

4 October 2021

Committee	Overview and Scrutiny
Date	Tuesday, 12 October 2021
Time of Meeting	4:30 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the remainder of the Municipal Year.

2. ANNOUNCEMENTS

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

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

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

To receive apologies for absence and advise of any substitutions.

4. 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



Item	Page(s)
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.	
5. MINUTES	1 - 17
To approve the Minutes of the meeting held on 7 September 2021.	
6. EXECUTIVE COMMITTEE FORWARD PLAN	18 - 24
To determine whether there are any questions for the relevant Lead Members and what support the Overview and Scrutiny Committee can give to work contained within the Plan.	
7. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2021/22	25 - 32
To consider the forthcoming work of the Overview and Scrutiny Committee.	
8. GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE	
To receive an update from the Council's representative on matters considered at the last meeting (28 September 2021).	
9. GLOUCESTERSHIRE ECONOMIC GROWTH SCRUTINY COMMITTEE UPDATE	33 - 34
To receive an update from the Council's representative on matters considered at the last meeting (15 September 2021).	
10. SUMMARY OF FORMAL COMPLAINTS 2020/21	35 - 52
To consider the annual summary of formal complaints 2020/21 to gain assurance that complaints are managed effectively.	
11. USE OF MOBILE SURVEILLANCE EQUIPMENT FOR FLY-TIPPING INVESTIGATIONS	53 - 58
To consider the options available to the Council in terms of the use of mobile surveillance equipment for fly-tipping investigations and to note that option 2, as set out at Paragraph 3 of the report, will be trialled for a six month period with the results of the trial being reported back to the Overview and Scrutiny Committee to inform a final recommendation to the Executive Committee on the way forward.	

<p style="text-align: center;">DATE OF NEXT MEETING</p> <p style="text-align: center;">TUESDAY, 23 NOVEMBER 2021</p> <p style="text-align: center;">COUNCILLORS CONSTITUTING COMMITTEE</p> <p>Councillors: K Berliner, G J Bocking, C L J Carter, P A Godwin, H C McLain, P D McLain, H S Munro, J W Murphy (Vice-Chair), J K Smith, R J G Smith, P D Surman, S Thomson, M J Williams and P N Workman</p>
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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 and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Chair will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Overview and Scrutiny Committee held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 7 September 2021 commencing at 4:30 pm

Present:

Vice-Chair, in the chair

Councillor J W Murphy

and Councillors:

G J Bocking, C L J Carter, P A Godwin, H C McLain, J K Smith, R J G Smith, S Thomson, M J Williams and P N Workman

also present:

Councillors D J Harwood and R J Stanley

OS.32 ANNOUNCEMENTS

- 32.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 32.2 The Vice-Chair in the chair welcomed the Chief Officer for North West Gloucestershire Citizens' Advice Bureau to the meeting and indicated that she would be giving a presentation at Agenda Item 7.

OS.33 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 33.1 Apologies for absence were received from Councillors K J Cromwell (Chair), P D McLain, H S Munro and P D Surman. There were no substitutions for the meeting.

OS.34 DECLARATIONS OF INTEREST

- 34.1 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.
- 34.2 There were no declarations made on this occasion.

OS.35 MINUTES

- 35.1 The Minutes of the meeting held on 13 July 2021, copies of which had been circulated, were approved as a correct record and signed by the Vice-Chair in the chair.

OS.36 EXECUTIVE COMMITTEE FORWARD PLAN

- 36.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages No. 17-24. Members were asked to determine whether there were any questions for the relevant Lead Members and what support the Overview and Scrutiny Committee could give to the work contained within the plan.
- 36.2 The Head of Corporate Services indicated that Officers had worked hard to ensure the Executive Committee Forward Plan was well-populated and, as Members could see, there was plenty of work for that Committee. The Vice-Chair in the chair noted that the Social Media Policy and Guidelines were due to be approved by the Executive Committee at its meeting on 5 January 2022 and he requested that be brought to Overview and Scrutiny Committee for consideration in advance of that. The Head of Corporate Services indicated that he would be happy to add it to the Overview and Scrutiny Committee Work Programme.
- 36.3 Accordingly, it was
RESOLVED That the Executive Committee Forward Plan be **NOTED**.

OS.37 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2021/22 AND ACTION LIST

- 37.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2021/22 and the action list setting out the actions arising from meetings of the Overview and Scrutiny Committee between June 2019 and June 2021. Members were asked to consider the Work Programme and action list.
- 37.2 The Head of Corporate Services indicated that, following the request at the last meeting, the Digital Strategy had been added to the Overview and Scrutiny Committee Work Programme for the meeting on 8 February 2022 along with the Housing Strategy which had been in the pending items section of the Work Programme previously. A Member noted that the Planning Services Review Action Plan was in the pending items section of the Work Programme and he asked whether a date could be agreed for it to come to the Committee. In response, the Head of Development Services indicated that she would consider this following the meeting.
- 37.3 In terms of the action list, the Head of Corporate Services explained that this was usually populated and emailed to the Committee on a regular basis but tended to receive a limited response. In the interests of transparency, and to give an opportunity for greater challenge, it had been agreed with the Chair and Vice-Chair that the action list would be brought to the Committee for consideration on a quarterly basis. It was noted that there were currently 38 actions, of which, 18 remained outstanding. The following issues were raised during the discussion:

Meeting date: 18 June 2019

P34 - Agenda Item 9 –
Enviro-Crime Annual
Report

A Member was pleased to note a CCTV camera had been purchased and she questioned whether any General Data Protection Regulation (GDPR) issues had to be overcome. In response, the Head of Community Services confirmed there were no GDPR issues as it was an overt camera rather than a covert one so there was signage to indicate the camera's location. Officers were currently in the process of procuring an additional camera via Section 106 monies to use primarily in Bishop's Cleeve and Winchcombe but it could also be deployed to other parts of the borough.

22 October 2019

P35 - Agenda Item 8 –
Review of Planning
Enforcement Plan

A Member indicated that he had significant concerns about planning enforcement and felt there was very little evidence of any action being taken within the borough. Another Member pointed out that a press release had been issued earlier that day in respect of a successful prosecution for unauthorised development of land in the Badgeworth area and he expressed the view that this needed to be widely communicated in order to give people confidence in enforcement powers. The Head of Development Services agreed that the Council did not shout loud enough about the positive work which was carried out; nevertheless, she was happy to discuss any particular issues Members may have outside of the meeting.

Another Member went on to indicate that she shared these concerns as, although Members received information about reported enforcement breaches, they did not receive any details of the action taken. In response, the Head of Development Services provided assurance that all enforcement cases were investigated; however, the enforcement policy was very clear in terms of the different categories of breach, the timeframe for response and the action arising. In some cases, it may be that a retrospective planning application would regularise the situation and, if that was not forthcoming, the policy was clear as to whether it would be expedient to take action. Enforcement cases were prioritised so that focus was on those which caused the greatest harm. She accepted that it was necessary to look at how the information was communicated to Members and indicated

that the enforcement webpage had been updated and templates were in the process of being developed. The Member expressed the view that it came down to perception and, to the lay person, it often appeared that the Council was not doing anything. Another Member felt it would be a great help to understand the logic and reasoning behind decisions on enforcement cases as he was often approached by residents and had to justify and explain any action, or lack thereof. A Member agreed that public perception was the biggest concern and that applied to all enforcement, not just planning. Residents could see clearly what was not being done but it was often harder to see what had been done and he felt they may be more accepting of situations if they understood the reasoning behind them. The Vice-Chair in the chair suggested that the Communications team may be able to assist with this and the Head of Corporate Services undertook to work with the Head of Development Services to consider the best way of communicating the successful work done by the Council.

Meeting date: 14 January 2020

P36 - Agenda Item 8 –
Enviro-crimes Interim
Report

A Member noted that Officer visits to Parish Councils had been suspended as a result of resources being refocused due to COVID-19; these visits had been very successful in terms of promoting the enviro-crime services and he asked when visits were likely to recommence. In response, the Head of Community Services undertook to speak to the Environmental Health Manager following the meeting and advise Members accordingly.

Meeting date: 14 July 2020

P37 - Agenda Item 5 –
Performance
Management – Quarter 4
and Full Year 2019/20

A Member noted that the target date for the review of the Key Performance Indicators (KPIs) in relation to affordable housing was September 2021 and he asked whether this was still on track. In response, the Head of Community Services advised that the new housing indicators were reflected in the performance tracker which would be considered later on the Agenda. These would be further reviewed as work on the new Housing Strategy moved forward.

