – Summer 2021 • Pre-Submission Consultation – Winter 2022 • Submission to the Secretary of State – Spring 2023 • Examination – Summer 2023 • Adoption – Winter 2023
b) Improve bio-diversity across the borough and educate communities on its benefits.	Target date: March 2023	Head of Development Services Lead Member for Community	Deferred for six months	A maintenance plan for the Grangefield, Bishop's Cleeve, is in production. This will be in line with the European Regional Development Fund (ERDF) funding criteria to enhance biodiversity. In addition, interpretation boards will be produced in 2021 to help educate the community.
c) Work with volunteers across the borough, and help communities to maintain our “place”.	Target date: March 2021	Head of Development Services Lead Member for Community	😊	<p>Officers have been continuing to assist the community through the pandemic, proving support to residents through the:</p> <ol style="list-style-type: none"> 1. Community Help Hub 2. Contacting the Clinically Extremely Vulnerable <p>The team continues to work closely with the Voluntary and Community Sector to provide support to residents in need through the Covid-19 pandemic. In addition, the team is assisting new community groups who wish to formalise themselves, as well as help them in the recovery phase.</p>
PRIORITY: SUSTAINABLE ENVIRONMENT				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Objective 3. Promote responsible recycling across the borough.				

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a) Take a robust approach towards fly-tipping and other enviro-crimes.	Target date: March 2021	Head of Community Services Lead Member for Clean and Green Environment		The number of complaints arising relating to fly tipping and bonfires has continued to increase as a result of Covid-19 and more people working from home. Noise nuisance is slightly down in this quarter however domestic noise nuisance has increased by nearly 60% and nuisance from bonfires by over 100% over the first 3 quarters of 2020/21 compared to the same period in 2019/20. The impact of Covid-19 regulation on the team has meant some delays in resolving these issues as priorities were redirected and this is ongoing and remains a high government priority. The reduction in nuisance from dog fouling and littering remains, however the number of abandoned vehicles has remained the same.
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b) Working with Gloucestershire Waste and Resources Partnership to encourage recycling and reduce plastic waste.	Target date: June 2021	Head of Community Services Lead Member for Clean and Green Environment		The Gloucestershire Waste and Resource partnership has a "Be Clear on Plastics" Campaign starting in Q1 2021/21 to cover all the issues regarding the different types of plastics and how people can reduce, reuse and recycle their plastics.
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PRIORITY: SUSTAINABLE ENVIRONMENT

Actions	Target date	Responsible Officer/Group	Progress to date	Comment
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Objective 4. Preserve and enhance the natural assets and built heritage of our borough.

a) Work with the local nature partnership on the natural capital asset mapping.	Target date: March 2021	Head of Development Services Lead Member for Built Environment		Natural capital assets mapping is now complete and available online- https://naturalcapital.gcerdata.com/ or via www.glooucestershirenature.org.uk .
b) Publish the heritage strategy to set out the actions to protect our	Target date: March 2021	Head of Development		The draft Heritage Strategy is one of the evidence documents that is being used to support the examination in public for the local plan-

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built environment.		Services Lead Member for Built Environment	✓	https://www.tewkesbury.gov.uk/tewkesbury-borough-plan-examination-library
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Key performance indicators for priority: SUSTAINABLE ENVIRONMENT											
KPI no.	KPI description	Outturn 2019-20	Target 2020-21	Outturn Q1 2020-21	Outturn Q2 2020-21	Outturn Q3 2020-21	Outturn Q4 2020-21	Direction of travel	Traffic light icon	Comment	Portfolio Lead / Head of service
32	Number of reported enviro crimes	1,271	1000	419	508 (Q1 & Q2 = 927)	542 (Q1-Q3= 1,469)		↓	:(Enviro crime figures for Q3 (figures in brackets comparable for 2019/20) <ul style="list-style-type: none">• fly tips- 395 (248)• Littering - 1 (3)• dog fouling- 12 (37)• abandoned vehicles- 50 (61)• noise- 60 (72)• Bonfire – 24 (19) Complaints continued to increase overall as a result of more people working from home due to Covid-19 especially flytipping and bonfires.	Lead Member Clean and Green Environment/Head of Community Services
33	Percentage of waste recycled or composted.	51.47%	52%	49.22%	51.54%	49.81%		↓	:(Recycling and residual waste collections have been significantly impacted by the Covid-19 pandemic during the year. All waste streams collected from households increased significantly as householders were told to remain at home and not go to	Lead Member Clean and Green Environment/Head of Community Services

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										work or school. There has been an increase in the amount of contamination in the blue bins. Both the increase in residual waste and increase in contamination, fly tipping and other enviro problems has been seen across the country. The instances of fly tipping and amount of residual waste has been significant. Which in turn impacts the performance as the % recycled or composted is a percent of all waste collected. The MRF provider has rejected some loads which has impacted the council's recycling performance also. The council is managing this process with the contractor at present to attempt to recycle as much as possible and avoid rejecting loads of recycling outright.	
34	Residual household waste collected per property in kgs.	414KG	430kg	117kg	114KG (Q1 & Q2 = 263KG)	114KG (Q1- Q3= 377KG)	↓		In line with the comments above as the impact of Covid-19 has had a detrimental effect on the waste sent for disposal which in turn impacts the % of waste collected sent for recycling or composting. The amount sent for energy from waste disposal per household remained high again for Q3. Increased residual waste is being seen across the county and country as more people are at home for the majority of time and working from home also.	Lead Member Clean and Green Environment/Head of Community Services	

Appendix 3- Covid-19 Corporate Recovery Plan Performance Tracker- 2020-21

Corporate Covid-19 Recovery Plan tracker actions:	
😊	Action progressing well/ on or above target
😐	Action has some issues/delay but not significant slippage/ below target but likely to achieve end of year target
☹️	Significant risk to not achieving the action or there has been significant slippage in the timetable, or performance is below target/ significantly below target and unlikely to achieve target
暂缓	Project has not yet commenced/ date not available or required to report
✓	Tracker action is complete or annual target achieved

PRIORITY: FINANCE AND RESOURCES				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Refocus				
a) Continue to work with partners to ensure adequate measures are in place on our high streets to enable social distancing.	Target date: August 2020	Head of Finance & Asset Management Lead Member for Finance and Asset Management	✓	All required and agreed health and safety signage and systems now installed on our High Streets. Further signage and hand sanitisers have now been agreed to be installed. Any further measures agreed will be implemented as and when required.
b) Monitor the financial impacts of Covid-19.	Target date: March 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	✓	Monthly monitoring and reporting, including detailed financial returns to MHCLG, is in place and will likely continue for the rest of the financial year and into the new year.
c) Produce a new six-monthly internal audit plan and review the whole suite of internal audit recommendations	New target date: October 2020 April 2021	Head of Corporate Services Lead Member for Corporate Governance	☹️	A new six monthly internal audit plan was approved by Audit and Governance Committee on 24 September. This was based on one full time equivalent officer delivering the plan rather than two, as one officer remains deployed on business grants. Since the plan was approved, other

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to determine if recommendations remain relevant and timescales for implementation remain feasible.	(New target date reported to O&S March 2021)			<p>additional business grants have come on-line. The audit function remains deployed within the business cell as well as overseeing GDPR activities.</p> <p>The suite of audit recommendations have been reviewed with proposed new implementations dates. This was undertaken prior to the current lockdown so will need to be reviewed again. It is expected to have some form of internal audit activity operational in April 2021.</p>
PRIORITY: FINANCE AND RESOURCES				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Recover				
a) Agree and monitor the Tewkesbury Leisure Centre recovery plan in partnership with Places Leisure.	Target date: September 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	😊	<p>Monitoring arrangements are in place and the council maintains a good working relationship with Places Leisure. Planning work has been extended to look at the potential impacts in 2021/22 and beyond.</p> <p>It should be noted that the leisure centre is currently closed but work is ongoing in preparation for a swift re-opening when restrictions are lifted.</p> <p>A £100m support fund for leisure centres was launched in December by the Government. The council applied and successfully received £170k funding.</p>
b) Ensure adequate measures are in place and government guidance is adhered to for those staff that need	Target date: March 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	😊	<p>The offices have been laid out in line with government guidance for safe operation and to ensure social distancing. The layout allows for 40 staff to be present in the offices each day though numbers present are way below this figure. The position will be continually</p>

Appendix 3- Covid-19 Corporate Recovery Plan Performance Tracker- 2020-21

to return to the Public Services Centre offices, whilst exploring the future demand for space in light of new ways of working.				monitored, and changes made to the operation as and when guidance dictates. Preparation work is being undertaken by the operational manager cohort to consider what the office environment may look and feel like when restrictions are lifted.
c) Produce a revised 2020/ 2021 budget.	Target date: No longer required	Head of Finance & Asset Management Lead Member for Finance and Asset Management	No longer required	Following consideration of all issues relevant to producing a revised budget, it was agreed that the council's needs would be better served by maintaining the original budget.
PRIORITY: FINANCE AND RESOURCES				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Rebuild				
a) Revise the Medium-Term Financial Strategy (MTFS) in light of additional financial pressures arising from Covid-19.	Target date: January 2021	Head of Finance & Asset Management Lead Member for Finance and Asset Management	✓	The MTFS was approved at Council on 26 January 2021. The 'production of an MTFS' action can also be found within the Council Plan performance tracker. (Finance and resources- objective 2- action a).
b) Maximise the use of business intelligence within the council to ensure the accuracy of the rating list.	Target date: 31 March 2021	Head of Corporate Services Lead Member for Finance and Asset Management		Recruitment of a new Business Intelligence Officer will take place in the New Year. A cross service project plan will need to be developed so business intelligence is shared by relevant services moving forward.

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c) Work with businesses and residents and seek to rebuild council tax and business rate collection rates.	Target date: March 2021	Head of Corporate Services Lead Member for Finance and Asset Management		Reminders continue to be sent out on a monthly basis as per the recovery timetable. The magistrates' court remains closed for council tax and business rates liability orders hearings, so we remain unable to take formal recovery action through issuing summonses for non-payment. The team is continuing to engage with residents and businesses to identify the reasons for non-payment and signposting to further support and assistance if required.
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PRIORITY: ECONOMIC GROWTH

Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Refocus				
a) Review the Economic Development and Tourism Strategy to identify any actions required to respond to Covid-19.	Target date: June 2024 June 2022 (revised date reported to O&S committee in November 2020)	Head of Development Services Lead Member for Economic Development/ Promotion		<p>The priorities within the strategy will need to reflect the changing needs of businesses resulting from Covid-19.</p> <p>In consultation with the lead member, due to the uncertain business climate, it was agreed that a new strategy will be developed for 2022, and the current strategy will continue until then. This was reported to Overview and Scrutiny Committee in November 2020.</p> <p>Delivery of 'the next year of the Economic Development and Tourism Strategy' action can be found within the Council Plan performance tracker. (Economic Growth-objective 1- action a).</p>

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b) Undertake an economic impact assessment and analysis to understand the needs of local businesses.	Target date: May 2021	Head of Development Services Lead Member for Economic Development/ Promotion		This economic assessment will help to inform the new Economic Development and Tourism Strategy. This assessment will be commissioned once the long-term impact on the business community is clearer.
PRIORITY: ECONOMIC GROWTH				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Refocus				
c) Work with our partners at Cotswold Tourism to understand when and how to safely encourage visitors back to the borough.	Target date: March 2021	Head of Development Services Lead Member for Economic Development/ Promotion	😊	<p>Currently, due to Covid19 restrictions there is not a focus on encouraging visitors to the Borough at the present time.</p> <p>The council has been working with Cotswold Tourism on low level promotional messages and marketing, including:</p> <ul style="list-style-type: none"> • Social media • Website • Campaign work • Interactive workshops <p>The focus has been particularly on the domestic market and post Covid 19 restrictions.</p> <p>In addition, meetings are being held with stakeholders across Gloucestershire jointly promoting the county, including developing ideas with newly formed Visit</p>

Appendix 3- Covid-19 Corporate Recovery Plan Performance Tracker- 2020-21

				Gloucestershire. This action is also linked to with the Council Plan performance tracker. (Economic Growth- objective 4- action a).
d) Work closely with partners, businesses and groups to enable the safe and successful reopening of high streets and retail centres.	Target date: March 2021	Head of Community Services Lead Member for Clean and Green Environment	😊	<p>In the last quarter we saw a national lockdown and two changes to Tiers with associated advice and guidance being given to all businesses as rules changed. Environmental Health (EH) continued to support businesses throughout this period and as covid positive numbers increased during the period worked closely with public health to ensure High Streets remained safe and to control outbreaks in workplace settings.</p> <p>Most businesses in Tewkesbury remained compliant with covid measures with most responding well to warnings rather than requiring the issue of Fixed Penalty or other enforcement action. Continued work with the Police was enhanced by the formation of a county wide enforcement partnership working group to coordinate responses and reactions.</p> <p>Further and continuing changes to legislation and guidance means that this area of work is ongoing and will be for some time.</p>

PRIORITY: ECONOMIC GROWTH

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Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Recover				
<p>a) Work with our partners to engage with businesses to create tailored business support solutions through Tewkesbury Growth Hub, as a single point of contact to support business recovery- helping businesses to recover, innovate and thrive.</p>	<p>Target date: July 2021</p>	<p>Head of Development Services Lead Member for Economic Development/Promotion</p>		<p>Delivering tailored covid-19 business support interactions and online events through Tewkesbury Growth Hub. 20 online webinar workshops and 1-2-1 sessions were delivered in quarter 1, 21 in quarter 2 and 23 in quarter 3. Events included support with online marketing, video development, social media, goal setting and Covid-19 support plan development.</p> <p>47 Covid-19 specific Growth Plans were developed with local businesses in Quarter 1 – providing support and advice of funding opportunities, support packages and resilience.</p> <p>The team also proactively contacted over 1,000 businesses to offer advice and support and promote the Government grant opportunities available.</p> <p>In quarter 2 the Growth Hub Network promoted the SME Recovery Grant and Kickstart Tourism Grant. Government Grant Schemes which the Growth Hub is delivering.</p> <p>A second round of the SME Recovery Grant and Kickstart Tourism Grant will be open for a short window in Quarter 4.</p> <p>A dedicated Survive and Thrive section has been set up on the Growth Hub Website – providing Covid-19 support.</p> <p>This action is also linked to with the Council Plan performance tracker. (Economic Growth- objective 1-</p>

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				action b).
PRIORITY: ECONOMIC GROWTH				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Recover				
b) Deliver sector specific advice and events, helping support local supply chains.	Target date: July 2021	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>As part of a Growth Hub Network and GFirst LEP project - specialist advisors have now been employed across priority and growth areas, which will help provide support to local supply chains. Specialist advice includes the following areas:</p> <ul style="list-style-type: none"> • Digital transformation • Low carbon / renewable energy sector • Change Management and transition, including Covid 19 recovery • Advanced manufacturing <p>The support can be accessed through each growth hub and the specialist advisors have now been appointed and are starting to engage with businesses.</p> <p>The first sector-specific campaign has been underway-(Destination Growth – Rebuilding the Tourism sector in the county). This has included online training for businesses.</p> <p>A dedicated Survive and Thrive section to provide targeted Covid-19 support to businesses has been set</p>

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				up on Growth Hub Website.
c) Work with partners to support employment and skills initiatives targeted at those affected by unemployment.	Target date: July 2021	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>Initial discussions have been held with DWP regarding offering a Youth Hub service within the Growth Hub to provide advice and information for young people, particularly focussing on young people impacted by Covid-19. Likely to be a virtual service to start with. Working with DWP to submit a project bid March 2021.</p> <p>Initial discussions with Growth Hub Network and GFirst LEP, exploring the potential of a Youth Enterprise Hub and the employment of an Apprentice in each hub location, linking in with the Kickstart Campaign.</p> <p>Promotion of the Kickstart Campaign to local businesses.</p> <p>Promotion of support and webinars delivered through the National Careers Service to help job seekers.</p>
PRIORITY: ECONOMIC GROWTH				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Rebuild				
a) Launch grant and support packages focused on innovation and growth, linking grants and Growth Hub advice.	Target date: December 2020 March 2021 (revised date reported to)	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>Commence a review of the council's Small Business Grant Scheme to develop the scheme to best support businesses in line with the impacts of Covid-19 and promote innovation and growth.</p> <p>Delivery and promotion of the Government's Small and Medium-sized Enterprises (SME) Recovery and Kick-starting Tourism Package Grant Schemes, (administered</p>