Meeting date: 24 November 2020

P39 - Agenda Item 8 – Gloucestershire Police and Crime Panel Update

It was noted that the query raised regarding the recruitment process for Gloucestershire Police was still outstanding and needed to be followed-up with the Council's representative on the Gloucestershire Police and Crime Panel.

Meeting date: 12 January 2021

P40 - Agenda Item 6 – Overview and Scrutiny Committee Work Programme

It was noted that Councillor P D McLain had asked Parishes affected by the recent flooding at that time to compile a list of issues encountered which he would share with the Head of Finance and Asset Management and Head of Development Services but this action was still outstanding and needed to be followed-up.

Meeting date: 9 March 2021

P42-43 – Agenda Item 9 – Council Plan Performance Tracker and COVID-19 Recovery Tracker Quarter 3 2020/21

A Member asked what the implications were in relation to the application to the High Court, made by Ashchurch Rural Parish Council, for a judicial review of the Council's decision to grant planning permission for Ashchurch bridge. In response, the Borough Solicitor advised that a decision would be made by the High Court as to whether the planning permission would be quashed; the Council was defending the case and did not believe there had been any procedural defects but, if that was found to be the case, the application would need to be re-determined.

Meeting date: 8 June 2021

P51 – Agenda Item 10 – Corporate Peer Challenge – Progress of Action Plan

The Vice-Chair in the chair explained that a session on how to maximise the value of the Overview and Scrutiny Committee was due to be arranged for September but a date had yet to be agreed. The Head of Corporate Services suggested that the session could be arranged to take place prior to the next Overview and Scrutiny Committee meeting on 12 October in lieu of a Committee pre-briefing and Members agreed that would be appropriate.

37.4 Accordingly, it was

RESOLVED

That the Overview and Scrutiny Programme 2021/22 and action list be **NOTED**.

OS.38 CITIZENS' ADVICE BUREAU PRESENTATION

- 38.1 The Chair welcomed the Chief Officer from North and West Gloucestershire Citizens' Advice Bureau (CAB) to the meeting. Members were reminded that Tewkesbury Borough Council had a service level agreement with the CAB which had been in place for a number of years and it was awarded a grant on an annual basis for the services provided to residents. The Committee received an annual presentation which provided Members with information about the work of the CAB.
- 38.2 The Community and Economic Development Manager explained that the previous Chief Officer for the CAB had sadly passed away during the year and would be sorely missed. Tewkesbury Borough Council had always had a very good working relationship with the CAB and he was confident that would continue with the appointment of the new Chief Officer who would be speaking to the Committee today. The Chief Officer from North and West Gloucestershire CAB explained that she had worked for North and West Gloucestershire CAB for 10 years prior to taking on the role; she had started as a volunteer so had experience at various different levels of the organisation. The CAB was made up of 277 individual charities of which the North and West Gloucestershire CAB was one and covered Cheltenham, Tewkesbury, Gloucester and the Forest of Dean. There was another CAB which covered Stroud and Cotswold. She went on to give a presentation reflecting the work undertaken by the North and West Gloucestershire CAB during 2020/21 which covered the following key points:
- Aims - To provide the advice people need for the problems they face; to improve policies and practices that affect people's lives.
 - Principles - The CAB service provided free, confidential, independent and impartial advice to everyone on their rights and responsibilities. It valued diversity, promoted equality and challenged discrimination.
 - Pre-COVID service: The majority of customers were seen face-to-face with a small number via telephone and an even smaller amount by email.
 - Locations – CABs operated from 15 locations: Tewkesbury Public Services Centre; Prior's Park; Bishop's Cleeve; Winchcombe; Brockworth; Northway; Churchdown; Cheltenham (town centre); Up Hatherley; Gloucester (city centre); Cinderford; Coleford; Lydney; Newent; and St Briavels.
 - Service from March 2020: 78% of contact was by telephone, 21% via email and only 1% was face-to-face; COVID-19 had meant that staff and volunteers had been forced to work remotely and measures had been put in place to support those who did not want to leave their houses e.g. freepost envelopes etc; 3,664 issues dealt with in total for the year for the residents of Tewkesbury Borough (3,370 previous year).
 - Employment status: Employed – 39.3% (38.3% previous year); self-employed – 4.7% (5.9% previous year); carers – 6% (6% previous year); retired – 9.8% (20.8% previous year); permanently sick – 21.7% (13.6% previous year); not working – 18.4% (15.5% previous year). This was fairly consistent with the previous year albeit with a slight reduction in the number of retired people seeking assistance. A lot of the issues raised had related to employment and loss of income which was not something which had been raised previously. The amount of permanently sick people seeking assistance was much higher than normal – these people may still have been working so there may have been an impact on their employment in the last year, for instance, if they were self-isolating or had caught COVID-19.

- Disabilities – Physical disability – 9.4% (10.1% previous year); mental illness – 9.1% (8.6% previous year); long-term health – 39.5% (22.4% previous year); not disabled – 42.1% (58.9% previous year). The long term health issue category had seen a significant increase whereas all other categories remained fairly consistent with the previous year.
- Top six issues during COVID-19 – Welfare benefits – 803 (923 previous year); Universal Credit – 336 (384 previous year); debt – 454 (702 previous year); employment – 465 (291 previous year); relationships – 360 (140 previous year); housing – 319 (83 previous year). Welfare benefits and Universal Credit issues remained high whereas issues with debt had decreased in every district during 2020/21 as a lot of measures had been put in place to protect people e.g. bans on housing evictions, mortgage repayment holidays, no bailiff action being taken etc. Employment and relationship issues had both increased significantly - CAB staff had become experts in furlough almost overnight and there had been increased domestic violence with COVID-19 and the various lockdowns exacerbating difficult family situations. There had also been a massive increase in housing issues during the first part of the year when people were concerned about being able to afford rent and mortgages – people had felt insecure about housing even though evictions had been paused.
- Significant issues during the year: employment issues; clients facing immediate crisis – 107 food and fuel vouchers issues for people in Tewkesbury Borough (34 previous year) although this did not reflect all of the vouchers sent out as a national telephone line had been set-up for that purpose; housing – concerns about eviction; Universal Credit; relationship issues; complications of giving advice remotely – staff went above and beyond to continue to deliver services for really vulnerable people.
- Service post-COVID: Retain telephone helpline service but also ensure people who were vulnerable could continue to be seen in person - face-to-face contact had been reintroduced that week; continue to provide advice via email; continued hybrid working for staff and volunteers - new volunteers joining the CAB during the pandemic had been able to work in their normal jobs whilst also spending time offering advice by email which had worked really well; working with partners so that they could book appointments with really vulnerable people on behalf of the CAB so staff/volunteers could go to them if they could not access a telephone appointment.
- Plans going forward: continue to develop telephone and email services; re-open face-to-face services prioritising the most vulnerable; offer support via the Food Bank; establish a network to ensure referrals for the most in need; offer more outreach services.
- Case study A: Young man with autism, severe mental health issues, including depression and anxiety; client referred by Community Wellbeing for help with benefits – problems with Universal Credit, issue with housing costs and ability to pay rent, client had not applied for Council Tax support, Personal Independence Payment (PIP) incorrect, in arrears with energy bills; outcomes – Universal Credit increased by £341.92 with a £1,000 back payment, secured additional PIP of £62.50 per week, worked with Department of Work and Pensions (DWP) to increase housing costs by £108 per month plus backpay of £950, helped client apply for Council Tax benefit and applied to trust fund to pay off fuel debt, resulted in an annual income gain of £8,649; client said he felt less anxious and was grateful for the support.

- Case study B: single parent with two disabled children initially contacted CAB for her son who had multiple health issues and was unable to work for more than a couple of hours per week; client's adult child had issues with PIP, client on low income supporting her adult child, problem with Council Tax, client struggling to support her two disabled children and manage work; CAB identified that the adult child could get Universal Credit and helped him make the claim of £324.84 per month, helped son complete work capability assessment for which he received £343.63 per month, assisted son to apply for and appeal PIP so he received a high rate for daily living and mobility of £278.46 per month, helped client apply for Universal Credit herself and reduce her working hours to give more time for caring responsibilities with a total annual income gain of £11,363.16 for the household.

38.3 A Member welcomed the important work done by the CAB which he felt was a service that was missing from the government and should not have to be carried out by a charitable organisation. He indicated that he was aware of a specific issue with Trading Standards whereby, if a customer had a consumer issue with a company, they had to go via the CAB; however, ultimately the response was that no feedback would be provided by Trading Standards as to whether a case was being progressed or not. He asked the Chief Officer for the North and West Gloucestershire CAB how many cases the CAB had forwarded to Trading Standards in the last year and how many had a successful outcome for members of the public. In response the Chief Officer for the North and West Gloucestershire CAB explained that, if a client had a consumer issue, there was a consumer telephone line they could ring and the CAB would refer them to that number; she had contacted the national service for feedback on the figures and had reported the miscommunication in terms of people believing the CAB was the responsible body when it was actually the national consumer advice line. She indicated that another Member had been in touch with the CAB as they had been frustrated with the service provided by Trading Standards to one of the residents in his Ward – the CAB would be working with the client shortly as they had a very strong case. A Member indicated that he was the Councillor that had been referenced and explained that he had been in communication with the CAB a lot over the past few weeks. It was not a criticism of the CAB but the fact that customers could not communicate directly with Trading Standards was a real problem as he felt the system was letting people down – a resident had fallen foul of a rogue builder and had lost a lot of money as a result of that. When he had tried to speak to Trading Standards, he had been told to go via the CAB but that was where the process ended. He had since found out about a further three others who had fallen foul of the same rogue builder. He had not realised that Trading Standards could not be contacted directly until he had been approached by the resident so he had been interested to hear how the CAB was dealing with this and thanked the Chief Officer for the North and West Gloucestershire CAB for the work being done. He noted that Tewkesbury Borough Council provided a grant to the CAB each year and he questioned what the impact would be if that funding was no longer provided. In response, the Chief Officer for the North and West Gloucestershire CAB indicated that the grant meant that the CAB was able to finance the core service; even with a high number of volunteers, demand for the service did not reduce and one of the biggest costs was quality – volunteers were supported by a big team who checked quality and provided support but people often did not realise that was the case. The Chief Executive advised that, if the Council did not provide the funding, the CAB service would no longer be available for the residents of the borough and would mean that, in practice, those residents would come to the Council to seek help which would impact its services as well as public services. The CAB was a direct service which supported very vulnerable people and it was important for the authority to continue to fund that.

38.4 In response to a query about the lessons learnt during the COVID-19 pandemic, the Chief Officer for the North and West Gloucestershire CAB advised that one of the team was currently looking at the data and comparing it with previous years in order to map out where to target the CAB service. One of the lessons learnt was that the CAB could support people by telephone and email – 18 months ago that would have been thought to be out of the question – but it was important to ensure that the very vulnerable people did not slip through the net so resources needed to be targeted effectively. One of the questions that was being asked was whether the current opening hours of 0930-1630 were still appropriate or if the service should be available later. She explained that the CAB had an enormous amount of data about people in the borough and mapping that had been really useful; however, it had raised more questions than answers at this point. Initial discussions had taken place with Barnwood Trust around looking for parallels in data, specifically about disabled people, but it would be a long process.

38.5 A Member thanked the Chief Officer for the North and West Gloucestershire CAB for the amount of work the CAB did within the community helping many people with serious, and often complex, issues. The Vice-Chair in the chair echoed those sentiments and thanked the Chief Officer for her informative presentation. Accordingly, it was

RESOLVED That the North and West Gloucestershire Citizens' Advice Bureau presentation be **NOTED**.

OS.39 COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER ONE 2021/22

39.1 The report of the Head of Corporate Services, circulated at Pages No.133-163, attached the performance management and COVID-19 recovery information for quarter one of 2021/22. The Overview and Scrutiny Committee was asked to review and scrutinise the information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.

39.2 Members were advised that this was the first quarterly monitoring report for 2021/22 and represented the latest information in terms of the status of the actions set out in the Council Plan and the Corporate Recovery Plan. Progress against delivering the objectives and actions for each of the six Council Plan priorities was reported through the performance tracker, attached at Appendix 1 to the report, which was a combined document that also included a set of Key Performance Indicators (KPIs). In addition, a corporate COVID-19 recovery plan had been established based on the Council Plan priorities, and a recovery plan tracker, attached at Appendix 2 to the report, had been created to monitor progress in delivering those actions and objectives. Key financial information was also reported alongside the tracker documents with a revenue budget statement attached at Appendix 3 to the report, a capital monitoring statement attached at Appendix 4 to the report, and a reserves position summary attached at Appendix 5 to the report. It was noted that, in order to ensure the Council Plan remained a 'live' document, all actions were reviewed annually and refreshed where appropriate. The refreshed plan had been considered by the Executive Committee on 1 September 2021 where it had been well-received and would now be considered at the Council meeting on 28 September 2021; it was not anticipated there would be any major changes to the actions within the Performance Tracker. The report to Council would recommend that the Corporate Recovery Plan continued to the end of the financial year at which time any outstanding actions would be transferred to the Council Plan meaning there would be a single overarching strategic document.

- 39.3 Key actions for the quarter were highlighted at Paragraph 2.3 of the report and included the first promotion event under the Tewkesbury High Street Heritage Action Zone being arranged for 18 September 2021; commencement of work on a new Housing Strategy in partnership with ARK Consultancy; a collective total of £107,000 being awarded in capital grants to help improve community facilities; successful implementation of the new bulky waste service; implementation of a new recruitment microsite and an automated recruitment tracker system; the specification for the new heating system going out to tender; and implementation of a small Waste Electrical and Electronic Equipment (WEEE) scheme. Members were reminded that, due to the complex nature of the actions being delivered, it was inevitable that some would not progress as smoothly or as quickly as envisaged and the details of those actions – which largely related to the Joint Core Strategy - were set out at Paragraph 2.4 of the report. The Head of Corporate Services pointed out that the Joint Core Strategy timetable was currently being reviewed so the new target dates were not yet available. In terms of the KPIs, Members were informed that six new KPIs had been added for 2021/22 and, due to changes in reporting, the housing-related KPIs had also been revised. The status of each indicator was set out at Paragraph 3.2 of the report and KPIs where direction of travel was down and/or were not on target, were set out at Paragraph 3.3 of the report. It was noted that a lot had been discussed previously and related to planning performance and enforcement; those matters were being addressed as part of the planning service review.
- 39.4 With regard to the COVID-19 recovery tracker, key activities to bring to Members' attention were set out at Paragraph 4.2 of the report and included: reopening of the Public Services Centre to customers on 19 July; good feedback on customer experience following the reopening of Tewkesbury Leisure Centre on 12 April; agreement of an action plan to deliver the 'Welcome Back Fund' for High Street recovery; and continued promotion of the COVID-19 community grant scheme with 139 groups being awarded £114,079 in total. Paragraph 4.3 of the report referenced those actions within the tracker which had not progressed as intended. Overall, the picture was considered to be a very positive one; COVID-19 was still out there in communities but a lot of Council services were well into recovery and it was hoped this would continue into the next quarter.
- 39.5 During the debate which ensued, the following queries and comments were made in relation to the Council Plan and Recovery Plan trackers:

Priority: Economic Growth

P73 – Objective 2 – Action c)
Publish the Infrastructure
Funding Statement – A
Member questioned whether
the additional Section 106 /
Community Infrastructure
Levy Officer post had been
filled.

The Head of Development Services advised that interviews were taking place later that week. Once a successful applicant had been appointed, Members would be informed accordingly.

P77 – KPI 6 – Number of visitors to Winchcombe Tourist Information Centre – A Member noted that the commentary stated that “Overseas visitor numbers are dramatically reduced as visitor confidence has grown; this has been reflected through numbers coming through the TIC”; this did not make sense to him so he sought an explanation as to what this meant.

The Community and Economic Development Manager explained that it should state that overseas visitor numbers had decreased but domestic visitor numbers had increased significantly as visitor confidence had grown.

P71 – Objective 2 – Action a) Deliver employment land through allocating land in the Joint Core Strategy and Tewkesbury Borough Plan - A Member asked for an explanation for the delay to the Joint Core Strategy and sought clarification as to the timetable for getting back on schedule.

The Head of Development Services explained that the Joint Core Strategy was a very complex document which was produced in partnership with two other local authorities – Cheltenham Borough and Gloucester City Councils - and also involved close working with Gloucestershire County Council. The timetable for the Joint Core Strategy was being revised to ensure it was achievable; a meeting of the Joint Core Strategy Member Steering Group had taken place the previous day where this had been discussed. She indicated that she would be happy to arrange a Member training session to provide an overview of the development plan - which included the Joint Core Strategy and the Tewkesbury Borough Local Plan – in order to give Members a better understanding of the current position in terms of the review of the Joint Core Strategy, as well as an overview of its governance and structure. She pointed out there was now a different policy framework from the one that had been in place when the previous Joint Core Strategy had been developed and what needed to be done this time was quite different. Planning Policy Reference Panel meetings had been taking place with future meetings scheduled until Christmas – all Members were welcome to attend these sessions if they so wished.