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	O&S committee in January 2021			through the Gloucestershire Growth Hub Network).
b) Support the revitalisation of the High Streets and retail centres across the borough, including delivery of the Tewkesbury Heritage Action Zone programme, to help drive economic recovery.	Target date: March 2024	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>Delivery of Reopening High Street Safely Fund project work. Grant action plan in development with key themes focussing on:</p> <ol style="list-style-type: none"> 1. Communications and public information activity to ensure that reopening of local economies can be successfully and safely 2. Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely 3. Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely <p>Work completed includes:</p> <ul style="list-style-type: none"> • Promotion and marketing contract with V8 – promotional material produced • Sanitisers, signage and stickers in town centres • Accessibility audits completed • Footfall counts commissioned
c) Work with partners to identify funding opportunities and support key infrastructure projects.	Target date: December 2022	Head of Development Services Lead Member for Economic Development/Promotion	😊	<p>Successful funding allocation from Reopening High Street Safely Fund to support Tewkesbury, Bishop's Cleeve and Winchcombe centres</p> <p>Grant Action Plan for the reopening of the high street safety fund has been submitted to Government for approval.</p>

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d) Promote Tewkesbury Borough as an excellent location for business and investment.	Target date: July 2021	Head of Development Services Lead Member for Economic Development/Promotion		Working with the Countywide Inward Investment Project Team to promote investment opportunities within the borough and fielding enquiries. Working with Department for International Trade (DIT) to help promote the trade and investment in the Western Gateway partnership (Gloucestershire, West of England, Swindon & Wiltshire and South Wales). DIT employing two specialists in advanced manufacturing and tech/cyber security to support inward investment. Promotion activity taking place through www.investinggloucestershire.com website and campaign work, where possible, under government Guidance
PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Refocus				
a) Refocus the council's Place Approach to reflect the issues within our communities arising from Covid-19.	Target date: January 2021	Head of Development Services Lead Member for Community	Deferred for six months	The place approach will be simplified to reflect some of the key priorities arising through the community from Covid-19. Principles around how we can work best with our communities will be developed for approval.
b) Assess the additional demand on those using the housing service, taking into consideration the county wide rough	Target date: Initial assessment October 2020	Head of Community Services Lead Member for Housing		The Housing Advice Team is still maintaining an active part of the county response to rough sleepers. The initial assessment has been completed and has shown that there was an increase in numbers of housing advice cases presenting but still within the usual range from recent years. The number of temporary accommodation

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sleeper initiative.				<p>placements decreased slightly.</p> <p>The focus on rough sleepers has led to weekly meetings between county operational housing managers, the county homelessness coordinator and homeless outreach representatives to enable a swift response and deliver suitable outcomes.</p> <p>New Temporary Accommodation (TA) placements Q1 = 26 Q2 = 21, Q3 = 25.</p> <p>New approaches for homelessness assistance Q1 = 135, Q2 = 178, Q3 = 146.</p> <p>TA placements have increased slightly from Q2 to Q3 despite a decrease in total homeless approaches. This is likely to be linked to the 'lockdown' in November and a period of severe weather. Of these 25 only 9 remain in TA as of 3 February.</p> <p>While the numbers of rough sleepers identified have remained low (usually 0-2) in Tewkesbury Borough, there is a level of 'hidden homelessness' of households in insecure accommodation.</p>
c) Work with landlords and tenants to assess the potential demand once restrictions are lifted.	<p>Target date: First stage December 2020</p> <p>To be repeated ending February 2021</p>	<p>Head of Community Services</p> <p>Lead Member for Housing</p>		<p>To gain an understanding of 'pent up' homelessness, contact was made with all households on the housing register and separate posts made through social media outlets to target tenants.</p> <p>In the initial survey (first stage) there was a strong response from social housing tenants. We have started to engage regularly with Bromford Housing at an operational level to ensure struggling tenants are flagged</p>

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				to us at an early stage. During quarter three- the survey was refreshed and was sent out again to all households on the housing register. Responses will be collated and analysed in March to highlight any trends and issues; this will help inform any future activity.
PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Recover				
a) Support our communities to become more resilient and harness community spirit.	Target date: December 2021	Head of Development Services Lead Member for Community	😊	<p>Most communities are still in a response mode to the pandemic. The council has been particularly focussing on the Clinically Extremely Vulnerable, supporting them with basic care needs.</p> <p>Ongoing work and support is being provided to several community groups, which were set up to support their communities through the pandemic, but now wish to continue providing community support. Support provided includes governance, future direction and volunteering.</p> <p>In addition, the Council is working with groups such as CCP, Foodbanks, Children's Centres and Health Visitors on a Winter Grant Scheme, with funds from GCC. This will help vulnerable families who are struggling to pay for food and fuel costs.</p> <p>Emergency community grants continue to be awarded 39 have been successful in Q3.</p>

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b) Respond to localised outbreaks of Covid-19 quickly and effectively and in conjunction with the Gloucestershire County Council's Local Outbreak Management Plan.	Target date: August 2021	Head of Community Services Lead Member for Clean and Green Environment		This work has continued throughout quarter three. Joint working between all districts, Police and Public Health has been key to reducing the risk of local outbreaks. However, numbers of cases continued to rise and a national lockdown followed by a rapid change between Tier restrictions took place in November and December, creating a degree of confusion for businesses. During this quarter we saw increasing numbers of outbreaks within workplaces and supported businesses to effectively deal with these incidents to ensure ongoing safety.
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PRIORITY: HOUSING AND COMMUNITIES				
Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Rebuild				
a) Recognise and harness our relationship with Voluntary and Community Sector (VCS) to support the building of resilient communities.	Target date: December 2021	Head of Development Services Lead Member for Community		The council is working with groups such as Caring for Communities and People (CCP), Foodbanks, Children's Centres and Health Visitors on a Winter Grant Scheme, with funds from Gloucestershire County Council. This will help vulnerable families who are struggling to pay for food and fuel costs. The council continues to support the VCS sector. The council has been distributing emergency community grants. The criteria has been adapted again to take into account the changing needs of the VCS over the course of the pandemic.

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				Supporting the VCS has been identified as a key issue within the County Community Resilience Recovery Plan. The council's community funding officer has been supporting the VCS to find external funding to support their communities. Volunteers are continuing to be sent a list of volunteering opportunities to access.
b) Build on the Local Housing Needs Assessment and start developing the Tewkesbury Borough Housing Strategy for 2021 onwards.	Target date: 6 April 2021	Head of Community Services Lead Member for Housing	✓	The new five-year term Housing Strategy was due to be renewed this year but has been deferred due to the resources required to respond to Covid-19. This will now be produced ready for Spring 2022. In the meantime, an interim version of the current strategy will be refreshed to cover 2021-2022, this will include updates to any legislation changes. On 3 February Executive Committee recommended Council approve the interim Housing Strategy at its meeting on 23 February 2021.
c) Consider future working arrangements within new communities to ensure there are adequate local businesses and self-employment hubs.	Target date: To be confirmed	Head of Development Services Lead Member for Community	Deferred	Work has not yet commenced.

PRIORITY: CUSTOMER FIRST

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Actions	Target date	Reporting Officer/Group	Progress to date	Comment
Refocus				
a) Review the effectiveness and efficiency of the Environmental Health Service, including an assessment of additional demand and available resources.	Target date: December 2020-April 2024 New target date: September 2021 (new target date reported to O&S Committee in March 2021)	Head of Community Services Lead Member for Clean and Green Environment	:(<p>All officers are working successfully remotely. The service has been severely impacted due to the additional responsibilities under covid-19 and will continue to be so for the next 12 months.</p> <p>The backlog of business-as-usual work required to be completed by April 2021 was further impacted by a national lockdown and rapid changes between Tier restrictions, particularly for food premises and our ability to enter homes. Food inspections have continued virtually to some extent in line with Food Safety Agency (FSA) guidance but will need to be inspected at a future date.</p> <p>Some progress has been made to delivering the private sector housing function including reviewing policies and procedures to increase efficiency and competency across the service, however, again inspections were required to be put on hold.</p> <p>Our Licensing team has suffered from long-term sickness which is ongoing and additional resources have been sourced who are currently dealing with a backlog of applications</p> <p>Community Safety has been incorporated within the team and is working well.</p> <p>Due to the team responding to the second lockdown and multiple changes in covid legislation and guidance, the target date has been amended to allow further work to</p>

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				be carried out within the review.
b) Develop a new customer care strategy.	Target date: January 2021	Head of Corporate Services Lead Member for Customer Focus	✓	A new strategy was endorsed by Overview and Scrutiny Committee in January 2021 and approved by Executive Committee in February 2021. The strategy is accompanied by an action plan and refreshed set of Customer Care Standards, which will now be rolled out across the council.
PRIORITY: CUSTOMER FIRST				
Actions	Target date	Reporting Line	Progress to date	Comment
Recover				
a) Explore options for alternative ways for customer engagement e.g. housing applicants.	Target date: March 2021	Head of Community Services Lead Member for Housing	😊	<ul style="list-style-type: none"> Working with the Business Transformation Team, the housing team has started to analyse phone traffic and the use of our website pages. The team will change the website structure for its pages to enable the customer to serve themselves more easily and introduce a 'contact us' form as an option. The operational managers' group is working together to establish what the office set-up will look like for staff returning, and how this will work for customers. This will include considering face-to-face contact, as well as alternative customer engagement such as online appointments. The customer services team is working with the planning admin team to help improve first point of contact resolution. This currently includes training customer services to be able to respond to more

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				<p>simple planning enquiries – through the creation of a detailed set of FAQs. This set of FAQs will also be made available on the website to reduce the need for customer contact in the first place.</p> <p>This action is also linked to with the Council Plan performance tracker. (Customer first- objective 1- action a).</p>
b) Support the safe re-opening of buildings that provide a council service.	Target date: (dependent upon government guidance)	Head of Corporate Services/Head of Development Lead Member for Customer Focus	Deferred	<p>Tourist Information Centres – remain closed.</p> <p>Advice and Information Centres (AIC) - all four AIC remain closed. Recent discussions with the four centres have confirmed that there has been very little demand for council services since being closed.</p> <p>The Public Services Centre remains closed to the public.</p>
c) Set up the new Business Transformation Team and shape the year one priorities.	Target date: September 2020	Head of Corporate Services Lead Member for Commercial Transformation	✓	<p>The team is set up and running with several projects identified, including the implementation of a new digital platform, a corporate website review, an end-to-end review of our bulky waste service and introducing paperless billing. Updates on the work of team are reported to the Transform Working Group.</p> <p>This action is linked within the Council Plan performance tracker. (Customer first- objective 1- action e).</p>
PRIORITY: CUSTOMER FIRST				

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Actions	Target date	Reporting Line	Progress to date	Comment
Rebuild				
a) Review the corporate website and Covid-19 microsite.	Target date: March 2021	Head of Corporate Services Lead Member for Customer Focus	✓	<p>The website project team has identified a preferred new platform, and this will be presented to Programme Board in February. It is anticipated the website will be delivered by December 2021, taking into account of the additional pressures that covid-19 is placing on instrumental members of the team.</p> <p>The new site will need to continue to offer excellent value-for-money, as well as offer improvements for the search function and our recruitment section. In addition, the new site must work well with our digital platform – given our website is the front face of the council for most customer interactions.</p>
b) Re-instigate and deliver the council tax and business rates paperless project.	Target date: February 2021 Revised target date: May 2021 (New target date reported to O&S Committee in March 2021)	Head of Corporate Services Lead Member for Finance and Asset Management	:(<p>A paperless billing solution has been developed by the in-house digital team. This needs to be tested by the Revenue's Team. Priority of the team is currently focused on the annual billing run and dealing with increased customer demand as a result of Covid-19. Testing will take place following this.</p>
c) For the benefit of customers, exploit the opportunities provided	Target date: December 2020	Head of Corporate	✓	<p>The Agile Working Policy has been consulted on by management and unions and was approved then</p>

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through agile working.		Services Lead Member for Organisational Development		published on 26 November 2020
d) Review communications strategy in light of new ways of working and remote meetings technologies.	Target date: January 2021	Head of Corporate Services Lead Member for Customer Focus	✓	The communications strategy was reviewed and endorsed by Overview and Scrutiny Committee at its meeting in January 2021. This action is linked within the Council Plan performance tracker. (Customer first- objective 1- action d).
PRIORITY: GARDEN COMMUNITIES				
Actions	Target date	Reporting Line	Progress to date	Comment
Refocus				
a) Work with partners at Cheltenham to speed up delivery of the garden village site.	Target date: March 2021	Director of Garden Communities Lead Member for Built Environment	😊	Working closely with Cheltenham Borough Council and Homes England regarding the J10 Housing Infrastructure Fund (HIF) delivery as well as land assembly opportunities and the possible relocation of the Hayden Sewerage treatment works. Board meetings and other meetings with partners, Severn Trent etc have been scheduled to look at these opportunities. This action is linked within the Council Plan performance tracker. (Garden Communities- objective 2- action b).

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b) Explore opportunities to enhance new digital jobs and training with the Local Enterprise Partnership (LEP) and partners at Cyber Central.	Target date: March 2021	Director of Garden Communities Lead Member for Built Environment		Continue to work with LEP and Cheltenham Borough Council as the Cyber Central project develops. Current activity includes the formation of a Cyber Leadership Board and a Cyber Festival planned for next year, both to be led by the LEP currently.
PRIORITY: GARDEN COMMUNITIES				
Actions	Target date	Reporting Line	Progress to date	Comment
Recover				
a) Seek further government funding with our partners to support sustained delivery of the garden community programmes.	Target date: December 2020 (Awaiting MHCLG decision)	Director of Garden Communities Lead Member for Built Environment		A bid for further capacity funding to support the development of the early stages of the Garden Town programme is under preparation and was submitted to Ministry of Housing, Communities and Local Government (MHCLG) in September. A decision was due in December, but this has yet to be received. The team have been informed by MHCLG it is pending.
b) Actively seek capital funding with our partners to support the programme.	Target date: March 2021	Director of Garden Communities Lead Member for Built Environment		Discussions continue on many aspects of the programme to identify potential external funding opportunities/income streams, including direct grant aid, land purchase options, utility services provision, as well as private equity/investment avenues.
PRIORITY: GARDEN COMMUNITIES				

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Actions	Target date	Reporting Line	Progress to date	Comment
Rebuild				
a) Work with partners to seek resolutions to infrastructure requirements around Junction 9 and Junction 10.	Target date: March 2021 (Junction 10)	Director of Garden Communities Lead Member for Built Environment	😊	<p><u>All-ways Junction 10</u> As part of the budget announcement, Gloucestershire County Council have been awarded £249m to deliver an all-ways J10. This project consists of an all-ways motorway junction, link road to the West Cheltenham development site and a park and ride interchange. Public consultation has taken place and finished on 25 November 2020. Post public consultation, further detailed option analysis will be undertaken in order to support an announcement about the preferred scheme design and location in Spring 2021. Another public consultation exercise will then accompany the planning application which follows. Additional project information can be found on the GCC website - https://www.goucestershire.gov.uk/highways/major-projects-list/m5-junction-10-improvements-scheme/</p> <p>This action can also be found within the Council Plan performance tracker. (Economic Growth- objective 2- action b).</p>
	Target date: October 2021 (J9 and A46)		😊	<p><u>J9 and A46 Offline Solution</u> The council continues to be actively engaged in both the A46 Partnership and Midlands Connect to promote the development opportunities at the Garden Town. A first stage bid for major investment to support the delivery of an off-line J9/A46 solution has now been submitted to</p>

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				the Department for Transport and work continues on finalising the next stage business case. Gloucestershire County Council continue with the project with submission date to the Department of Transport of September 2021. This action can also be found within the Council Plan performance tracker. (Economic Growth- objective 2- action b).
PRIORITY: GARDEN COMMUNITIES				
Actions	Target date	Reporting Line	Progress to date	Comment
Rebuild				
b) Work with partners to maximise sustainable development and low carbon technologies as part of the Garden Communities programme.	Target date: March 2021	Director of Garden Communities Lead Member for Built Environment	😊	To meet the principles of the garden community developments sustainability is a core requirement. West Cheltenham Supplementary Planning Document (SPD) is now adopted (Tewkesbury Borough Council adoption 28 July 2020), which promotes a number of sustainability objectives and work continues on the evolution of the Tewkesbury Garden Town masterplan to better define the principles of development and how key features of sustainability and low carbon can be fully integrated and actively promoted, from the outset. The Garden Town Team are in the process of contracting a consultant to help support this work. This action is linked within the Council Plan performance tracker. (Garden Communities- objective 1- action c).