In response to a query as to whether the Joint Core Strategy process would be easier this time, the Head of Development Services indicated that, unfortunately, that was not the case. The Joint Core Strategy identified strategic allocations with a minimum of 500 units and next time the allocations were put forward it was necessary to set out the infrastructure required, when it would need to be delivered, who would deliver it and how it would be paid for so a lot of technical and

joint working needed to be done. A Member queried whether it would include all retrospective outstanding infrastructure, for instance, the A38/A40 link road, and was advised that, although there was approximately £80m of infrastructure required to deliver the original Joint Core Strategy, that would not be included. This was one of the reasons that the Joint Core Strategy authorities had undertaken to develop the Community Infrastructure Levy. Nevertheless, there would be an impact if the infrastructure required for the original Joint Core Strategy had not been delivered when new sites started to be allocated. The Member questioned whether the outstanding infrastructure would be required and the Head of Development Services confirmed that it would be based on existing infrastructure in place at that time. If previous infrastructure had not been delivered, that would need to be taken into account – it could be determined that the same infrastructure was required or that greater mitigation was needed.

Priority: Housing and Communities

P87-91– KPIs 17-22
Percentage of ‘minor’ and ‘other’ planning applications determined and investigation of enforcement cases (Categories A-D) within the agreed timescales – A
Member questioned whether the poor planning performance against these KPIs was likely to continue until the planning services review had been completed or whether there were any improvements being made in the interim.

The Head of Development Services provided assurance that Officers were not waiting for the outcome of the review to look at the reasons for the decline in performance in respect of planning applications and enforcement cases. Detailed performance monitoring had been set-up and applications were being tracked on a weekly basis to understand exactly what percentage were being delivered. A Member questioned when the review was due to be completed and was informed that a high level report was due to be taken to the Executive Committee in November 2021.

Priority: Sustainable Environment

P107 – Objective 3 – Action
a) Take a robust approach towards fly-tipping and other enviro-crimes – A Member noted that the current Public Space Protection Order relating to dog fouling had expired in June 2021 and he queried whether it was required to lapse before it was reintroduced.

The Head of Community Services advised that, unfortunately, in June 2021 when the current Order had lapsed, the focus of the team had been elsewhere and he confirmed that under normal circumstances it would have been addressed earlier to keep the Order in place.

P108 – Objective 3 – Action
c) Introduce a small Waste Electrical and Electronic Equipment (WEEE) scheme across the borough – A Member welcomed the introduction of the scheme but was interested how this had come about as it had not been included in the tracker previously.

The Head of Community Services advised that the project had been an aspiration for the last couple of years but had been held up by the pandemic. There had only been a soft launch for the scheme due to the critical driver shortage and the need to ensure that the crews were not overloaded but a more significant launch was planned for later in the month as part of national recycling week.

- 39.6 The Head of Finance and Asset Management advised that the financial budget summary for quarter one of 2021/22 showed a projected surplus of £22,382 for the full year against the approved budget; whilst there were early indications that income streams were improving and there was potential for increased government support, given that the report was based on performance in only the first three months of the year, a prudent position was taken with regard to full year estimates. The table at Page No. 61, Paragraph 5.2 of the report showed the forecast outturn position for service provision, the net position on corporate income and expenditure and the resulting surplus. With regard to service-related expenditure, an overall deficit of £849,177 was predicted. The full year projection for employees highlighted a potential surplus of £377,508; however, there was a corporate savings target of £155,000 for employment costs, therefore, the net position was a surplus of £222,508. The service areas contributing to the surplus were outlined at Page No. 62, Paragraph 5.4 of the report, and included deletion of the Chief Executive post. Payments to third parties highlighted a small projected overspend of £75,005 with the main element of that relating to extra payment being made to attract and retain drivers at Ubico; Members would be aware of the national driver shortage and waste services were not immune to that. Ubico was looking at a range of incentives for drivers, one of which was an increased market supplement of £2.30 per hour which would cost the Council an additional £50,000. With regard to COVID-19 impacts, staff continued to work in the business cell administering business grants, there were additional costs for the provision of waste and recycling services and continued support to Tewkesbury Leisure Centre, although it was anticipated the latter would cease in the near future.
- 39.7 The expenditure associated with corporate activities showed an estimated surplus of £871,559 for the financial year. The Council's commercial property portfolio was currently predicting a small deficit of £50,000 on the year as a result of the temporary void at one office unit and the inducements offered to secure leases at the Clevedon units. That deficit could be offset by rental income for one of the units at the Tipton site where heads of terms for a long term lease were currently being

agreed; however, should the commercial property account remain in deficit for the full year, the Council would utilise the commercial property reserve so there would be no impact on the base budget. In terms of government funding, £424,927 COVID-19 grant funding had been received and, in addition to this, the Council would receive additional new burdens funding for its continuing administration of business grants. It was noted that the level of funding was not yet known and the compensation claim for loss of sales, fees and charges had not been calculated or approved so a prudent estimate of £100,000 for new burdens and £70,000 for the compensation claim had been included within the projection. Turning to business rates, the anticipated retention of income showed a gain of approximately £1.4m from the original budget - a saving of £250,000 which was a very good position for the quarter and showed that businesses were starting to bounce back from COVID-19. The use of reserves and Minimum Revenue Provision (MRP) highlighted the intended level of reserves being brought into the general fund during the year, less the cost of the repayment of borrowing. In this case, additional reserve use related to new burdens funding already received for business grant administration and the use of the commercial property reserve to cover any deficit on that account. Overall, the first quarter projection for the full financial year showed an anticipated surplus of £22,382 and more detail about each service area was included at Appendix 3 to the report.

- 39.8 The capital budget position as at quarter one was attached at Appendix 4 to the report. This currently showed an underspend of £78,233 against the profiled budget of £286,658. The capital programme estimated total expenditure for the year to be in the region of £3.9m which was a lot less than previous years as a result of the end of the acquisition phase of the commercial property investment strategy. The main elements of this year's forecast included Ashchurch Bridge; vehicle replacement; replacement of the heating system at the Council offices; and Disabled Facilities' Grants (DFGs). Whilst the DFG scheme had incurred an overspend, Members were reminded that all expenditure on DFGs was covered by grant funding provided by the County Council so none of that cost was borne by Tewkesbury Borough Council. Appendix 5 to the report provided a summary of the current usage of available reserves and it was noted that £287,837 had been spent during quarter one against the £16.2m set aside by the Executive Committee in July.
- 39.9 A Member asked for some further clarification on the position in relation to Tewkesbury Leisure Centre. In response, the Head of Finance and Asset Management explained that Members would recall that previous budgets and the contract with Places Leisure included a fee of £160,000 so, in a normal year, that was what would be expected in the Council's base budget. Due to the unforeseen circumstances brought about by the pandemic and changes to government legislation, for example, various lockdowns, the Council had been responsible for increased costs and had paid the Leisure Centre £430,000 to keep it running when it had been forced to close. Since its re-opening in April, the number of customers through the door had exceeded expectations. At the start of the year the Leisure Centre was a £280,000 cost to the Council but it was expected that the quarter two report would show it as being cost neutral in terms of monthly payments from the Council to the Leisure Centre and it was hoped that would continue to improve. Another Member drew attention to Appendix 4 and questioned whether any of the vehicles that were expected to be purchased had been ordered. In response, the Head of Community Services confirmed there was a backlog - one vehicle was waiting for an electronic chip to be inserted so it had been delayed.
- 39.10 Having considered the information provided, it was

RESOLVED That the performance management information and COVID-19 recovery information for quarter one of 2021/22 be **NOTED**.

OS.40 REVIEW OF COVID-19 RESPONSE AND RECOVERY

- 40.1 The report of the Head of Corporate Services, circulated at Pages No. 133-163, provided Members with an overview of the key organisational and service-specific learning points arising from the Council's response to the COVID-19 pandemic. Members were asked to consider the report.
- 40.2 The Head of Corporate Services advised that the COVID-19 pandemic and its impact on the Council had been unprecedented; there was no textbook response and it had been a very fluid situation for many months. Pages No. 134-135, Paragraph 2.1 of the report, explained that the Council was fortunate to already have some foundations in place to support the response and recovery, for instance, the Growth Hub – set up in 2018 - meant that the Council already had a fantastic relationship with the local business network which had stood it in good stead for the provision of business advice; similarly, the Council had an excellent relationship with Places for People which had been important for the recovery of the Tewkesbury Leisure Centre and the unique set-up of the Public Services Centre had helped to facilitate a multi-agency response. It was also noted that staff were the Council's greatest asset and the 'can do' culture had been vital throughout the pandemic. Furthermore, the Council's excellent financial management framework, supported by the technically strong Finance team had enabled the quality of financial monitoring and reporting to be maintained despite the added complexities.
- 40.3 In responding to the challenges, a number of learning opportunities had arisen and the key points were outlined at Pages No. 135-137, Paragraph 3.1 of the report. Pre-COVID-19 it would not have been considered possible for all staff to work from home, all Committee meetings to be held virtually, £30m of business grants and £400,000 Council Tax support to be administered and 5,000 business visits to take place as well as continuing to deliver core priority services; however, out of adversity had come the motivation, creativity, doggedness and goodwill of staff who had adapted by being redeployed and working additional hours etc. for the residents and communities within the borough. It had become apparent from an early stage that individual services would be overwhelmed by certain aspects of the response, therefore, key cells had been created each with a clear remit: communications, business, community and High Street recovery. This had been replicated at a county level to ensure there was a joined-up approach. A Management Team Plus group had also been created comprising the Corporate Leadership Team, cell leads and Operational Manager from each service area and that team had met daily for many months. Technology had been fundamental to the response in terms of enabling staff to work from home and staff and Members had been required to adapt quickly to using software such as Microsoft Teams – which had not been well-used by staff when it had initially been rolled-out pre-pandemic. Members were advised that the move to home working had happened at speed and the longevity of the pandemic had quickly identified that staff resilience varied between individuals and teams so it had been essential to provide additional HR and organisational support. The HR team had already provided support around mental health and wellbeing pre-COVID-19 which had been a good starting point. In terms of customers, they had no choice but to engage with the Council in different ways – visitors to the Council Offices were minimal and the Advice and Information Centres (AICs) had been closed – and it was now known that customers could, and wanted to, engage online. Communications had been critical throughout and the COVID-19 microsite had been created to prevent the Council's main website being overwhelmed. Staff briefings had been held virtually and staff surveys had been undertaken on a regular basis. Social media had been a key tool, not only for the Council's messages but to promote those of other key stakeholders. Whilst in response mode it was also important to think about recovery which had led to the development of the corporate COVID-19 Recovery Plan.

- 40.4 Pages No. 137-138, Paragraph 4.1 of the report, set out the key learning points by service area and these included: staff responsiveness – services had acknowledged how staff had adapted to new technology and roles and had supported each other through the challenging times; staff resilience – a number of staff who had been redeployed had been faced with challenging conversations and additional support had been required for those operating in the community and business cells in particular; business intelligence – this was a potential area for improvement which would be looked at by the Business Transformation team in terms of using business intelligence across service areas rather than working in silos; legislation and guidance – a plethora of new guidance and legislation had needed to be interpreted across all areas including virtual meetings, health and safety and business grants etc. a lot of which was complex and lacking clarity; innovation – many services had to think of different ways to continue to provide effective service delivery, for example, use of videos and photographs to support planning applications, switching from paper to electronic storage, online forms and virtual inductions for new staff; additional resources – given the impact of the pandemic and that the Council was a relatively small organisation, it had been necessary to employ temporary staff and contractors, both for COVID-19 related activities and to backfill staff that had been redeployed.
- 40.5 A Member indicated that he felt the staff response to the pandemic had been tremendous and they should be very proud of the work carried out. He knew of several business which he was sure would no longer exist if it was not for the speed at which they had received the government business grants. He was pleased to see it noted that, whilst Members had embraced the use of new technology, it had not been easy for everyone and further training would be welcomed. Another Member noted that a Communications Officer had been employed for a two year period during the pandemic and he questioned whether there were any plans to make that a permanent role. The Head of Corporate Services advised that it had been put forward as a potential growth item to be considered by the Corporate Leadership Team. A Member was amazed to see that the new microsite had been developed in only a week and he felt that congratulations should be passed on to whoever had achieved that.
- 40.6 With regard to Page No. 151, lesson learnt reference 37, a Member asked for further explanation of the current process for advertising planning applications and how that might change in the future. In response, the Head of Development Services advised that the Council currently advertised planning applications via a notice which was displayed on site, in accordance with the Statement of Community Involvement. This had caused a problem during the pandemic and had highlighted the need to review the Statement. Many authorities used neighbour notification whereby they sent a letter to people living adjacent to a development so that was an alternative which would be considered. A Member queried whether business applications would be included and the Borough Solicitor explained that all planning applications must be publicised in accordance with the Statement of Community Involvement – if a neighbour notification system was introduced, that would be used for all types of application, including business premises. A Member suggested this would be reverting back to the process which was used previously and the Borough Solicitor clarified that the Council had used neighbour notification alongside display of a site notice in the past but had subsequently decided to use only the site notice display. It was noted that the majority of other authorities used neighbour notification so that was potentially what the Council could do instead. A Member drew attention to Pages No. 151-152, lesson learnt reference 39, which stated it had been difficult to access paper records and he asked what this related to and how the problem would be overcome. In response, the Head of Development Services explained that a number of old planning records were retained at the depot; whilst they were in the process of being digitalised, there was a limit to what could be achieved within current resources. All Councils were trying to digitalise the local

land search system so work was being undertaken with the Land Registry on timescales and part of that would be understanding the support around commissioning scanning of the planning records in order to become paperless.

40.7 Having considered the information provided, it was

RESOLVED That the key organisational and service-related lessons arising from the Council's response to the COVID-19 pandemic be
NOTED.

OS.41 SEPARATE BUSINESS

41.1 The Vice-Chair in 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.

OS.42 SEPARATE MINUTES

42.1 The separate Minutes of the meeting held on 13 July 2021, copies of which had been circulated, were approved as a correct record and signed by the Vice-Chair in the chair.

The meeting closed at 6:25 pm

EXECUTIVE COMMITTEE FORWARD PLAN 2021/22

REGULAR ITEM:

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

Additions to 6 October 2021

- Home Office Consultation – Extending the Police and Crime Commissioners Power of Competence.
- Tewkesbury Garden Town – Evolution of the Concept Plan.

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.
Absence Management Policy	To approve the Absence Management Policy.	Head of Corporate Services.	No.
Redundancy and Redeployment policy	To approve the Policy.	Head of Corporate Services.	No
Allocations Policy	To approve the Policy.	Head of Corporate Services.	No.
Tree Safety Management Policy.	To approve the Policy.	Head of Finance and Asset Management.	No.
Environmental Health Enforcement Policy – including Fixed Penalty Policy and fine levels for environmental offences.	To approve the Environmental Health Enforcement Policy.	Head of Community Services.	No.
Planning Service Review Action Plan.	To consider the Planning Service Review Action Plan.	Head of Development Services.	No.

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
Infrastructure Funding Statement 2021.	To recommend to Council approval for publication.	Head of Development Services.	No.
Community Infrastructure Levy Review – New Draft Charging Schedule.	To recommend to Council approval for consultation.	Head of Development 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: 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) (Policies including Capital Strategy, Investment Strategy, Minimum Revenue Provisions and Flexible use of Capital receipts).	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.
Social Media Policy and Guidelines.	To approve the Social Media Policy and Guidelines.	Head of Corporate Services.	No.
Discretionary Rate Relief Policy.	To consider the Discretionary Rate Relief Policy.	Head of Corporate Services.	No.
Procurement Strategy.	To approve the Procurement Strategy.	Head of Finance and Asset Management.	No.
Sandbag Policy.	To approve the Sandbag Policy.	Head of Community Services.	No.

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
Digital Strategy.	To approve the Digital Strategy.	Head of Corporate Services.	No.
Asset Management Strategy.	To approve the Asset Management Strategy.	Head of Finance and Asset Management.	No.
Housing Strategy.	To recommend the Housing Strategy to Council for approval.	Head of Community Services.	No.
Action for Affordable Warmth 2013-18.	To consider and approve.	Head of Community Services.	No. Deleted as not a matter for Executive Committee.
Tewkesbury Borough Council domestic waste and recycling collection services policy and procedures.	To consider and approve.	Head of Community Services.	No.
Equalities and Diversity Policy.	To approve the Equalities and Diversity Policy.	Head of Corporate Services.	Moved from September meeting to enable a bid for consultant funding to undertake work on equalities.