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PRIORITY: SUSTAINABLE ENVIRONMENT				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Refocus				
a) Exploit the opportunities provided through agile working to enhance or accelerate carbon reduction and climate change initiatives.	Target date: March 2022	Head of Corporate Services Lead Member for Organisational Development	😊	With the majority of staff working from home then this will naturally contribute to reducing cost and the carbon footprint of PSC activity e.g. reduced paper consumption, reduced travel, heating and lighting etc. The impact will need to be determined through the capture of baseline data and monitoring procedures – a recommendation from the audit. Looking forward, the advantages currently presented through agile working need to be sustained and become the ‘new norm’.
b) Work with our businesses and communities to support cleaner and greener living and working.	Target date: March 2021	Head of Development Services Lead Member for Community	😊	Virtual workshops and one-to-one sessions are currently being offered to businesses through the Tewkesbury Growth Hub. Workshops on ‘how to build an eco/green business’ took place on 21 October 2020 and a one-to-one session on 22 October 2020. Further sessions are scheduled for 31 March 2021 and 1 April 2021.
PRIORITY: SUSTAINABLE ENVIRONMENT				
Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Recover				

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801	<p>a) Increase awareness in the effects of recycling contamination.</p>	<p>Target date: July 2021.</p>	<p>Head of Community Services Lead Member for Clean and Green Environment</p>		<p>Ubico crews continue to deliver to all properties a revised information sticker for blue bins as it has been recognised the current bins have been in place for up to 10 years and the information will be wearing off the older bins. This will ensure that at the point of use, the bins will show information on what can and cannot be recycled. Crews are carrying out additional checks and reporting the bins with contamination. These bins are being left with an information sticker to ensure they know why it's not been emptied. This has been supported by a communications campaign for social media and the new refuse and recycling calendar have a feature on recycling contamination.</p>
	<p>b) Work with our communities to minimise waste to minimise the impact on our environment.</p>	<p>Target date: October 2021</p>	<p>Head of Community Services Lead Member for Clean and Green Environment</p>		<p>A new waste communications strategy is being agreed with the newly reformed Gloucestershire Resource and Waste Partnership (GRWP). This will help the GRWP work closer with communities and encourage waste minimisation and diversion from disposal routes.</p> <p>A communications fund has been set up to pay for the activities which will be identified in the communication strategy action plan. This work will build on the waste compositional analysis which has identified recyclable waste streams still in the residual bin. The plan sets out the communications all year and will include media, social media, bin stickers and DAX (Digital, Audio and Exchange) advertising such as using podcasts and radio adverts.</p>
PRIORITY: SUSTAINABLE ENVIRONMENT					

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Actions	Target date	Responsible Officer/Group	Progress to date	Comment
Rebuild				
a) Support the deployment of the carbon reduction action plan.	Target date: July 2021	Head of Finance and Asset Management Lead Member for Finance and Asset Management.	😊	The council has been successful in securing feasibility funding for the replacement of the heating system at the Public Offices. Survey work started in January and will continue to take place in February. Further work is being undertaken to establish baseline emissions and a process for monitoring this going forward. Work is also being commissioned to evaluate the needs of our residential properties.
b) Work on the Mixed Recycling Facility (MRF) contracted services procurement.	Target date: April 2021	Head of Community Services Lead Member for Clean and Green Environment	😊	Procurement is complete, and the team are on target to have a new contract mobilised by the end of March 2021.
c) Build on our communities' connections with green space, walking and cycling to encourage healthy, sustainable living and appreciation of biodiversity.	Target date: March 2022	Head of Development Services Lead Member for Community	😊	Elements of this action has been deferred for six months. Some work continues through the Community Funding Officer as the council continues to provide funding advice for community projects, including environmental and health initiatives. Also, through the development process there are health and community policies to encourage new communities to access facilities and green space that encourage healthy, active lifestyles.

Appendix 4 - Quarter 3 budget report

Chief Executive	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	260,900	223,870	37,030	1
Premises	0	0	0	
Transport	0	0	0	
Supplies & Services	8,160	-164	8,324	
Payments to Third Parties	0	0	0	
COVID-19 Costs	0	0	0	
Income	0	0	0	
TOTAL	269,060	223,706	45,354	

1) The saving on Employee costs is as a result of the Chief Executive taking flexible retirement. The Chief Executive has since returned back to full time hours, following the departure of the Deputy Chief Executive.

Community Services	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	1,329,424	1,342,716	(13,292)	2
Premises	0	0	0	
Transport	900	89	811	
Supplies & Services	151,319	158,074	(6,755)	
Payments to Third Parties	5,112,113	5,315,999	(203,886)	3
COVID-19 Costs	0	265,829	(265,829)	4
Ringfenced Projects and Funding	0	(171,242)	171,242	5
Income	(2,241,962)	(2,296,368)	54,406	6
TOTAL	4,351,794	4,615,097	(263,303)	

2) The £10k deficit due to the following:

£50k adverse variance due to the additional cost of the COVID compliance officer (EHOC) which is being offset by funding from Public Health.

£15k for Housing Options Officer which is fully funded by GCC.

£55k saving due to various vacant posts.

3) MRF budget increased by £243k

Ubico forecast £50k lower than budget

Emergency homelessness accommodation £15k less than budget due to less demand than estimated.

4) The COVID-19 expenditure is as follows:

£85k additional costs charged from Ubico for increased PPE etc..

£38.5k for COVID marshalls,

£52.5k on agency staff

Homelessness costs from GCC are expected to be £56k

£16k emergency accommodation for the homeless

£11k recovery workshops - all offset against reserve funding

5) Ringfenced projects and funding represents grants that have been received in the year but not yet spent. A large grant was received for homeless prevention initiatives. This is not a recurring budget item and if unspent at year end will be placed in a reserve. Whilst shown as a gain above, it is removed as part of corporate costs and therefore does not impact on the charge to Council Tax payers

6) The fall in income is mostly in relation to Trade Waste and Licencing. Due to the pandemic there was business closures, which meant that they did not need trade waste services or to renew licences. It is hoped that through the Central Government Fees and Charges scheme that we can recover around 70% of the lost income.

Corporate Services	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	2,068,927	1,924,830	144,097	7
Premises	0	0	0	
Transport	0	0	0	
Supplies & Services	557,089	575,007	(17,918)	8
Payments to Third Parties	83,800	60,958	22,842	9
Transfer Payments - Benefits Service	12,449,021	12,369,382	79,639	10
COVID-19 Costs	0	309,448	(309,448)	11
COVID-19 Recovery	0	2,667	(2,667)	
Income	(12,969,223)	(12,892,368)	(76,855)	
TOTAL	2,189,614	2,349,924	(160,310)	12

7) The majority of the savings relates to vacant posts within Revenues & Benefits. The overtime and backfill for this team is currently coded against COVID. This is shown in the COVID spend. The Business Rates Intelligence officer budget, at £47k, will not be appointed to until 2021/22. Therefore, the budget will need carrying forward. The digital team is expected to make a £36k saving by Year End. This saving will partly fund the Digital Platform, which is showing as an overspend in supplies and services. Overall this is cost neutral.

8) The IT department have purchased additional equipment this financial year that was not budgeted for. The estimated total overspend in IT equipment is £50k. The largest item being for disaster recovery, who provide the offsite disaster recovery and business continuity component of our backup solution. There are savings in licenses and a reserve that will be used to offset this.

9) Courts summons have stopped since the start of COVID and are unlikely to resume. This will give a budget saving of £18k.

10) Although housing Benefit payments are higher than budget, the amount of subsidy we expect to receive is also higher. The total expected gain on budget is £79k.

11) The COVID costs that relate to Corporate are £85k on laptops, £202k on staff overtime and agency and £18k on licenses.

12) It's currently not possible to recover Council tax through court summons resulting in a budget deficit of £102k. This is being offset by some New Burdens grants.

Democratic Services	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	273,305	211,408	61,897	13
Premises	0	0	0	
Transport	11,500	292	11,208	
Supplies & Services	456,419	421,923	34,496	14
Payments to Third Parties	37,600	17,444	20,156	15
COVID-19 Costs	0	2,017	(2,017)	
Income	(2,000)	(10,904)	8,904	
TOTAL	776,824	642,180	134,644	

13) Savings identified from the vacant post held in establishment which is used to offset additional work that the team has to deliver during elections. In the current financial year there have been no elections that have had to be managed, the Police and Crime Commissioner election has been delayed for 12 months to May 2021. This saving may reduce during the second half of the year as the team are covering a member of staff on maternity leave and so may be claiming overtime.

14) Supplies and services are underspent due to having no civic functions during the year

15) There has been a reduction in postage expenses. However, there will be a large mail out for electoral registration because Canvassers can't be used currently

Deputy Chief Executive	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	124,939	106,254	18,685	16
Premises	0	0	0	
Transport	200	0	200	
Supplies & Services	2,400	124	2,276	
Payments to Third Parties	20,000	10,000	10,000	17
COVID-19 Costs	0	0	0	
Income	0	0	0	
TOTAL	147,539	116,378	31,161	

16) The saving on employee costs is as a result of the Deputy Chief Executive leaving to take up new employment. The role is not going to be filled in the short term, pending a review by the Chief Executive of the senior management team.

17) Cost not yet incurred in the delivery of the climate change agenda. A county wide coordinator post is expected to be appointed in March.

Development Services	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	2,079,092	1,964,739	114,353	18
Premises	45,356	42,581	2,775	
Transport	0	516	(516)	
Supplies & Services	219,705	153,438	66,267	19
Payments to Third Parties	276,045	225,552	50,493	20
COVID-19 Costs	0	11,064	(11,064)	21
COVID-19 Recovery	0	22,291	(22,291)	22
Projects Funded Externally	0	730,945	(730,945)	23
Income	(1,572,605)	(1,335,063)	(237,542)	
TOTAL	1,047,593	1,816,063	(768,470)	24

18) There are significant salary savings within Development Services resulting from vacant posts. Unfortunately, the planning posts have not been recruited to as there were no suitable candidates. To assist with capacity within Development Management agency staff have been employed. The projected year end saving is currently £114k. These salary savings will offset the overall income budget deficit.

19) Savings made on goods for resale at the tourist information centres and growth hub expenditure. Both have been closed due to COVID.

20) The NHB budget given for the high street action zone will not be needed until next financial year. There are also savings of ticket purchases at the TIC, due to closure.

21) The community cell worked overtime during the pandemic, helping vulnerable residents.

22) Planning have been allocated £25k from the COVID recovery fund. The expenditure is offset by reserve monies within corporate

23) This expenditure relates to the Ashchurch Bridge Project and Garden Towns. This is not a recurring budget item and a reserve is held to fund the expenditure. This reversal is shown within the Corporate codes.

24) There is a budget deficit across all income streams within Development. The largest is planning income, which is expected to be under budget by £92k. The second largest income shortfall is at the TIC's. It is the intention that the savings elsewhere will be used to offset this shortfall.

Finance and Asset Management	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	2,584,888	2,526,999	57,889	25
Premises	569,065	510,290	58,775	26
Transport	55,870	22,511	33,359	27
Supplies & Services	501,036	490,851	10,185	28
Payments to Third Parties	323,558	297,622	25,936	29
Precept	6,500	6,876	(376)	
COVID-19 Costs	0	279,247	(279,247)	30
Income	(1,425,401)	(858,772)	(566,629)	
TOTAL	2,615,516	3,275,624	(660,108)	31

25) Saving due to Parking Officer, Facility Officer and Property Officer posts being vacant for the first 6 months of this year.

26) Substantial savings on utility bills and programmed maintenance of the council offices

27) The saving in the transport costs is a result of halving our fleet of cars due to home working arrangements and the majority of meetings and events happening online. We currently have 3 fleet cars.

28) Saving on postages and bank charges

29) Overpend on payments to third parties relate to a £30k loan given to the Roses Theatre.

30) Staff costs - work related to Covid-19. For example, office cleaning increased to twice daily. Also a, £435k management fee paid for the Leisure Centre in order to cover their unavoidable costs. This is offset by £170k grant from Sport England.

31) Loss of income due to Covid:

- loss of £173k for the Leisure Centre
- loss of £334k of income from carparks
- offices tenant vacating resulting in £4k loss
- Mop Fair cancelled £13k loss
- GOLF free quarter rent £12500 loss
- Caravan Park free quarter rent £11k loss
- additional income from Tewkesbury Cemetery and electricity feed tariff £16k

One Legal	Full Year Budget £	Projected Outturn £	Savings / (Deficit) £	
Employees	1,951,713	1,565,218	386,495	32
Premises	0	0	0	
Transport	18,160	6,370	11,790	33
Supplies & Services	95,686	85,210	10,476	34
Payments to Third Parties	10,460	12,000	(1,540)	
COVID-19 Costs	0	0	0	
Income	(1,757,648)	(1,302,420)	(455,228)	
TOTAL	318,371	366,378	(48,007)	32

32) A potential budget deficit on One Legal fees, as partner councils and third party clients focus has been on response to the pandemic rather than day to day business requiring legal support. This deficit comprises lost income due to a significant reduction in s106 planning agreements, property transactions including licences for use of land and road closures during this financial year. In addition, One Legal anticipated significant growth during the financial year but the pandemic has not made this possible. One Legal has not been able to proactively market the service to Registered Providers and other public bodies nor has it been able to recruit staff in the current climate of uncertainty in order to resource the anticipated growth areas.

33) Staff travel and mileage has reduced due to the pandemic.

34) Various savings across supplies and services. Home working has reduced the amount of printing, stationery and postages.