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.
Car Parking Strategy.	To approve the Car Parking Strategy.	Head of Development Services.	No.
Economic Development and Tourism Strategy.	To approve the Strategy.	Head of Development Services.	No.

PENDING ITEMS

Agenda Item	Overview of Agenda Item	Date Item Added to Pending
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
Managing Contractors Safely Policy.	To approve the Policy.	26 July 2021

OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2021/22

REGULAR ITEMS:

- **Executive Committee Forward Plan**
- **Overview and Scrutiny Committee Work Programme 2021/22 (to include the Action List Update on a quarterly basis – June, September, January and March meetings each year, starting on 7 September 2021).**

Additions to 12 October 2021

- Use of Mobile Surveillance Equipment for Fly-tipping Investigations – Report arising from an action identified at the Overview and Scrutiny Committee meeting on 18 June 2019.

Deletions from 12 October 2021

- Gloucestershire Health Overview and Scrutiny Committee – Meeting date changed to 12 October which is the same date as the Overview and Scrutiny Committee so the update will be circulated by email on this occasion.
- Economic Development and Tourism Strategy – Moved to 23 November 2021 due to workload and on the basis that a report on the Growth Hub was received by the Committee in April.

Committee Date: 23 November 2021

Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
LGA Peer Challenge Report Action Plan	To monitor implementation of the action plan (six monthly).	Head of Corporate Services	No.
Depot Services Working Group Update	To consider the update on the work of the Depot Services Working Group (biannual).	Head of Community Services	No – Depot Services Working Group met on 24 August 2021 where the work programme for the remainder of the year was agreed.

Committee Date: 23 November 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Economic Development and Tourism Strategy	To consider the progress made against the delivery of the Economic Development and Tourism Strategy – year 4 (2021/22 actions)	Economic and Community Development Manager	Yes – moved from 12 October 2021 due to Officer workload and on the basis that a report on the Growth Hub was received by the Committee in April.
Social Media Policy and Guidelines	To consider the revised Social Media Policy and Guidelines prior to approval by the Executive Committee on 5 January 2022.	Head of Corporate Services	No - agreed by the Overview and Scrutiny Committee at its meeting on 7 September 2021.
Gloucestershire Economic Growth Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (20 October and 17 November 2021).	N/A	No.
Gloucestershire Health Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (16 November 2021).	N/A	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting (3 November 2021).	N/A	No.

Committee Date: 11 January 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 Two 2021/22	To review and scrutinise the performance management and recovery information and, where appropriate, to require response or action from the Executive Committee.	Head of Corporate Services.	No.
Parking Strategy Review	To endorse the findings of the Parking Strategy Review and approve the draft strategy for public consultation.	Head of Finance and Asset Management.	No - Moved from pending items August 2021. The Parking Strategy Review Working Group is due to meet on 29 September 2021.
CONFIDENTIAL ITEM – Trade Waste Project Update	To receive an update on the progress of the trade waste project.	Head of Community Services.	No.

Committee Date: 8 February 2022			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Annual Growth Hub report	To receive a report on the performance of the Growth Hub and the support given to the economic growth of the borough.	Economic and Community Development Manager.	No.
Digital Strategy	To consider the revised Digital Strategy prior to approval by the Executive Committee on 2 March 2022.	Head of Corporate Services.	No – agreed by the Overview and Scrutiny Committee at its meeting on 13 July 2021.
Housing Strategy	To endorse the new Housing Strategy prior to consideration by Executive Committee and Council.	Head of Community Services.	No – moved from pending items as a timetable for the review has now been agreed. An Overview and Scrutiny Committee Workshop is in the process of being arranged for November.
Gloucestershire Health Overview and Scrutiny Committee 2022/23 Financial Contribution	To conduct the annual review of the effectiveness of the Council's involvement in the Gloucestershire Health Overview and Scrutiny Committee in order to authorise payment of the Council's contribution to the running costs for the forthcoming year.	Head of Corporate Services.	No.
Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting (4 February 2022).	N/A	No.

Committee Date: 8 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 review and scrutinise the performance management and recovery information and, where appropriate, to require response or action from the Executive Committee.	Head of Corporate Services	No.

Committee Date: 5 April 2022			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Customer Care Strategy	To consider the progress made against the actions within the Customer Care Strategy during 2021/22 and to endorse the action plan for 2022/23.	Head of Corporate Services	No.
Communications Strategy 2020-24	To consider the progress made against the actions within the Communications Strategy during 2021/22 and to endorse the action plan for 2022/23.	Corporate Services Manager	No.
Overview and Scrutiny Committee Annual Report 2021/22	To approve the annual report as required by the Council's Constitution to ensure that the activities of the Overview and Scrutiny Committee are promoted, both internally and publicly, to reinforce transparency and accountability in the democratic process.	Head of Corporate Services.	No.
Depot Services Working Group	To receive the annual report on the work of the Depot Services Working Group and to consider whether there is a continuing role for the Group and if any changes to the Terms of Reference are required.	Head of Community Services.	No
Overview and Scrutiny Committee Work Programme 2022/23	To consider and approve the forthcoming Committee work programme.	Head of Corporate Services.	No.

Gloucestershire Police and Crime Panel Update	To receive an update from the Council's representative on matters considered at the last meeting (25 March 2022).	N/A	No.
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PENDING ITEMS		
Agenda Item	Overview of Agenda Item	Date Item Added to Pending
Planning Services Review Action Plan	To monitor delivery of the Planning Services Review Action Plan – <i>To be added to the appropriate meeting following consideration by the Executive Committee.</i>	13 July 2021
Community Services Improvement Review	To consider the progress made against the Community Services Improvement Plan. Moved from 14 July 2020 and 9 March 2021. Little activity has taken place over recent months due to COVID-19.	14 July 2020
Council Tax Reduction Scheme Review	To set up an Overview and Scrutiny Committee Working Group to review the scheme and make a recommendation to the Executive Committee/Council. (deferred from 2020/21)	April 2020
Update on Local Policing Arrangements	To receive an update from the Police on local arrangements.	13 October 2020
Advice and Information Centres (AIC)	To set up an Overview and Scrutiny Committee Working Group to review the scheme and make a recommendation to the Executive Committee. (deferred from 2020/21)	-----
Active Gloucestershire Report on the progress of its 'We Can Move' Project.	To report on an annual basis following the Council's decision to provide funding to the project of £10,000 per year for five years. Annual reports will commence once the project is up and running.	3 March 2021 following Executive Committee.

Gloucestershire Economic Growth Scrutiny Committee

Wednesday 15th September 2021

1. Future of The High Street

Presentations were delivered that considered the future of the high street from two different perspectives. Nigel Jobson, Chair of the LEP Retail and the High Street Sector Group and Chief Commercial Officer for Maybe* (www.MaybeTech.com) delivered a presentation that can be found at:

<https://glostext.gloucestershire.gov.uk/documents/s74876/Nigel%20Jobson%20slides.pdf>

(If the links on this page do not appear to work on your device, please copy them into your browser's address bar and press "enter")

Nigel used the idea of purchasing something so small as a banana to illustrate that everything we consume is becoming increasingly digitally influenced. He explained that the Maybe* platform uses artificial intelligence, chatbots and social media to measure and connect the online and offline world.

He went on to describe how Maybe* works with places, companies, and national bodies to help them increase their digital influence to drive physical footfall and sales to our High Streets.

Andy Sanders, Community and Economic Development Manager at Tewkesbury Borough Council, then delivered a presentation that focused on specific improvements to Tewkesbury's High Street.

That presentation follows:

<https://glostext.gloucestershire.gov.uk/documents/s74877/HAZ%20Pres%20Sept%2021.pdf>

2. GFIRST LEP

Neil Hopwood (GFirst LEP) produced a paper that delivered an overview of the Local Growth Fund Programme and a Project Review of the Gloucester Transport Hub.

The committee was asked to consider this report.

<https://glostext.gloucestershire.gov.uk/documents/s74710/Economic%20Growth%20Scrutiny%20Committee%2015-9-21%20GFirst%20Report.pdf>

3. Gloucestershire COVID-19 Economic Recovery Planning

Colin Chick, Chick, Executive Director of Economy, Environment & Infrastructure on Economic Growth, used an "economic dashboard" to provide an overview of the county's economic status.

This report considered various economic dimensions such as: Covid-19 impact, Covid-19 job retention scheme, unemployed claimant count, self-employment support scheme, universal credit claimants, apprenticeships, and NEETS (not in education, employment, or training). The report also provided some statistical data to describe the wider context. For example, population by age and gender, economic activity, business births and deaths and GVA (gross value added) and productivity.

The dashboard can be found via the following link:

<https://glostext.gloucestershire.gov.uk/documents/s74867/Economic%20Dashboard%20-%202015%20September%202021.pdf>

4. Gloucestershire Economic Growth Joint Committee (GEGJC) Update

Cllr Tony Dale provided a verbal update on the GEGJC meeting he chaired earlier that day. This meeting included a similar presentation to the “economic dashboard” referred to earlier. It also included a report from GFirst LEP which is linked to here:

<https://glostext.gloucestershire.gov.uk/documents/s74643/GFirst%20LEP%20Update%20for%20GEGJC%20meeting%2015th%20September%202021.pdf>

This report confirmed:

- That GFirst LEP has appointed Ruth Dooley as their new Chair
- Changes that had been made to the LEP Board
- The GFirst LEP Capital Projects update – to July 31st, 2021

It also provided:

- Information about the “Additional Restrictions Grant”
- An update on the tourism sector
- A display of a new cyber sector advert

The GEGJC also received an update on the Business Rate Pool. Please see below.

<https://glostext.gloucestershire.gov.uk/documents/s74673/GEGJC%20-%20Business%20Rates%20Pool%20Update%20Sep%202021.pdf>

5. Executive Director’s Report

Colin Chick then shared an update report on County wide issues.

The link to this report follows:

<https://glostext.gloucestershire.gov.uk/documents/s74300/Directors%20Report%20EI%20Scrutiny%20-%20August%202021.pdf>

Cllr John Murphy September 2021

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 October 2021
Subject:	Summary of Formal Complaints 2020/21
Report of:	Head of Corporate Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Customer Focus
Number of Appendices:	Two

Executive Summary:

This report provides a summary of complaints received during 2020/21. The report also includes the annual letter received from the Local Government and Social Care Ombudsman (LGSCO) on complaints it has determined. The complaints framework which the 2020/21 reporting period relates to was introduced in April 2016. As the Committee will be aware, the complaints framework was reviewed by the Business Transformation Team early in 2021 and a new and improved framework introduced in May 2021. This report is therefore based on the previous framework. What has not changed is the framework is monitored by a designated officer within the Corporate Services team and an annual review of complaints received is undertaken by the Overview and Scrutiny Committee.

Recommendation:

To CONSIDER the annual summary of formal complaints 2020/21 to gain assurance that complaints are effectively managed.

Reasons for Recommendation:

To ensure there is effective complaints monitoring and evidence of learning to improve service delivery and customer satisfaction.

Resource Implications:

There is a manpower resource to investigate any complaints that are received. Throughout the financial year complaints were impacted by the Council's response to COVID-19. This saw stage two formal complaints put on hold to allow Officers to respond to the national emergency.

Legal Implications:

The Local Government and Social Care Ombudsman has power to investigate complaints of maladministration against the Council (subject to certain exceptions) and may make recommendations as to how such complaints may be resolved. Where considered appropriate, the Ombudsman has the power to issue a formal report on any particular case for consideration by the Council. Although not legally bound to accept any recommendations from the Ombudsman, it is important that the Council takes careful note of them and learns from any recommendations that they make.

Risk Management Implications:

If complaints are not handled in accordance with the approved framework and the Council does not learn from the complaints received there is a potential reputational risk.

Performance Management Follow-up:

Customer complaints, including those made to the Ombudsman, are reported to Overview and Scrutiny Committee on an annual basis. A quarterly analysis is also presented at Corporate Management Team.

Environmental Implications:

None directly.

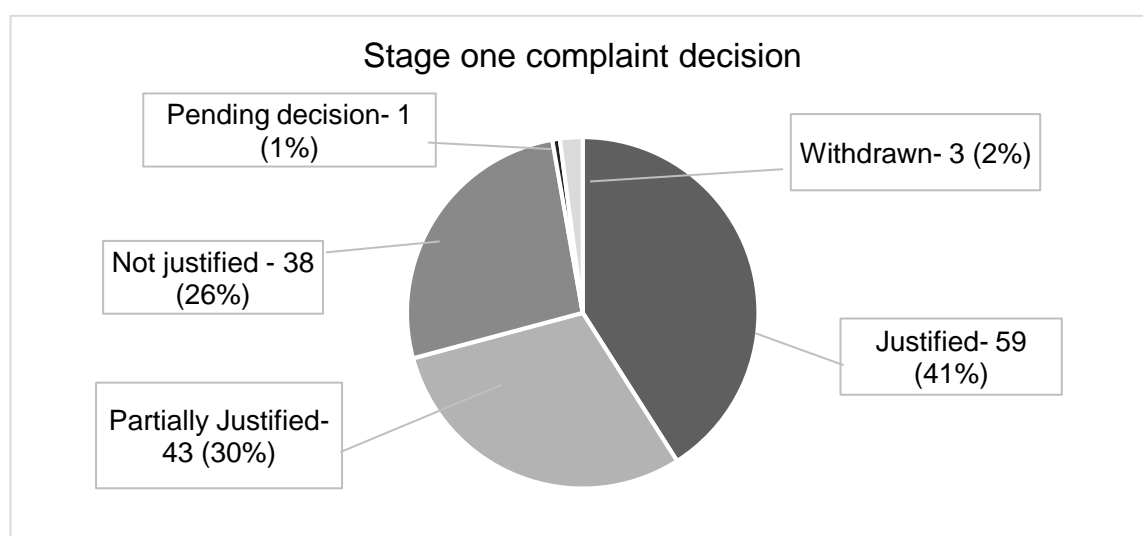
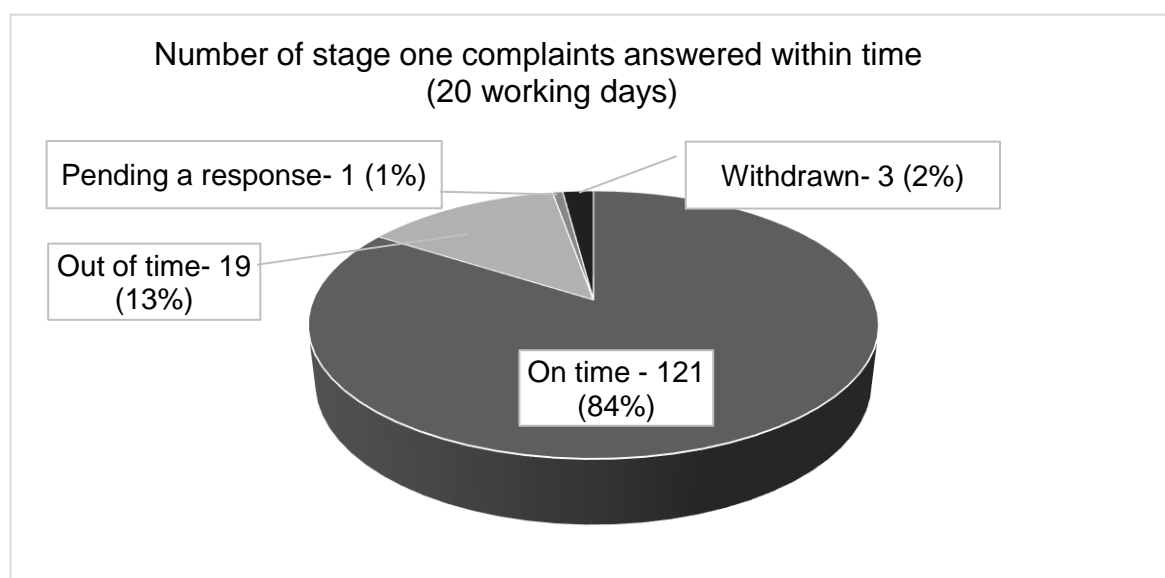
1.0 INTRODUCTION/BACKGROUND

- 1.1** The complaints framework used during 2020/21 was introduced in April 2016. The framework included the approval of a policy and a reporting and monitoring system to help ensure complaints are effectively managed. The framework is monitored by a designated officer within the Corporate Services team and an annual summary is reported to Overview and Scrutiny Committee. A formal complaint is defined as: *'an expression of dissatisfaction that requires a response about the standards of service, actions or lack of action, by the Council or its staff'*.
- 1.2** The system included signposting on how to make a complaint and clearly differentiating between a service type complaint/request and a formal complaint. The reporting and monitoring system has helped ensure that complaints are handled to the same standard and their progress can be closely monitored so that responses are made in a timely manner. Complaints may be reported onwards to the Local Government and Social Care Ombudsman (LGSCO) by the complainant once the complaint has been dealt with through the Council's complaints framework.
- 1.3** To further enhance the way we handle formal complaints, a review of the framework was undertaken in March 2021. As a result, a new 'Have your say' approach sits alongside our formal complaints policy. The policy was considered and fully supported by Overview and Scrutiny Committee, prior to approval by Executive Committee on 31 March 2021. Using the Council's new digital platform (Liberty Create) the process is as streamlined and simple as possible with all complaint information held within one system. This system went live at the end of May 2021. The next annual report (2021/22) will be based on the new system.