Appendix 5 - Analysis of capital budget 2020/21

	Q3 Budget Position £	Q3 Actual Position £	(Over) / Under spend £	% Slippage	Comments
Council Land & Buildings	21,358	1,190	20,168	0	No expenditure expected in Q4
Vehicles	223,500	0	223,500	0	Replacement of grounds maintenance vehicles expected within this year
Equipment	223,965	135,296	88,669	40	
Capital Investment Fund	21,626,850	19,722,116	1,904,734	9	Final purchase made in Q3. Balance of funding to be removed from capital programme
Community Grants	0	0	0	0	No expenditure expected in Q4
Housing & Business Grants	375,000	336,564	38,436	10	Not as many applications for DFG's as projected at the beginning of the year. For comparison, we spent £451,835 Q1-Q3 in 2019/20
	22,470,673	20,195,167	2,275,507	10	

Appendix 6 - Revenue reserves for 2020/21

Reserve	Balance	Spent in Reserve	Reserve	Note
	31st March 2020	Quarter 3	Remaining	
Service Reserves				
Asset Management Reserve	1,148,664	1,293	1,147,371	
Borough Growth Reserve	1,270,166	254,700	1,015,466	4
Borough Regeneration Reserve	89,059	26,400	62,659	
Business Rates Reserve	500,000	-	500,000	
Business Support Reserve	125,317	2,970	122,348	
Business Transformation Reserve	618,019	95,346	522,673	1
Community Support Reserve	99,317	-	99,317	
Development Management Reserve	180,150	5,000	175,150	
Development Policy Reserve	264,935	2,222	262,713	
Elections Reserve	40,848	-	40,848	
Flood Support and Protection Reserve	9,646	-	9,646	
Health & Leisure development reserve	1,889	-	1,889	
Housing & Homeless Reserve	608,594	213,919	394,675	2
Insurance Reserve	50,000	-	50,000	
IT Reserve	110,195	17,678	92,517	
Open Space & watercourse Reserve	876,182	36,848	839,334	
Organisational Development Reserve	115,156	60,745	54,411	3
Risk Management Reserve	10,000	-	10,000	
Waste & Recycling development Reserve	1,209,955	11,463	1,198,492	
	7,328,093	728,583	6,599,510	

Notes

- 1 Funding of Digitisation team
- 2 Lead authority funding passed over to Forest of Dean DC
- 3 Payment of final essential user lump sum to staff as per savings plan
- 4 Cheltenham West Development

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	31 March 2021
Subject:	Civil Penalty, Rent Repayment Order and Minimum Energy Efficiency Standards in Privately Rented Homes Policies
Report of:	Interim Environmental Health Manager
Corporate Lead:	Head of Community Services
Lead Member:	Lead Member for Clean and Green Environment
Number of Appendices:	Three

Executive Summary:

This report is seeking approval of three new policies relating to enforcement in the private rented housing sector which is undertaken by the Environmental Health team. Within Tewkesbury Borough approximately 14%* of the housing stock is in the private sector, run and managed by private landlords.

Changes to legislation in recent years have added a number of tools to the enforcement toolkit available to the Environmental Health team, which can act as a deterrent to irresponsible landlords who flout the law. Specifically, the Housing and Planning Act 2016, introduced amendments to the Housing Act 2004, to allow local authorities to impose a financial penalty (a fine), for certain offences under the Housing Act, as an alternative to criminal prosecution. A Countywide Civil Penalty Policy was implemented in 2018 and the draft policy at Appendix 1 updates that policy.

The same legislation also introduced the ability for Councils to issue Rent Repayment Orders. These can be used, for example, when a landlord has failed to comply with a legal Notice from the Council to undertake certain works or where the landlord has carried out an illegal eviction or has harassed their tenants. The draft policy for Rent Repayment Orders is at Appendix 2.

A third change in recent years was the introduction of the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 which came into effect on 1 April 2018 and introduced minimum standards of energy efficiency for private rented property.

The report seeks approval for the adoption of the policies relating to Private Sector Housing matters, specifically:

- 1) Civil Penalty Policy for Housing Related Matters.
- 2) Rent Repayment Order Policy.
- 3) Minimum Energy Efficiency Standards in Privately Rented Homes Policy.

If adopted the new policies will sit under the Environmental Health Enforcement Policy which was adopted in August 2017.

*2011 census data

Recommendation:

1. To ADOPT the three policies as set out below, thus providing a framework for Officers to operate within, namely:
 - Civil Penalty Policy.
 - Rent Repayment Order Policy.
 - Minimum Energy Efficiency Standards in Privately Rented Homes Policy.
2. That authority be delegated to the Head of Community Services, in consultation with the Borough Solicitor, to issue financial penalties as set out within the policies.

Reasons for Recommendation:

To widen the enforcement options available to the Environmental Health team in dealing with offences under the Housing Act 2004 and related regulations a framework is needed for Officers of the Council to undertake enforcement activity in a manner which is open, proportionate, helpful and transparent and to secure better housing conditions for tenants within the private sector.

Resource Implications:

None directly arising from this report, although it should be noted that implementing the Civil Penalty Policy allows the Council a further opportunity to increase funding, due to the monies being returned to the department to continue enforcement activities within the private rented sector. It should be noted however, that increasing the Council's funding by using these powers will never be the primary reason to use them.

Legal Implications:**Delegated authority:**

It is recommended that decisions to issue financial penalties (for a Housing Act or Energy Efficiency breach) and to apply for a Rent Repayment Order (RRO) are covered by a delegated authority if they are not already. Delegated authority is important in the above circumstances as financial penalties are being used as an alternative to prosecution and the level of those fines can be quite high. For an RRO it is a decision to instigate legal proceedings in a tribunal.

Involvement of One Legal:

The decisions by Officers to issue penalties or tribunal proceedings are not insignificant and the statutory procedures surrounding the decision-making and the relevant processes are detailed and onerous. One Legal can check each decision is compliant with the many steps required and with the most up to date version of the legislation and guidance. Some of the decision-making processes incorporate threshold tests such as harm and culpability. These types of tests are facets of the litigation world and are likely more familiar to, and therefore easier for, One Legal to categorise (or check) than TBC's Officers. It is recommended that the involvement of One Legal is built into the process for issuing civil penalties and instigating tribunal proceedings.

Risk Management Implications:

None directly arising from this report.

Performance Management Follow-up:

None required.

Environmental Implications:

The use of the Energy Efficiency Regulations will see a positive impact on the environmental efficiency of homes, not only improving the environment in line with our carbon commitments but also financially as properties should become more economical to heat.

1.0 INTRODUCTION

- 1.1 Within Tewkesbury Borough approximately 14% of the housing stock is in the private sector, run and managed by private landlords. Although Tewkesbury Borough has some excellent landlords and letting agents, it is highly likely that some landlords are less scrupulous and irresponsible, who knowingly rent out accommodation that is unlicensed, substandard and/or unsafe.
- 1.2 The Environmental Health team has an important role in ensuring that properties in the private rented sector are fit for purpose and that landlords adhere to the relevant legislation to ensure that their properties are safe for the tenants. The majority of the powers available to the team are contained in the Housing Act 2004.
- 1.3 Changes to legislation in recent years have added a number of tools to the enforcement toolbox available to the Environmental Health team. Specifically, the Housing and Planning Act 2016, introduced amendments to the Housing Act 2004, to allow local authorities to impose a financial penalty, also known as a fine, for certain offences under the Housing Act as an alternative to criminal prosecution. A Countywide Civil Penalty Policy was implemented in 2018 and this policy updates that policy.
- 1.4 The same legislation also introduced the ability for Councils to issue Rent Repayment Orders (RRO). These can be used, for example, when a landlord has failed to comply with a legal Notice from the Council to undertake certain works or where the landlord has carried out an illegal eviction or has harassed their tenants. Rent Repayment Orders can be granted to either the tenant or the local authority. If the tenant paid their rent themselves, then the rent must be repaid to the tenant. If rent was paid through Housing Benefit or through the housing element of Universal Credit, then the rent must be repaid to the local housing authority.
- 1.5 A third change in recent years was the introduction of the Energy Efficiency Regulations 2015 came into effect on 1 April 2018 and introduced minimum standards of energy efficiency for private rented properties.
- 1.6 This report recommends the adoption of three policies in relation to the Council's functions under the Housing Act 2004 and associated regulations. These policies will be incorporated within the Council's Environmental Health Enforcement Policy 2017 and the Corporate Enforcement Policy.
- 1.7 The powers set out in this report have been available to our Officers since they passed into legislation, it has however, become good practice to have a policy framework that provides guidance to Officers on when and how to use them.

2.0 CIVIL PENALTY – PROPOSED POLICY

- 2.1** It is proposed that the Council includes the option to impose financial penalties as an alternative to prosecution for the Regulation of Housing Standards and the Licensing of Houses in Multiple Occupation.
- 2.2** The draft policy at Appendix 1 details how this option may be applied.
- 2.3** To encourage prompt payment of penalties a discount may be offered as set out below.

Penalty Range	Discount
Up to £10,000.00	10%
£10,000.00 - £20,000.00	15%
£20,000.00 - £30,000.00	20%
Or Payment within 14 days	50%

- 2.4** Payment by instalments (up to ten) paid monthly by direct debit is possible. To avail themselves of this option, landlords must pay the first instalment within 28 days and submit a formal request to pay by instalments and acknowledge liability for the offence/s.
- 2.5** Income received from a financial penalty can be retained by the Council provided that it is used to further the local housing authority's statutory functions in relation to its enforcement activities.
- 2.6** Income generation will never be the driving force for the use of enforcement powers. The driving force will always be to raise standards in the private rented sector.
- ## **3.0 RENT REPAYMENT ORDERS – PROPOSED POLICY**
- 3.1** In addition to the powers mentioned above, The Housing and Planning Act 2016 also introduced residential property tribunals and Rent Repayment Order (RRO).
- 3.2** A residential property tribunal is established to resolve disputes relating to property issues. They deal with matters such as lease extensions, property disputes, boundary disputes and land registration matters.
- 3.3** A Rent Repayment Order is an order requiring a landlord who rents property in England to -
- repay an amount of rent paid by a tenant, or
 - pay a local housing authority an amount of universal credit paid (to any person) in respect of rent under the tenancy.
- 3.4** A Council or tenant wishing to apply for a Rent Repayment Order must apply to the Residential Property Tribunal.

3.5 The Rent Repayment powers complement other enforcement tools that the Council has under the Housing Act 2004; these are:

- service of legal notices requiring improvement to a property.
- issuing a Prohibition Notice (prohibiting part of or a whole dwelling).
- issuing a Management Order.
- imposing financial penalties.
- undertaking a prosecution.

where the offence is failure to comply with a notice requiring works, the local authority is able to carry out those works in default.

4.0 DUTIES ASSOCIATED WITH RENT REPAYMENT ORDERS

4.1 The Council has a duty to consider applying for a Rent Repayment Order if it becomes aware that a person has been convicted of a relevant offence in relation to housing in its area.

4.2 In deciding whether to apply for a Rent Repayment Order, a local housing authority must have regard to the Rent Repayment Order Guidance for local housing authorities, published by the DCLG (now the Ministry of Housing Communities and Local Government (MHCLG)) in April 2017.

5.0 DISCRETIONARY POWERS ASSOCIATED WITH RROs

5.1 A tenant or local authority may apply for a Rent Repayment Order against a person who has committed a relevant offence in the authority's area but has not been convicted. This could include, for example, where the Council has imposed financial penalties instead of prosecution, where a person has admitted the offence and accepted a caution, or a conviction has not yet been secured.

5.2 A local housing authority may help a tenant apply for a Rent Repayment Order; for example, by helping the tenant to apply or by providing advice.

5.3 The draft policy for Rent Repayment Order is attached at Appendix 2.

6.0 ENERGY EFFICIENCY FINANCIAL PENALTIES POLICY

6.1 The Energy Efficiency Regulations 2015 came into effect on 1 April 2018 and introduced minimum standards of energy efficiency for private rented property.

6.2 These regulations require a minimum standard of energy efficiency to be secured and maintained in private rented properties.

6.3 If a local authority confirms that a property is (or has been) let in breach of the Regulations, they may serve a financial penalty up to 18 months after the breach and/or publish details of the breach for at least 12 months. Local authorities can decide on the level of the penalty, up to maximum limits set by the Regulations, currently £5,000.

6.4 Further detail on the requirements for Councils can be found at in the draft policy at Appendix 3.

7.0 RELEVANT COUNCIL POLICIES/STRATEGIES

7.1 The Council's Corporate Enforcement Policy and the Environmental Health Enforcement Policy 2017.

8.0 RELEVANT GOVERNMENT POLICIES

- 8.1**
- Statutory guidance - Civil penalties under the Housing and Planning Act 2016.
 - Statutory guidance - Rent repayment orders under the Housing and Planning Act 2016.
 - Guidance - Domestic private rented property: minimum energy efficiency standard - landlord guidance.

9.0 RESOURCE IMPLICATIONS (Human/Property)

9.1 None directly arising from this report.

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

10.1 To secure a sustainable private rented sector.

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

11.1 Fundamental to securing health and safety of residents in private rented accommodation.

12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

12.1 A Countywide Civil Penalty Policy was implemented in 2018 and this policy updates that policy.

Background Papers: None.

Contact Officer: Interim Environmental Health Manager Tel: 01684 272155
Email: kath.stent@tewkesbury.gov.uk

Appendices:

1. Financial Penalties for Housing Offences – Civil Penalty Policy.
2. Rent Repayment Order Policy.
3. Minimum Energy Efficiency Standards in Privately Rented Homes Policy.



Community Services

Housing and Planning Act 2016

Housing Act 2004

Financial Penalties for Housing Offences

Civil Penalty Policy (Draft)

Background

The Housing and Planning Act 2016 section 126 and Schedule 9 amended the Housing Act 2004 and introduced the ability for Local Housing Authorities to impose financial penalties (civil penalties) of up to £30,000 per offence as an alternative to prosecution for the following offences under the Housing Act 2004:

- failure to comply with an Improvement Notice (Section 30);
- offences in relation to Licensing of Houses in Multiple Occupation (Section 72);
- offences in relation to Licensing of houses under Housing Act 2004 Part 3, (Section 95);
- offences of contravention of an Overcrowding Notice, (Section 139(7));
- failure to comply with management regulations in respect of HMOs. (Section 234).
- Additional powers were included within The Electrical Safety Standards Regulations 2020 to impose penalties for offences under section 3 of the regulations relating to failure to obtain electrical safety certificates for private rented properties
- Multiple penalties can be imposed on the same person for different offences committed at the same time, but not where a single occurrence results in breaches of two or more enactments.
- Penalties can be imposed on two or more persons in respect of the same offence such as where a HMO licence holder and the HMO manager are both culpable for breaches of HMO Management Regulations.

Decision

The decision to issue a financial penalty comprises two stages:

1. to determine whether a financial penalty is an appropriate sanction in accordance with this Enforcement Policy, and, if appropriate
2. to determine the level of the proposed financial penalty.

If the decision is to impose a financial penalty, a notice of intention must be served stating the amount of the proposed penalty, the reasons for its imposition and information about the right to make representations.

After the expiry of the period for representations the matter must be reviewed, and a decision taken whether to confirm the penalty and if so whether to confirm, reduce or increase the amount of the penalty.

A Final Notice is then given, which requires payment of the penalty within 28 days. The recipient of a penalty has the right to make an appeal to a First-tier Tribunal (Property Chamber) Residential Property within 28 days against the imposition or the amount of the penalty.

Statutory guidance issued by the Ministry of Housing Communities and Local Government in April 2017 sets out the following factors which must be taken into account when deciding on the appropriate level of penalty:

- a) **Severity of the offence.** The more serious the offence, the higher the penalty should be.

Appendix 1

- b) **Culpability and track record of the offender.** A higher penalty will be appropriate where the offender has a history of failing to comply with their obligations and/or their actions were deliberate and/or they knew, or ought to have known, that they were in breach of their legal responsibilities. Landlords are running a business and should be expected to be aware of their legal obligations.
- c) **The harm caused to the tenant.** This is an important factor when determining the level of penalty. The greater the harm or the potential for harm (this may be as perceived by the tenant), the higher the amount should be when imposing a financial penalty.
- d) **Punishment of the offender.** A financial penalty should not be regarded as an easy or lesser option compared to prosecution. While the penalty should be proportionate and reflect both the severity of the offence and whether there is a pattern of previous offending, it is important that it is set at a high enough level to help ensure that it has a real economic impact on the offender and demonstrates the consequences of not complying with their responsibilities.
- e) **Deter the offender from repeating the offence.** The ultimate goal is to prevent any further offending and help ensure that the landlord fully complies with all of their legal responsibilities in future. The level of the penalty should therefore be set at a high enough level such that it is likely to deter the offender from repeating the offence.
- f) **Deter others from committing similar offences.** While the fact that someone has received a financial penalty will not be in the public domain, it is possible that other landlords in the local area will become aware through informal channels when someone has received a financial penalty.

An important part of deterrence is the realisation that:

- 1) the local housing authority is proactive in levying financial penalties where the need to do so exists, and
 - 2) that the level of financial penalty will be set at a high enough level to both punish the offender and deter repeat offending.
- g) **Remove any financial benefit the offender may have obtained as a result of committing the offence.** The guiding principle here should be to ensure that the offender does not benefit as a result of committing an offence, i.e. it should not be cheaper to offend than to ensure a property is well maintained and properly managed.

Burden of Proof

The same criminal standard of proof is required for a financial penalty as for prosecution. This means that before taking formal action, a local housing authority should satisfy itself that if the case were to be prosecuted in the magistrates' court, there would be a realistic prospect of conviction. In order to actually achieve a conviction in the magistrates' court, the local housing authority would need to be able to demonstrate beyond reasonable doubt that the offence has been committed. Similarly, where a civil penalty is imposed and an appeal is subsequently made to the First-tier Tribunal, the local housing authority would need to be able to demonstrate beyond reasonable doubt that the offence had been committed. In order to achieve this evidential level, any offence considered for imposition of financial penalty must receive the same level of investigation, including, where appropriate, interviews under caution of persons suspected of committing an offence

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and the gathering of intelligence from appropriate sources as would be carried out in respect of a case being considered for prosecution or similar actions.

Income from Financial Penalties

Income received from a financial penalty can be retained by the local housing authority provided that it is used to further the local housing authority's statutory functions in relation to their enforcement activities covering the private rented sector.

The Process

Enforcement Decision See Annex One

The Council's corporate Enforcement Policy will be taken into account throughout the consideration of whether to impose Financial Penalties.

The first stage in the process will be the Enforcement Decision, which is taken by reference to a set of matrices which, taking into account several factors relating to the severity of the offence(s) accumulates a score, which, when set against four severity bands results in action ranging from service of notices through carrying out works in default, imposition of financial penalties to prosecution and other sanctions such as revocation of HMO licences and banning orders against repeat offenders.

Once a decision has been taken to proceed to imposition of Financial Penalties those penalties will, having regard to the statutory guidance, be determined by reference to the following process: -

Banding Assessment See Annex Two

The offence will be assessed against a series of parameters corresponding with the following 6 bands: -

- Band 1 Low culpability/ Low harm
- Band 2 Medium culpability/ Low harm
- Band 3 Low culpability/ Medium harm or High culpability/ Low harm
- Band 4 Low culpability/ High harm or Medium culpability/ Medium harm
- Band 5 Medium culpability/ High harm
- Band 6 High culpability/ High harm

A series of parameters has been developed for each specific offence defining the matters to be taken into account in determining the appropriate band for each offence.

Penalty Assessment See Annex Three

Each band relates to a range of penalties and an assumed starting point (ASP) as follows:-

Band	Culpability/Harm	Range	Assumed Starting Point
1	Low/Low	£ 0-£4,999.00	£ 2,499.50
2	Medium/Low	£ 5,000.00 - £ 9,999.00	£ 7,499.25

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3	Medium/Low High/Low	£ 10,000.00 - £ 14,999.00	£ 12,498.67
4	Low/ High Medium/Medium	£ 15,000.00 - £ 19,999.00	£ 17,499.13
5	Medium/High High/Medium	£ 20,000.00 - £ 24,999.00	£ 24,999.10
6	High/High	£ 25,000.00 - £25,000.00	£ 27,499.80

Having identified the ASP for the offence, aggravating and mitigating factors are considered as follows, a sum of £1000 being added to the ASP for each aggravating factor or deducted for each mitigating factor: -

Aggravating Factors	Mitigating Factors
Previous formal action	No previous/relevant convictions
Motivated by financial gain	High level of co-operation/effective communication
Negligent, deliberate concealment of evidence	Medical conditions/disability/immaturity
Lack of co-operation/communication	Voluntary action taken to address problem
Other: - e.g. Obstruction	Other: - e.g. Good character/exemplary conduct

Income/Asset Check

Where information is available an income/asset check may be carried out which takes into consideration the following: -

Factor	Effect
Other income > £25,000	10.00%
Other Income < £25,000	5.00%
In receipt of benefit	-1.00%
Not in receipt of benefit	10.00%
Rental Income > £3,000	10.00%
Rental Income < £3,000	-5.00%
Property value above local average	10.00%
Property value below local average	-5.00%
No mortgage	10.00%

and may result in further deductions and/or additions to the penalty.

Appendix 1

To encourage prompt payment of penalties (within 28 days) a discount is proposed to be offered as follows: -

Penalty Range	Discount
Up to £10,000.00	10%
£10,000.00 - £20,000.00	15%
£20,000.00 - £30,000.00	20%

The calculated figures will be rounded up to the next £10 to arrive at the final full and discounted penalty amounts.

Payment by Instalments

It is proposed to offer the opportunity to pay the penalty by means of ten instalments, paid monthly by direct debit, subject to payment of the first instalment being received in cleared funds within 28 days and submission of a request to pay by instalments including an acknowledgement of liability.

Notice of Intent

Having determined that a financial penalty should be imposed on a person in respect of an offence, a Notice of Intent to impose a financial penalty must be given to that person. The notice of intent must be given no later than 6 months after the authority has sufficient evidence of the conduct to which the penalty relates, or at any time when the conduct is continuing.

Content of Notice of Intent

The notice of intent must set out:

- the amount of the proposed financial penalty;
- the reasons for proposing to impose the penalty; and
- information about the right of the landlord to make representations.

Representations

The recipient of a Notice of Intent is given the opportunity to make representations with respect to the imposition of the penalty within 28 days of the giving of the notice. A representation form will be provided with every Notice of Intent to give guidance indicating factors which may be considered and to ensure that appropriate supporting information is given.

Determination

After the expiry of the representation period, consideration will be given to any representations received and a decision will be taken as to whether to proceed with imposition of the Penalty as proposed, to reduce or increase the penalty or not to proceed.

Appendix 1

Final Notice

If it is decided to impose a penalty, whether or not at the same amount as the Notice of Intent, a Final Notice must be given to the person requiring payment of the penalty within 28 days.

Content of Final Notice

The final notice must set out:

- the amount of the financial penalty;
- the reasons for imposing the penalty;
- information about how to pay the penalty;
- the period for payment of the penalty (28 days);
- information about rights of appeal (to a First Tier Tribunal (Property Chamber) Residential Property); and
- the consequences of failure to comply with the notice.

Appeals

In the event of an appeal to the First Tier Tribunal being made within 28 days of the giving of the Final Notice, the notice is suspended until such time as the appeal is determined.

The opportunity to pay a reduced penalty is lost if an appeal is made, as the Tribunal will ultimately determine the amount of penalty (if any) to be paid.

Recovery of Unpaid Penalties

Where the recipient of a Final Notice fails to pay a civil penalty, the Council may refer the case to the county court for an order of that court. If necessary, the local housing authority may use county court bailiffs to enforce the order and recover the debt.

A certificate signed by the of the Council's Chief Finance Officer, which states that the amount due had not been received by a specified date, will be treated by the courts as conclusive evidence of that fact.

Other Relevant Actions

Works in Default

In appropriate cases, such as failure to comply with an Improvement Notice, works in default can be carried out in addition to imposing a financial penalty.

Database of Rogue Landlords

Where a landlord receives two or more civil penalties over a 12-month period, local housing authorities may include that person's details in the database of rogue landlords and property agents. While it is not compulsory, local housing authorities are strongly encouraged to do so. This will help ensure that other local housing authorities are made aware that formal action has been taken against the landlord.

Appendix 1

HMO Licence

If a landlord receives a civil penalty, that fact can be taken into account if considering whether the landlord is a fit and proper person to be the licence holder for a House in Multiple Occupation or any other property subject to licensing

Rent Repayment Orders

If a landlord receives a civil penalty, the tenants may be able to apply to a First Tier Tribunal for a Rent Repayment Order which requires repayment of up to twelve months' rent. The local authority may make such an application where rent has been paid through housing benefit or universal credit

Annex One

Example of Enforcement Decision Matrix for Unlicensed HMO Offence

Unlicensed HMO						
Property Address						
Officer	Advisory letter					
Date of assessment	Invitation to license Notification of breaches					
Unlicenced HMO for more than 6 months	-25	0	0			
Unlicenced HMO for less than 6 months	-20	0	0			
Unlicenced HMO - Failed to renew	-25	0	0			
Total number of adults (-1 for each occupant)	-1	0	0			
Children (under 18 years)	-10	0	0			
High risk HMO - No AFD or Protection - overcrowding	-20	0	0			
Medium risk - Limited AFD - poorly managed and	-15	0	0			
Low Risk - Otherwise well managed - AFD working	-5	0	0			
Prior informal interventions	-10	0	0			
Other unlicensed HMO's (per HMO)	-5	0	0			
Prior convictions/caution for housing related offences	-20	0	0			
Submitted valid application within 2 weeks	5	0	0			
Tenants behaviour	0	0	0			
Landlord does not need chasing – communication is	5	0	0			
Agents can demonstrate owners are poor	5	0	0			
Owners can demonstrate agents are poor	5	0	0			
Total	0					
Insert 1 in grey boxes where applicable Insert no of occupants/properties in salmon boxes						
Band 1 = + to -10 Band 2= -11 to -30 Band 3= -31 to -40 Band 4 = Greater than -41						
Management Regulation breaches Non Compliance of Conditions Non-corr ... (+ : <)						

Example of a completed Enforcement Decision Matrix for multiple HMO management breaches

Appendix 1

Management Regulations Breaches			
Property Address	Officer	Date of assessment	
Unlicenced	-20	0	Advisory letter Notify breaches
Period of non-compliance (per 28 days)	-5	2	Warning letter Notify breaches
Number of adults (-1 per adult)	-1	5	Financial Penalty - Refer to FP matrix
Children (under 18 years)	-10	0	Financial Penalty - Refer to FP Matrix
Fire Safety breaches (per offence)	-5	3	Prosecution
Other Management Reg breaches (per offence) (EXC Fire)	-1	3	Review other licences held
Other properties with noteworthy management reg breaches (-5 per property)	-5	0	
Prior informal interventions	-10	0	
Prior convictions/caution for housing related offences	-20	0	
Breaches exacerbated by tenants' behaviour	5	0	
Satisfactory management arrangements	5	0	
Landlord does not need chasing – communication is effective	5	0	
50% or more breaches potentially due to tenant damage	5	0	
			Insert 1 in grey box where applicable
			Insert no of periods/occupants/properties/breaches in salmon boxes
	Total	-33	

The result indicates band three- financial penalty

Annex Two

Example of Banding Assessment

The officer selects the band most appropriate for the case

The process includes banding assessments for all offences subject to financial penalties

IMPROVEMENT NOTICE

HA30

Failure to comply with Improvement Notice

Band 1 Low culpability/ Low harm

Culpability Notice complied with after expiry date and before interview date.

Harm Up to 3 separate hazards **not including** lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), extensive fire hazards, severe and imminent structural/falling elements hazard. No vulnerable occupants.

Band 3 Low culpability/ Medium harm

Culpability Notice complied with after expiry date and before interview date

Harm More than 3 separate hazards **not including** lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), extensive fire hazards, severe and imminent structural/falling elements hazard. Any vulnerable occupants not directly affected by hazards

Band 4 Low culpability/ High harm

Culpability Notice complied with after expiry date and before interview date

Harm Hazards include lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities, severe and imminent structural/falling element hazard. Vulnerable occupants affected by hazards

Band 2 Medium culpability/ Low harm

Culpability Notice not complied with by interview date but clear commitment and proof of order to complete works within agreed time presented at interview

Harm Up to 3 separate hazards **not** including lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), extensive fire hazards, severe and imminent structural/falling elements hazard. No vulnerable occupants.

Band 4 Medium culpability/ Medium harm

Culpability Notice not complied with by interview date but clear commitment and proof of order to complete works within agreed time presented at interview

Harm More than 3 separate hazards **not including** lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), severe and imminent structural/falling elements hazard . Any vulnerable occupants not directly affected by hazards

Band 5 Medium culpability/ High harm

Culpability Notice not complied with by interview date but clear commitment and proof of order to complete works within agreed time presented at interview

Harm Hazards include lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), severe and imminent structural/falling element hazard. Vulnerable occupants affected by hazards

Band 3 High culpability/ Low harm

Culpability Notice not complied with and no commitment to comply. Failure to respond to correspondence or failure to attend interview. Efforts/threats to evict tenants.

Harm Up to 3 separate hazards **not** including lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), extensive fire hazards, severe and imminent structural/falling elements hazard. No vulnerable occupants.

Band 5 High culpability/ Medium harm

Culpability Notice not complied with and no commitment to comply. Failure to respond to correspondence or failure to attend interview. Efforts/threats to evict tenants.

Harm More than 3 separate hazards **not** including lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), severe and imminent structural/falling elements hazard . Any vulnerable occupants not directly affected by hazards

Band 6 High culpability/ High harm

Culpability Notice not complied with and no commitment to comply. Failure to respond to correspondence or failure to attend interview. Efforts/threats to evict tenants

Harm Hazards include lack of heating and/or hot water, extensive damp and mould, extensive fire hazards, absence of amenities (especially in HMO), severe and imminent structural/falling element hazard. Vulnerable occupants affected by hazards

Other Relevant Factors

Retain only the relevant factors below as pertinent to the case

Aggravating Factors

- Previous formal action
- Motivated by financial gain
- Negligent, deliberate concealment of evidence
- Lack of co-operation/ communication
- Other - e.g. Obstruction

Mitigating Factors

- No previous/relevant convictions
- High level of co-operation/ communicating effectively
- Medical conditions/ disability/ immaturity
- Voluntary action taken to address problem
- Other - e.g. Good character/exemplary conduct

Annex Three

Penalty Assessment Matrix

The example shows the calculation of penalty for a band 4 offence (low culpability/high harm) where the offender is judged as being motivated by financial gain and has failed to co-operate with enforcement, which are considered aggravating factors, but has no previous convictions, a mitigating factor.

The rental income for the property in question is known to exceed £3000 and land registry records show no mortgage on the property. The resultant penalty is £ 22,198.95, which rounds up to £22,000.00 or a reduced penalty of £19,979.06 (£19,980.00) if paid within 28 days.

Tewkesbury Borough Council Financial Penalties Matrix

1.00

Name				
Property Address				
Offence				
Officer				
Date of assessment				
	Enter 1 in grey box to select			
Level of Culpability/Harm	Band	Range		
Low Culpability / Low Harm	1	£0.00 to	£4,999.00	
ASP (Assumed Starting Point)		50.0%		£0.00
Medium Culpability/Low Harm	2	£5000 to	£9,999.00	
ASP		75.00%		£0.00
Low Culpability / Medium Harm	3	£10000 to	£14,999.00	
ASP		83.33%		£0.00
High Culpability/ Low Harm	3	£10000 to	£14,999.00	
ASP		83.33%		£0.00
Low Culpability/High Harm	4	£15,000 to	£19,999.00	
ASP		87.50%	1	£17,499.13
Medium Culpability/Medium Harm	4	£15,000 to	£19,999.00	
ASP		87.50%		£0.00
Medium Culpability/High Harm	5	£20,000 to	£24,999.00	
ASP		90.00%		£0.00
High Culpability/ Medium Harm	5	£20,000 to	£24,999.00	
ASP		90.00%		£0.00
High Culpability/ High Harm	6	£25,000 to	£30,000.00	
ASP		91.67%		£0.00
Culpability and Harm Combined				£17,499.13

Appendix 1

Aggravating Factors				
Previous formal action		£1,000.00		£0.00
Motivated by financial gain		£1,000.00	1	£1,000.00
Negligent, deliberate concealment of evidence		£1,000.00		£0.00
Lack of co-operation/ communication		£1,000.00	1	£1,000.00
Other - eg. Obstruction		£1,000.00		£0.00
Mitigating Factors				
No previous/relevant convictions		£1,000.00	1	£1,000.00
High level of co-operation/ communicating effectively		£1,000.00		£0.00
Medical conditions/ disability/ immaturity		£1,000.00		£0.00
Voluntary action taken to address problem		£1,000.00		£0.00
Other - Eg. Good character/exemplary conduct		£1,000.00		£0.00
SUB TOTAL				1,000.00
TOTAL BEFORE INCOME/ASSET CHECK				18,499.13
INCOME/ ASSET CHECK				
Other income > £25,000		10.00%		0.00
Other Income < £25,000		5.00%		0.00
In receipt of benefit		-1.00%		0.00
Not in receipt of benefit		10.00%		0.00
Rental Income > £3,000		10.00%	1.00	1,849.91
Rental Income < £3,000		-5.00%		0.00
Property value above local average		10.00%		0.00
Property value below local average		-5.00%		0.00
No mortgage		10.00%	1.00	1,849.91
TOTAL FINANCIAL PENALTY				22,198.95
Prompt payment discount at 10% if under £10,000, 15% £10,000-£20,000, 20% over £20,000				2,219.90
Discounted penalty payment				19,979.06
Rounded up results £22,200.00				
£19,980.00				

Band 1 = £0 to £4,999 ASP £2,500 Low Culpability/Low Harm

Band 2 = £5,000 to £9,999 ASP £7,500 Medium Culpability/Low Harm

Appendix 1

Band 3 = £10,000 to £14,999 ASP £12,500	Low Culpability/Medium Harm OR High Culpability/Low Harm
Band 4 = £15,000 to £19,999 ASP £17,500	Low Culpability/High Harm OR Medium Culpability/Medium Harm
Band 5 = £20,000 to £24,999 ASP £22,500	Medium Culpability/High Harm OR High Culpability/Medium Harm
Band 6 = £25,000 to £30,000 ASP £27,500	High Culpability/High Harm

Worked Examples

The following are thee worked examples to illustrate the level of penalty which might typically be imposed

Case 1 Unlicensed HMO

Case overview

The property is a three storey, mid-terraced house comprising of two rooms, one used as a bedroom and the other a shared living room and outshot rear kitchen on the ground floor, two bedrooms and a shared bathroom on the first floor and two bedrooms on the second floor.

The property is let to five individual tenants by the owner.

None of the tenants has a written tenancy agreement and rents are paid direct to the landlord in cash weekly. No receipts are given for the rents. Tenants have only a mobile phone number as a means of contacting the owner other than on his weekly visits to collect rent.

Gas, electricity, council tax and water charges are paid by the landlord, but the electricity has a pre-payment meter which has to be topped up by the tenants who then recover the cost by deduction from their rent.

None of the tenants receive housing benefit.

There are just two, battery operated smoke alarms, in the ground floor entrance hall and first floor landing. At the time of inspection neither appeared to be in working order.

There are no fire doors provided anywhere in the premises.

The kitchen has sufficient worksurfaces and storage space and has a sink and drainer, four ring cooker and a microwave and one upright fridge/freezer. The equipment is worn and dirty.

The bathroom has a bath with electric shower over, WC and wash basin.

Heating is by gas central heating with radiators in all bedrooms, the shared living room and the bathroom, but none in the kitchen or the entrance hall or landings. The boiler and controls are in a locked cupboard accessible only by the landlord and tenants reported that the heating is only switched on for one hour in the morning and four hours in the evening during autumn and winter months and not at all from April to October.

Appendix 1

All tenants had lived in the property for at least four years at the time of inspection, whilst two had been residents for six and seven years and reported that there had always been at least three other residents throughout their tenancies.

During a PACE interview, the landlord admitted that the property had been occupied as a HMO for at least six years but only admitted to the five residents and therefore licensable for four years.

Despite claiming not to have been aware of the need for licensing, it was discovered that the landlord held HMO licences in other areas.

The owner was invited to submit an application and of the management regulation breaches within seven days of the inspection and subsequently attended a PACE interview four weeks after the inspection. The owner submitted a HMO Licence application the day before the interview.

At the PACE interview, the owner acknowledged the offences but offered no defence or mitigation, but stated that an information notice had been placed in the property containing all the required details, that arrangements had been made for installation of fire alarm and fire doors and quotes were being sought for renewal of the kitchen units..

Penalty level (low culpability/low harm)

£3500 reduced to **£2800** if paid within 28 days

Case 2 Breaches of HMO Licence Conditions

Case Overview

This case is the same property as case 1, an unlicensed HMO which also has a number of management breaches, which were not taken into account in assessing the penalty for the failure to license the HMO.

Breaches

Reg 3 – Failure to display manager's details (remedied by date of PACE interview)

Reg 4-Safety Measures - absence of adequate fire alarms and fire doors (ordered by date of PACE interview and completed eight weeks after the inspection date)

Reg 7- Failure to maintain common parts - Kitchen equipment worn and dirty (quotes awaited for renewal of kitchen at date of PACE interview and works completed twelve weeks after date of inspection)

Penalty levels

Reg 3 (low culpability/low harm)

£3500 reduced to **£2800** if paid within 28 days

Reg 4 (low culpability/high harm)

£13,500 reduced to **£11,480** if paid within 28 days

Appendix 1

Reg 7 (low culpability/low harm)

£3500 reduced to **£2800** if paid within 28 days

Application of the principle of totality to ensure that the overall penalty is not excessive would result in imposition of only the higher of these three penalties being imposed.

Case 3 Failure to comply with Improvement Notice

The property is a two-storey, end-terraced house comprising of two living rooms and outshot rear kitchen on the ground floor, two bedrooms and a bathroom on the first floor.

The owner had failed to comply with an Improvement Notice requiring repairs to a leaking roof, replacement of three timber single glazed window frames, replacement of a bedroom ceiling affected by water damage due to the leaking roof and repairs to two electrical sockets.

The owner had a record of failure to comply with Improvement Notices on two previous occasions at different properties, previous enforcement having been by carrying out works in default and had been issued with a caution following PACE interview relating to a different property approximately twelve months prior to the current offence.

Some unsuccessful and inadequate attempts had been made by the landlord to carry out works following a PACE interview conducted four weeks after expiry of the Improvement Notice. No further progress had been made a further four weeks after expiry of the notice and around 80% of the works remained outstanding including category 1 hazards.

With no clear indication that the works would be satisfactorily completed by the landlord it was decided to carry out works in default and in view of the landlords previous failures to proceed to an enforcement decision, there being sufficient evidence to support prosecution or financial penalties

Penalty level (high culpability/medium harm)

£24,500 reduced to **£22,050** if paid within 28 days



Community Services

The Housing and Planning Act 2016 Rent Repayment Order Policy (Draft)

1 Legal Background

- 1.1 Section 40 of The Housing and Planning Act 2016 empowers a First Tier Tribunal (FTT) to make a Rent Repayment Order (RRO), that is an order requiring the landlord under a tenancy of housing in England to—
- repay an amount of rent paid by a tenant, or
 - pay a local housing authority an amount in respect of a relevant award of universal credit paid (to any person) in respect of rent under the tenancy.

This document takes account of guidance issued by the Government⁽¹⁾.

It proposes:

- How the Council will fulfil its mandatory duty to consider making an application for an RRO when it becomes aware that a landlord has been convicted of a relevant offence.
- How the Council will use its discretionary powers in other relevant circumstances.

(1) *'Rent repayment orders under the Housing and Planning Act 2016, Guidance for Local Housing Authorities'*, DCLG 2017.

- 1.2 The Rent Repayment powers complement other enforcement tools that the Council has under the Housing Act 2004; those are:

- to impose financial penalties,
- to prosecute,
- where the offence is failure to comply with a notice requiring works, to carry out those works in default.

2 Duties

- 2.1 The Council has a duty to consider applying for an RRO if it becomes aware that a person has been convicted of a relevant offence in relation to housing in its area (Section 48 Housing and Planning Act 2016).
- 2.2 In deciding whether to apply for an RRO a local housing authority must have regard to the RRO Guidance for local housing authorities, published by the DCLG (now the Ministry of Housing Communities and Local Government (MHCLG)) in April 2017.

3 Discretionary powers

- 3.1 A tenant or local authority may apply for an RRO against a person who has committed a relevant offence in the authority's area but has not been convicted (Section 41 Housing and Planning Act 2016). This could include, for example, where the Council has imposed financial penalties instead of prosecution, where a person has admitted the offence and accepted a caution, or a conviction has not yet been secured.

- 3.2 A local housing authority may help a tenant apply for an RRO; for example, by helping the tenant to apply, by conducting proceedings, or by providing advice. (Section 49 Housing Act 2016)

4 Procedure

4.1 In the Event of a Conviction

- 4.1.1 In respect of a tenancy where a relevant award of universal credit has been paid (to any person) in respect of rent under the tenancy, the council will consider applying for an RRO in all cases where it becomes aware that a person has been convicted of one or more of the following offences ('relevant offences') in its district:

- Violence for securing entry, s.6(1) Criminal Law Act 1977
- Unlawful eviction or harassment of occupier, s.1 Protection from Eviction Act 1977
- Failure to comply with an improvement notice, s.30 Housing Act 2004
- Failure to comply with a prohibition order, s. s.32 Housing Act 2004
- Control or management of unlicensed HMO, s.72(1) Housing Act 2004
- Control or management of unlicensed house, s.95(1) Housing Act 2004
- Breach of a banning order, s.21 Housing and Planning Act 2016

The Council will consider each case individually and will take into account the following factors.

- Culpability of the offender
- Harm, or potential harm to tenants or other persons
- Aggravating factors, including previous track-record of the offender, previous offences and previous convictions
- Mitigating factors

- 4.1.2 The Council will use the decision matrix in Appendix A, to inform its decisions but will also take into account the resources available to it at the time the decision is made, the resources likely to be available to it during the anticipated period of the application process, and the appropriate allocation of resources it should make in light of its other activities and priorities.

- 4.1.3 Where a landlord has been convicted of an offence, the First-tier Tribunal **must** order the amount of rent to be repaid is the maximum sum that the tribunal has power to order in accordance with sections 44 or 44 respectively (Section 46 Housing and Planning Act 2016).

4.2 In the Event of an Offence but no Conviction

- 4.2.1 The Council may also consider applying for an RRO in all cases where it becomes aware that a person has committed one or more of the relevant offences in the Council's district but has not been convicted including: -

- where financial penalties have been imposed,
- where a where a person has admitted the offence and accepted a caution,
- where a conviction has not yet been secured.

- 4.2.1 In these circumstances the Council will first satisfy itself that there is likely to be sufficient evidence to prove, beyond reasonable doubt, that an offence has been committed. If there is judged to be sufficient evidence, the Council will then apply the approach set out in sections 2.1.2 and 2.1.3 above in considering whether or not to apply for an RRO.
- 4.2.3 If the Council considers it appropriate to apply for an RRO in these circumstances, it is also required to consider how much rent it should seek to recover.

Note:- In respect of the first 2 offences in section 4.1.1 the amount is fixed, by s.45 Housing & Planning Act 2016, as the amount of universal credit paid in the period of 12 months ending with the date of the offence.

4.2.4 In accordance with the guidance provided to it (s3.2 MHCLG Guidance for Local Housing Authorities), the Council will take into account the following in determining how much rent to seek to recover:

- **Punishment of the offender**

Rent repayment orders should have a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities. Factors that a local housing authority may wish to consider include the conduct of the landlord and tenant, the financial circumstances of the landlord and whether the landlord has previously been convicted of similar offences.

- **Deterring the offender from repeating the offence**

The level of the penalty should be set at a high enough level such that it is likely to deter the offender from repeating the offence.

- **Dissuading others from committing similar offences**

Rent repayment orders are imposed by the First-tier Tribunal and so the fact someone has received a rent repayment order will be in the public domain. Robust and proportionate use of rent repayment orders is likely to help ensure others comply with their responsibilities.

- **Removing any financial benefit the offender may have obtained as a result of committing the offence**

This is an important element of rent repayment orders: the landlord is forced to repay rent, and thereby loses much, if not all, of the benefit that accrued to them by not complying with their responsibilities.

4.2.5 However, having concluded that an application for an RRO is appropriate, and subject to any mitigating or aggravating factors, the Council is most likely to conclude that it should apply to recover the maximum possible amount

For all but the first 2 offences in section 2.1.1, the maximum amount is the amount of universal credit paid in the period, not exceeding 12 months, during which the landlord was committing the offence (s45 Housing & Planning Act 2016)

4.3 Assistance to tenants wishing to make an RRO in cases in which there is evidence of an offence but no conviction

The Council will consider assisting a tenant apply for a RRO when requested, but will only do so if it is satisfied there is likely to be sufficient evidence to prove, beyond reasonable doubt, that an offence has been committed, and if it has the resource to do so.

RRO Policy 2021 – Appendix A

Determining when to apply for a rent repayment order:

Introduction

The decision matrix in this document will inform the Council's decision making as to whether or not it is appropriate to make an application for a rent repayment order. It takes account of the culpability of the offender and the harm caused to the tenant as a means of establishing the severity of the offence in question. The severity can then be further adjusted up or down by consideration of aggravating and/or mitigating factors.

1. Culpability

The Council will have regard to three levels of culpability as described in table 1 below:

Table 1

High deliberate or reckless act	<ul style="list-style-type: none">• Intentional breach by offender• Disregard of law• Failure to take action to deal with issues of which they were aware
Medium: negligent act	<ul style="list-style-type: none">• Failure to take reasonable care to avoid serious offence, e.g. partly complied with an Improvement Notice• Failure to make themselves aware of legal responsibilities
Low	<ul style="list-style-type: none">• Little fault of the offender, e.g. damage caused by tenant, let down by contractor or has full management agreement with agent to oversee the property

2. Harm

The Council will have regard to the harm caused to the individual, to the community (e.g. economic loss) and other types of harm (e.g. public concern over the impact of poor housing on the neighbourhood).

The nature of the harm will depend on the circumstances of the victim (tenant). Where there is no actual harm, the Council will consider the relative danger the person was exposed to as a result of the offence (i.e. the likelihood of harm occurring and the seriousness of what could have resulted) as described in Table 2 below:

Table 2

High	<ul style="list-style-type: none">• Defect gives rise to possibility of extreme or severe harm outcomes to occupants and visitors,• Overcrowding• Especially serious or psychological effect on victim• Vulnerable victim(s)• Multiple victims
------	--

Medium	<ul style="list-style-type: none"> Defect gives rise to serious harm outcomes to occupants and visitors.
Low	<ul style="list-style-type: none"> Defect giving rise to moderate harm outcomes to occupants and visitors. Property fully compliant with management regulations/licensing standards but no licence in place

3. Severity

The severity of the offence is established by combining culpability and harm as described in Table 2 below:

Table 3

High culpability High harm	High Culpability Medium Harm	High culpability Low harm
Medium Culpability High Harm	Medium Culpability Medium Harm	Medium Culpability Low harm
Low Culpability High Harm	Low Culpability Medium Harm	Low Culpability Low Harm

Subject to any mitigating or aggravating factors, the Council is most likely to conclude that applying for an RRO is appropriate when the culpability and harm circumstances of a case are judged to fall in one of the red portions of the table, but it may also conclude that an application is appropriate for cases judged to fall in the orange sectors (including the darker orange sector for Medium culpability/Medium harm). It is unlikely to conclude that an RRO application is appropriate if the circumstances are judged to fall in the green sector



Community Services

Energy Act 2016 Implementation of Minimum Energy Efficiency Standards (MEES) in Privately Rented Homes

Background

Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 came into effect on 1st April 2018 and introduced minimum standards of energy efficiency for private rented property. From 1 April 2020 these rules apply to all rented property regardless of a change in tenancy:

The regulations require: -

- that landlords must provide an Energy Performance Certificate (EPC) containing information about the property's energy use and costs and how to reduce these to the tenant whenever they grant or renew an assured shorthold tenancy.
- that all privately rented homes must have at least an E-rating on the property's EPC or have spent a minimum of £3,500 on trying to achieve an E rating.
- The regulations include exemptions for properties where all the “relevant energy efficiency improvements” for the property have been made (or there are none that can be made) but the property remains sub-standard and the property has been entered on the PRS Exemptions Register together with supporting evidence.

Non-compliance with the Regulations

A local authority may check for different forms of non-compliance, including one or more of the following:

- from 1 April 2018, a property is let in breach of the Regulations
- from 1 April 2020, a property is continued to be in breach of the Regulations
- A landlord has registered any false or misleading information on the PRS Exemptions Register

Enforcement and Penalties

The Council is the “enforcement authority” for their area, and responsible for enforcing compliance with the minimum level of energy efficiency provisions within their geographic boundaries.

If a local authority believes a landlord may be in breach, they may serve a compliance notice requesting information to help them decide whether a breach has occurred. They may serve a compliance notice up to 12 months after a suspected breach occurred.

A compliance notice may request information on:

- the EPC that was valid for the time when the property was let
- the tenancy agreement used for letting the property

- information on energy efficiency improvements made
- any Energy Advice Report in relation to the property
- any other relevant document

If a local authority confirms that a property is (or has been) let in breach of the Regulations, they may serve a financial penalty up to 18 months after the breach and/or publish details of the breach for at least 12 months. Local authorities can decide on the level of the penalty, up to maximum limits set by the Regulations.

The maximum amount of fine per property is £5,000 in total

When the Council are satisfied that an offence has been committed, they may decide to impose Financial Penalties up to the limits included in the following table.

Infringement	Penalty (less than three months in breach)	Penalty (three months or more in breach)
Renting out a non-compliant property	Up to £2,000, and/or Publication penalty.	Up to £4,000, and/or Publication penalty.
Providing false or misleading information on the PRS Exemptions Register	Up to £1,000, and/or Publication penalty	
Failing to comply with a compliance notice	Up to £2,000, and/or Publication penalty	

The limits apply per property and per offence.

Officers are delegated to enforce the regulations by reference to the preceding table, equal to one third of the relevant maxima for a first offence, two thirds of the relevant maxima for a second offence and the maximum amount for any subsequent offence committed within any five year period and to impose publication penalties.

Publication Penalty

A publication penalty means that the enforcement authority will publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. The enforcement authority can decide how long to leave the information on the Register, but it will be available for view by the public for at least 12 months. The information that the enforcement authority may publish is:

- the landlord's name (except where the landlord is an individual);
- details of the breach;
- the address of the property in relation to which the breach occurred; and
- the amount of any financial penalty imposed.

Detailed guidance to the regulations is available at [The domestic private rented property minimum standard \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk)

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	31 March 2021
Subject:	Treasury and Capital Management
Report of:	Head of Finance and Asset Management
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Finance and Asset Management
Number of Appendices:	None

Executive Summary:

Following the adoption of a climate change motion and the commitment for the Council to be carbon neutral by 2030, taking into account both production and consumption emissions, an action plan was developed and approved by Council. Part of that action plan included the replacement of the current heating system at the Council Offices.

Funding applications have been made to the Department for Business, Energy and Industrial Strategy (BEIS) to support the delivery of this aspiration and confirmation has now been received of the success in the application for major capital funding. It is anticipated that the project will be completed by Autumn 2021.

Recommendation:

The Executive Committee is asked to:

1. Accept the grant award as detailed within the report.
2. Delegate authority to the Head of Finance and Asset Management to enter into any necessary documentation in respect of the grant award.

Reasons for Recommendation:

To formally accept the grant award from the Public Sector Decarbonisation Scheme.

Resource Implications:

The Department for Business, Energy and Industrial Strategy has awarded the Council £284,200 in s31 grant to deliver a replacement heating system in the Council Offices. Final costs will be subject to a tender exercise and any excess costs, including items not covered by the funding, will be met from existing asset management reserves.

The project is within the Council's Capital Programme approved at Council in February.

Legal Implications:

The grant has been awarded in accordance with section 31(4) of the Local Government Act 2003.

Risk Management Implications:

A full project risk register will be developed and maintained at the outset of the project.

Performance Management Follow-up:

The project will be delivered under the Council's project management framework and progress will be reported through the Climate Change and Flood Risk Management. The project also requires internal audit certification.

Environmental Implications:

The successful delivery of the project will reduce carbon consumption at the Council Offices by 92.15 tonnes p.a., representing 78% of current gas consumption.

1.0 INTRODUCTION/BACKGROUND

- 1.1 In October 2019, the Council declared a climate emergency through the adoption of a Member motion. The motion was as follows:
- Declare a 'climate emergency'.
 - Commit to doing all in its power to make Tewkesbury Borough Council offices carbon neutral by 2030.
 - Expand the remit of the existing Flood Risk Management Group to deal with climate change matters with the following delegations to the Borough Solicitor in consultation with the Group:
 1. Preparation of revised Terms of Reference to include an audit of the Council's current position, an action plan to achieve carbon neutrality by 2030, funding and promotion of good practice throughout the Borough including buildings that provide a public service, such as the Tewkesbury Leisure Centre; and
 2. Membership of the Group, taking account of its wider role.
 - Call upon central government to provide additional powers and resources to support local and national action towards the 2030 target.
 - Commit to working with partners in Gloucestershire to achieve countywide carbon neutrality aims.
 - Report to Council with a detailed action plan for delivery.
- 1.2 The Climate Change and Carbon Reduction Audit Action Plan was subsequently prepared and agreed at Council in July 2020. The plan provided the Council with an overview of its carbon consumption from a number of Council buildings and associated activities whilst the Action Plan set out a number of short, medium and long term actions that will enable the Council to meet its 2030 target.

- 1.3** The Action Plan was developed with the following priorities, presented in level of importance:
1. Energy consumption is controlled and managed, reflecting demand times, levels (temperature for example) and relative to external weather conditions as necessary.
 2. Energy efficiency maximised through no and low cost measures.
 3. Replacement of ‘end of life’ equipment with most appropriate low carbon technologies.
 4. Remaining energy demand offset with renewable energy solutions aiming to consume as close to 100% of generated energy, therefore reducing use of ‘imported’ energy as much as possible.
 5. Finally consider procurement of ‘green’ energy tariffs as a belt and braces approach for any final imported energy demand remaining.
- 1.4** Given the age and inefficiency of the current gas powered heating system at the Council Offices, the replacement of the system was given a high priority within the detailed action plan and a target of replacement was set for 2022. It was envisaged that the cost of replacement would be met by the Council’s Asset Management Reserve.
- 2.0 PUBLIC SECTOR DECARBONISATION SCHEME**
- 2.1** In Autumn 2020, the Department for Business, Energy and Industrial Strategy (BEIS) launched the Public Sector Decarbonisation Scheme (PSDS). The Grant Scheme offered £1bn of grant funding to deliver BEIS’ new mission and priorities: fighting coronavirus, backing business, unleashing innovation and tackling climate change. The scheme also encourages green investment and supports the government’s net-zero and clean growth goals. The scheme is available for capital energy efficiency and heat decarbonisation projects within public sector non-domestic buildings.
- 2.2** Alongside this scheme, the Public Sector Low Carbon Skills Fund (LCSF) was launched. This grant scheme allowed public sector bodies to engage specialist and expert advice to identify and develop energy efficiency and low carbon heat upgrade projects for non-domestic buildings.
- 2.3** The timing of the launch of these grant funds married perfectly to the Council’s needs, as identified in the Action Plan and applications for funding were made to both schemes. In mid-December, an award of £21,700 was made from the LCSF fund and applied to the commissioning of survey work to replace the heat system. That survey work has been ongoing in January and February with a final report expected in March.
- 2.4** The application to the PSDS was made in early December and requested funding to support:
- The replacement of the current gas powered boilers with a Ground Source Heat Pump (GSHP).
 - The provision of a new gas powered boiler system to provide back up to the GSHP.
 - The provision of an enhanced Building Management System to deliver better controllability.
 - The installation of additional photovoltaics to offset increased electricity requirements.

- 2.5** The application assessed a reduction in the carbon tonnage consumed by the Council offices of over 92 tonnes per annum, representing a reduction of 78% on current annual gas consumption. To enable these works, a bid for £304,200 was made to the fund.
- 2.6** Given the high profile of climate change and carbon neutrality in public sector organisations, the £1bn scheme was heavily oversubscribed and our application initially frozen, awaiting further funding. After further due diligence on applications, BEIS realigned some awards and our application was earmarked for funding in early February. An amount of £284,200 has now been offered through a s31 grant to meet our project needs, with the £20,000 anticipated cost of providing back up gas powered boilers not meeting the schemes requirements. This cost, along with any other additional costs identified from the feasibility work, will be met by asset management reserves previously earmarked for the full system replacement.
- 2.7** The terms and conditions of the grant offer have been reviewed and are acceptable to the Council. The main requirements are:
- The Council must appoint an 'Accountable Officer' who will be responsible for ensuring compliance with the grant conditions.
 - the Council as the recipient shall use the grant only for the delivery of the project.
 - the project has been initiated or will be initiated prior to 1 April 2021.
 - Monthly monitoring reports.

- 2.8** Subject to the final feasibility report, it is anticipated that the Council will tender for a works contract in April and have installation completed by early Autumn. In addition to the Council's own Officers, the project will be supported by project managers previously employed on the leisure centre construction and office refurbishment to ensure the project is delivered on time and within budget.

3.0 OTHER OPTIONS CONSIDERED

- 3.1** The Council could reject the funding offer and either keep the current gas powered boilers running or could use its own money for a replacement scheme. Neither option is recommended.

4.0 CONSULTATION

- 4.1** The Climate Change and Flood Risk Management Group has been made aware of the application and the success in attracting funding.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 5.1** Climate Change and Carbon Reduction Audit and Action Plan.
The 2020-2024 Council Plan.

6.0 RELEVANT GOVERNMENT POLICIES

- 6.1** United Nations Framework Convention on Climate Change's (UNFCCC) 21st Conference of Parties (COP21) and adopted on December 12, 2015, (The Paris Agreement).
International Panel on Climate Change (IPCC) special report on 'Global Warming of 1.5°C', following the UN Framework Convention on Climate Change in 2015. (October 2018).
Climate Change Act 2008.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 The replacement of the heating system will be a major property project on the Council's main operational asset. It is likely to replace some parts of the heating system that are now 30 years old and some, relating to the heat distribution, that are original features of the building. The new system will provide highly efficient, modern heating to the building over the long term.

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

8.1 This project will play a significant role in making the Council carbon neutral by 2030.

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

9.1 The Council has secured external grant funding to deliver a project which will reduce carbon output but also reduce the annual cost of heating.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 Climate Change and Carbon Reduction Audit and Action Plan – Council 28 July 2020.

Background Papers: Climate Change and Carbon Reduction Audit and Action Plan – Council 28 July 2020

Contact Officer: Head of Finance and Asset Management Tel: 01684 272005
Email: simon.dix@tewkesbury.gov.uk

Appendices: None.

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	31 March 2021
Subject:	Formal Complaints Policy
Report of:	Head of Corporate Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Customer Focus
Number of Appendices:	Two

Executive Summary:

A review of our formal complaints policy has resulted in a new 'Have Your Say' approach being proposed, which will sit alongside our formal complaints policy.

The Have Your Say approach introduces four 'Cs': Compliments, Comments, Concerns and Complaints.

This report provides Executive Committee with details of the formal complaints review, the new 'Have Your Say' approach, as well as how the new digital platform will help the Council to ensure feedback from customers is responded to appropriately – and that the process is made to be as streamlined and simple as possible.

This report and policy were presented to Overview and Scrutiny Committee, which endorsed the proposals and recommended approval at Executive Committee.

Recommendation:

To APPROVE the proposed Have Your Say approach and Formal Complaints Policy.

Reasons for Recommendation:

Our Have Your Say approach and our Formal Complaints Policy will ensure that all feedback from customers is managed effectively and is responded to in a timely manner, with lessons being learned where possible.

The supporting digital system will provide an even better customer experience, and some additional benefits for our reporting capability too.

Resource Implications:

The outcome arising from complaints handling, including the findings of the Local Government and Social Care Ombudsman, may impact upon the resources of the authority.

Legal Implications:

None directly arising from this report.

Risk Management Implications:

If complaints are not handled in accordance with the Formal Complaints Policy and the Council does not learn from the complaints received, then there is a potential risk to the Council's reputation. Complaints will need to be handled in line with our General Data Protection Regulation (GDPR) policy.

Performance Management Follow-up:

Our new digital system will allow for more detail to be provided on customer feedback, which will be reported to Overview and Scrutiny Committee on an annual basis and quarterly to the Corporate Management Team.

Environmental Implications:

None directly arising from this report.

1.0 INTRODUCTION/BACKGROUND

- 1.1 Our current Formal Complaints Policy was introduced in 2016 following an audit review, which found the previous complaints process to be flawed with many different ways of formal complaints being recorded. The new process introduced in 2016 offered a clear policy as well as an online system where customer could log their complaints, and officers could respond, report and learn from them.
- 1.2 As it has been four years since our current policy was introduced, and because we are now moving over to a new digital platform, it felt prudent to carry out a review of our complaints policy and system.
- 1.3 Encouragingly, the number of complaints we receive each year is low – and that indicates to us that, on the whole, customers are satisfied with how we run things. However, we are not a Council to rest on our laurels, and our complaints review introduces new ways for customers to give us feedback to ensure we are capturing all issues.
- 1.4 The following Have Your Say approach and Formal Complaints Policy were presented to Overview and Scrutiny Committee at its meeting in February. A discussion took place around the importance of customer feedback and giving the public a range of options to give feedback will help us to get a clearer picture of common concerns or complaints. The Committee also welcomed the option for Ward Councillors to receive more detailed information on complaints in their areas.
The Committee endorsed the new approach and policy and recommended its approval.

2.0 A NEW HAVE YOUR SAY APPROACH

- 2.1 Following a previous discussion with Members at Overview and Scrutiny Committee in 2020, it was agreed that introducing more ways for customers to feedback to us would give us a clearer picture of residents' satisfaction. It would also prevent some issues which are currently logged as formal complaints to be treated more as a service issue – for example one-off missed bin reports.
- 2.2 In a follow-up conversation with Officers, Councillor Jill Smith put forward the suggestion of introducing four Cs – compliments, comments, concerns and complaints - an approach successfully used in the NHS.

- 2.3** It was agreed that by introducing the four Cs, we would be encouraging a range of feedback from customers, while at the same time ensuring that feedback is responded to in the appropriate way.
- 2.4** The description for our four Cs is attached at Appendix 1. This document will support the information on the Have Your Say approach on our website, and we will also promote it more widely on social media and through posters to Parish Councils and libraries once it is appropriate to do so.
- 2.5** The only feedback channel which requires a supporting policy is the formal complaints due to the statutory process we are required to follow, and our new Formal Complaints Policy is attached at Appendix 2.

3.0 FORMAL COMPLAINTS POLICY

- 3.1** Our new Formal Complaints Policy is largely based on our previous policy. It sets out what the customer should expect when they complain, and how and in what timescale we will manage and respond to the complaint. It also details how any appeals will be managed and responded to. The policy was developed in accordance with guidance from the Local Government and Social Care Ombudsman, to ensure compliance with audit recommendations and data protection requirements.
- 3.2** In terms of changes from our previous policy, the policy attached at Appendix 2 has been updated to ensure clarity on a number of issues including:
 1. What cannot be dealt with under our Formal Complaints Policy.
 2. Accepting formal complaints via email (our previous policy did not accept them in this format).
 3. Further detail around our process for handling stage 2 complaints.

4.0 MONITORING OF COMPLAINTS ON OUR NEW DIGITAL PLATFORM

- 4.1** We currently use a case management system to ensure that all complaints are handled to the same standard, and their progress is monitored so that responses are sent within the correct timeframe. As part of this process, our Corporate Services Officer monitors the progress of complaints and ensures they are responded to on time and any lessons learned are recorded.
- 4.2** Our new digital platform will replace this case management system and offer the following additional benefits:
 1. Customers will be given the option to log their issue as a concern or comment before accessing the formal complaints system – and the benefits of doing this will be highlighted. It will also be made clear to customers that if they wish for the Local Government and Social Care Ombudsman to consider their issue, then it must be dealt with through our formal complaints system first.
 2. Customers will choose which service area their complaint is sent to from a detailed drop-down list. This will ensure the complaint reaches the appropriate officer sooner than it currently does. At the minute, complaints are triaged by Customer Services but this can add an unnecessary delay during busy periods.
 3. If the Officer receiving the complaint does not feel it has been allocated correctly, they will have the option to reallocate it.

4. Currently the allocation of stage 2 complaints is dealt with outside of the system, but the entire process will now be done through our new digital platform – allowing for quicker response times, better monitoring and improved reporting.
5. The level of reporting will be vastly improved, including the option for Members to receive details on the number and type of complaints in their ward and not just at borough level.

5.0 OTHER OPTIONS CONSIDERED

5.1 None.

6.0 CONSULTATION

6.1 Overview and Scrutiny Committee.
Operational Managers' Group.

7.0 RELEVANT COUNCIL POLICIES/STRATEGIES

7.1 Council Plan 2020 to 2024.
Digital Strategy.
Customer Care Strategy.

8.0 RELEVANT GOVERNMENT POLICIES

8.1 None.

9.0 RESOURCE IMPLICATIONS (Human/Property)

9.1 Managed within current resources and budget.

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

10.1 None.

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

11.1 None.

12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

12.1 None.

Background Papers: None.

Contact Officer: Corporate Services Manager Tel: 01684 272291
Email: clare.evans@tewkesbury.gov.uk

Appendices: 1. Have your say approach.
2. Formal Complaints Policy.

Have your say ...

We welcome feedback and we use it, where possible, to help us improve future council services.

We want to hear from you when you think we have done a decent job but also when you feel we could have done better. You can be assured that you will be:

- Listened to.
- Treated honestly, fairly, and politely.
- Given help and advice as quickly as we can.
- Your individual needs and right to privacy will be respected.
- Kept informed about what is happening.

Every assistance will be given for those with specialist needs (e.g. interpreting services) to accommodate all those who may wish to raise a concern. All complainants will be treated fairly, regardless of race, age, gender, disability, sexual orientation, or religious views.

You have the option to provide us with a compliment, comment, concern, or complaint – and an explanation for what each of these are, now follows:



Compliments

A compliment is a polite expression of praise or admiration for a service received. A compliment could be about a person, a team, a service, a single event, or a chain of circumstances that made your experience a positive one.

If you would like to submit a compliment, visit
[\(insert link to new form\)](#)



Comments

A comment is a verbal or written remark expressing an opinion or reaction about a standard of service, policy or decision made by Tewkesbury Borough Council. You will receive an automatic reply to let you know we have received your comment within five working days, but you may not receive a response from us unless you tick the box requesting one.

If you would like to submit a comment, visit
[\(insert link to new form\)](#)

compliments,
comments,
concerns and
complaints



Concerns

Raising a concern allows you tell us about something which is bothering you, but you don't feel it needs to go down our more formal complaints procedure route. This might be something that you need further advice or information on – concerns are sent directly to the service area your concern is relating to so they can investigate it as quickly as possible. There isn't a specific response time set, but we do aim to respond to all concerns within five working days.

An example of a concern is if your bin has been missed on more than one occasion.

When a concern is raised, if it needs investigating to resolve the issue, we will let you know this and provide an appropriate timescale.

If you would like to submit a concern, visit
[\(insert link to new form\)](#)



Complaints

A formal complaint is an expression of dissatisfaction that requires a formal response about the standards of service, actions, or lack of action, by the council or our staff. For example, where:

- We have not responded to a service request or we have failed to deliver a service to you.
- The service we delivered did not meet your expectation.
- You were treated in an unprofessional manner.

All formal complaints are dealt with in accordance with our formal complaints policy [\(insert link to policy\)](#).

You will receive a response within 20 working days of when your complaint is acknowledged. If you have gone through our complaints process but are still not satisfied, you have the option to contact the Local Government Ombudsman.

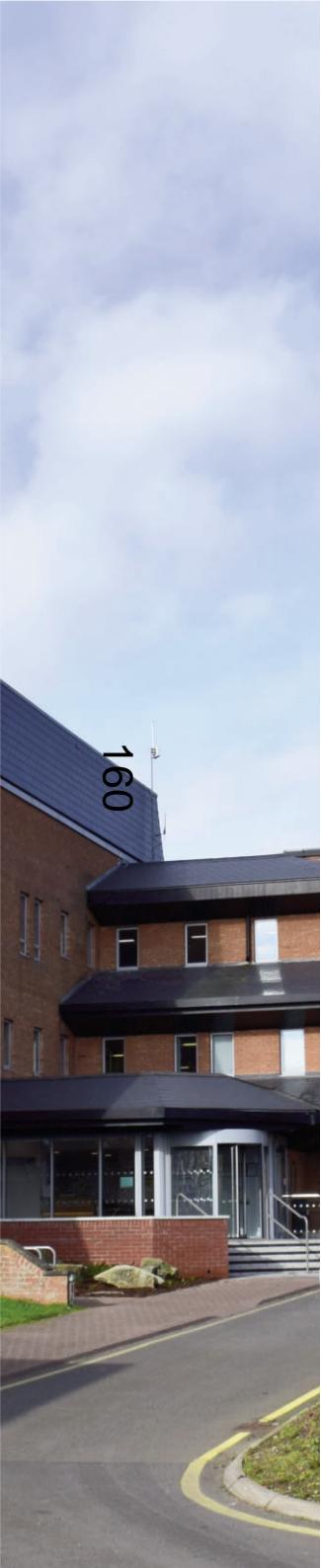
If you would like to submit a formal complaint, visit
[\(insert link to new form\)](#)





Formal Complaints Policy

2021



Formal Complaints Policy

This policy outlines our approach for dealing with and responding to formal complaints.

Customer care is a priority for us, and we aim to deliver our services in a way that meets our customers' expectations. However, we know that sometimes things can go wrong. We try to encourage our customers to tell us when this happens so that we can put it right and learn lessons to prevent it from happening again.

Our formal complaints process sits within our 'Have Your Say' approach - where we offer our customers a range of ways to let us know how we're doing – you can give us a compliment, comment, concern, or complaint.

To find out more, visit our 'Have Your Say' website page. (insert link when live).

What is a formal complaint?

A formal complaint is an expression of dissatisfaction that requires a response about the standards of service, actions or lack of action, by the council or its staff.

For example, where:

- We have not responded to a service request or we have failed to deliver a service to you.
- The service we delivered did not meet your expectation.
- You were treated in an unprofessional manner.

What if my issue isn't classed as a formal complaint?

Some issues which might appear to be formal complaints have to be dealt with under separate statutory procedures, these include:

- Complaints about councillors. Please contact our monitoring officer on 01684 295010 or email customerservices@tewkesbury.gov.uk.
- Allegations of financial impropriety or criminal activity by the council. Please contact our Section 151 officer and/or an internal auditor, monitoring officer or chief executive. You can do this on 01684 295010 or email customerservices@tewkesbury.gov.uk
- Where there is a separate appeal process then that specific appeals process should be followed e.g. licensing, housing allocations, planning, or parking fines.
- Complaints about national government policy.

What else cannot be dealt with under our formal complaints process?

- We do not consider anonymous complaints.
- If you disagree with the result of a process that has a dedicated appeal mechanism, we cannot accept it as a formal complaint. This includes objecting to planning applications and appealing against parking charge notices.

- Complaints about formal decisions taken by committee or those delegated to staff.
- Complaints against parish councillors.
- Appeals against decisions on business rates, housing allocations, council tax or housing benefit.
- Appeals against food business inspection results.
- Cases where a more immediate response can be given – for example a missed bin can quickly be reported through our website.

There are some things we cannot change, and they are:

- If our actions are required by law or national policy.
- If our actions were determined properly following our policies and procedures. For example, following planning, licensing, and Council decisions.

How do I make a formal complaint?

Before using our formal complaints process, please consider if it might be more appropriate to submit a comment or concern – comments and concerns are less formal, but we still take them seriously, and we aim to respond to them within five working days. This can often result in a quicker response time than submitting a formal complaint.



Formal Complaints Policy

The easiest and quickest way to make a formal complaint is to use our online formal complaints form:
www.tewkesbury.gov.uk/make-a-formal-complaint

Alternatively, complaints can be made in writing to:

Complaints,
Customer Services,
Tewkesbury Borough Council,
Public Services Centre,
Gloucester Road,
Tewkesbury,
GL20 5TT.

We do not accept complaints over the phone or social media.

We treat all complaints with respect and in confidence. Any personal data gathered as part of a formal complaint will be handled in accordance with the council's Data Protection Policy.

We may share some personal data, where necessary, with third parties where it is appropriate for investigating and resolving a complaint.

What happens once I have submitted my complaint?

Stage one – investigation by service manager

All formal complaints get logged onto our complaints system. The system is used for recording all actions taken during the complaint investigation. Each complaint will be given a unique reference which will be given to the complainant.

We will send you an acknowledgement within three working days of receiving your complaint.

Your complaint will be passed to the relevant service manager for investigation. We aim to respond fully to your complaint as soon as possible and within 20 working days. If your complaint requires a lot of investigation, then we may take longer but we will always keep you informed.

If the complaint is about a service which we do not directly provide, or where there is an alternative appeals process, then we will respond to you with contact details for the organisation responsible.

To help us to investigate your complaint we would ask you to:

- Provide as much detail as possible.
- Allow the council to conduct the investigation and respond in line with the timescales shown in this policy.
- Ensure reference numbers are supplied should you need to contact us during the investigation.
- Follow our process and move to the Ombudsman if you are still unhappy.

- Not be aggressive or abusive to council officers.

A full written response will be sent to you as soon as possible and within 20 working days. There may be times when we might not be able to meet this target, particularly when a complaint requires significant investigation, in such cases we will get in touch and agree a response date.

Our response will include:

- Our decision.
- Any action we will be taking.
- Any remedy we may make.
- Details relating to stage 2 of our complaints procedure.

Stage two – investigation by an independent head of service

If you are not happy with our response, you can ask us to review your complaint again. You must do this in writing within 30 working days of our response.

Your request should include:

- Your complaint reference number.
- Details of why you disagree and what you would like us to reconsider.

Once we receive your stage two complaint, we will acknowledge your request for a second investigation and inform you of the name and contact details of the officer assigned to the complaint.

Formal Complaints Policy



Your complaint will be investigated by a head of service who has no operational responsibility for the service in which the complaint relates to.

We aim to respond fully to your stage two request for a review as soon as possible and within 20 working days.

If your request requires a lot of investigation, then we may take longer but we will always inform you of this.

Our response will include:

- Our decision
- Any action we will be taking
- Any remedy we may make
- Details of who to contact to take your complaint further if you are still unhappy with the result.

Please note that once stage two has been completed any further correspondence addressed to the council will be directed to the service manager for their response.

Ombudsman

We really hope we can resolve any complaints you might have. If, however, you are unhappy with the action we have taken under stage 1 and stage 2 of our complaints process you may want to contact the, Local Government and Social Care Ombudsman using its online complaint form or phone them via 0300 061 0614.

Alternatively you can visit their website at www.lgo.org.uk

Informing ward councillors

Borough councillors are always keen to understand the concerns of residents within their wards. To help them with this it is the responsibility of the investigating officer, where relevant, to inform ward councillors of the complaint without revealing personal details of the complainant. For your information, a list of ward councillors can be found on our website.

Learning from customer feedback

The lessons learned from complaints are monitored by our Corporate Management Team and Overview and Scrutiny Committee.

All formal customer complaints are recorded onto our complaints system. Data is collated and shared across the council to show performance trends and review how we handle and respond to customer feedback.

Please be assured that none of the personal information recorded on the council's complaints system is used in the feedback collated for the purpose of learning.

Lessons learned from complaints are also used to improve services. For example,

- Service managers making operational improvements in response to specific complaints.

- Finding elements of a complaint which may be present in the delivery of other services; and ensuring that the actions are applied across the council.
- Regular review of upheld complaints for each service area to identify areas that need addressing
- Development of action plans to improve services, based on specific issues or trends in complaints.

Remedy for formal complaints

We will always try to put things right – and we will do this as soon as possible to minimise the inconvenience to you.

We will acknowledge the fault and apologise, explain what went wrong, what we will do to prevent it happening again and, if appropriate, we will also provide a remedy in the form of:

- Specific action – all lessons learned (including recommendations for improvement and/or staff training) should be considered and implemented by the appropriate team and any action resulting from the lessons learned should be fed back to the complainant.
- Financial settlement and/or refund – reimbursing the person affected (in full or in part) for actual, measurable financial loss, which has directly resulted from the complaint.

Formal Complaints Policy



Where it is felt that financial compensation is appropriate we will refer to the Local Government and Social Care Ombudsman's latest guidance on Good Practice on Remedies. This will be used as a guide in determining the actual amount of financial settlement and these will be paid as soon as possible following the decision to pay.

The relevant manager or head of service will be responsible for determining the appropriate remedy, including financial settlements/refunds up to £1000. Any financial remedy in excess of £1000 will be referred to the appropriate lead member and the lead member for customer focus. Together, with the relevant manager, they will agree the appropriate approach. A financial remedy can only be paid once you have notified us that you wish to accept it.

Unreasonably persistent and vexatious complaints

Generally, dealing with a complaint is a straightforward process but in a minority of cases people pursue their complaints in a way which can either impede the investigation or have significant resource issues for the council.

These actions can occur while the complaint is being investigated, or once the investigation into the complaint has concluded. For this reason, we use the terms 'unreasonably persistent' complaints or 'vexatious' complaints.

Where a complaint of this nature is received, it will be carefully considered by either the head of service and/or the monitoring officer, to ensure that no new issue has been brought to the council's attention that should be pursued.

Once the complaint has been considered, it may result in the complaint not being investigated. Where this happens, the complainant will be advised of the reasons by the head of service or the monitoring officer.

Confidentiality and data protection

Any personal data provided to us will be managed in line with the requirements of the General Data Protection Regulation 2018. We will use this information to respond to you and improve our services.

Personal data will be kept anonymous when we produce and share information about complaints with other services, our Overview and Scrutiny Committee and Management Team (for reviewing) and partners.

Personal information will be shared with council officers when complaints are being investigated /assessed.

More information on our Privacy Notice can be found here www.tewkesbury.gov.uk/council-privacy-data-functions/monitoring-of-complaints.

Any data we keep will be retained for two years after the end date of the complaint process and thereafter destroyed.

If you are unhappy with our handling of personal data, you have a right to complain to the Information Commissioner's Office (ICO).

Their contact details are:

www.ico.org.uk/make-a-complaint
or phone their helpline on: 0303 123 1113

Safeguarding

If a complaint or allegation is made against a member of staff, elected member or volunteer working on behalf of the council, which relates to the safeguarding of children or adults, the matter should be referred initially to our lead safeguarding officer on 01684 295010.

If any complaint or allegation is substantiated and the person is dismissed, resigns, or ceases to provide his/her service, or we cease to use the person's services, the team manager responsible for corporate services will refer the allegation details directly to the Disclosure and Barring Service.

Agenda Item 12

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Agenda Item 13

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