2.0 COMPLAINTS RECEIVED APRIL 2020 TO MARCH 2021

2.1 183 complaints were received in relation to our services. 144 of these were handled under the formal complaints procedure and 39 were deemed service-level complaints handled through a separate process e.g. noise complaints, businesses not abiding to COVID-19 regulations, anti-social behaviour reports etc.

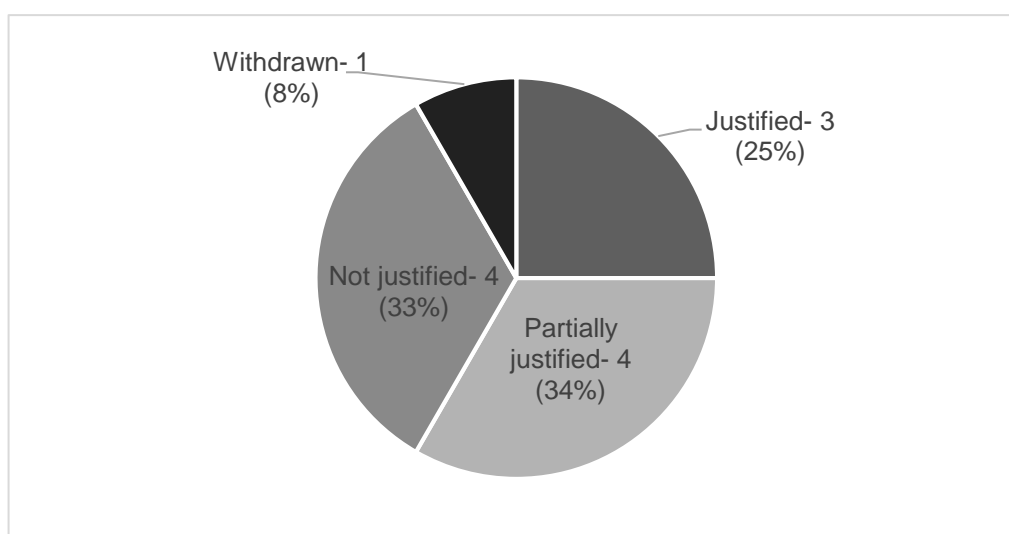
Of the 144 formal complaints received;



2.2 In line with the LGSCO guidance - 'Effective complaint handling for local authorities', Appendix 1 provides a breakdown of the complaints by;

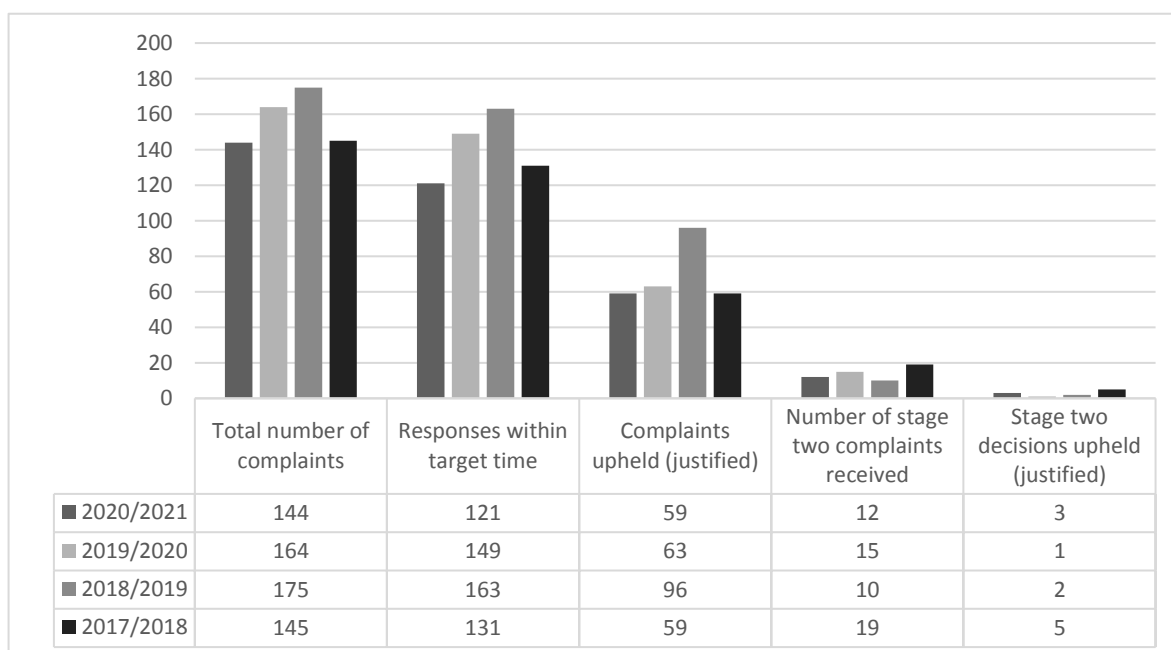
- the number received for each service area;
- the number of upheld complaints for each service area, at each stage and how they compare to previous years;
- the Council's performance against the Formal Complaints Policy timescale of 20 working days for each service area; and
- the remedy taken at each stage.

- 2.3** From the breakdown by service area, half (72) of complaints received relate to the Council's waste and recycling service. This is a high-profile service with more than 4 million collections carried out over the year. The number of complaints in proportion to the number of collections is therefore very small. The risk of complaints is an inherent feature given the type of service provided. The bulk of the other complaints are related to other high profile customer-facing services such as revenues and benefits and planning.
- 2.4** The second stage of the Council's formal complaint process is where the complainant is not happy with the original response (stage one) and the complaint is assigned to an independent Head of Service for investigation. The Council's stage two complaints process was temporarily suspended at the beginning of the financial year to enable Heads of Service to be redeployed on COVID-19 response activities. Despite this, during 2020/21, a total of 12 stage two complaints were received. Of these:



3.0 COMPLAINTS ANALYSIS FOR PREVIOUS PERIODS

- 3.1** Previous number of complaints reported to the Committee are detailed below:



4.0 BENCHMARKING OUR COMPLAINTS WITH OTHERS

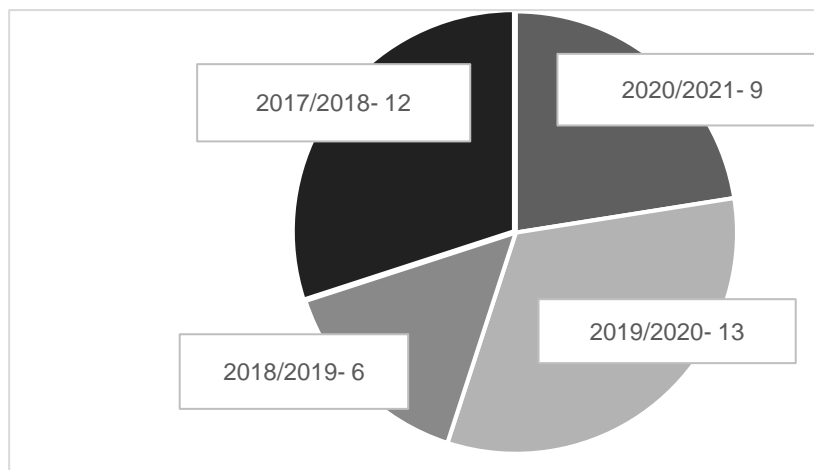
- 4.1** On a quarterly basis, outturn figures are input through LG Inform. LG Inform is a dedicated database provided by the Local Government Association (LGA) which includes a benchmarking tool. One of the indicators reported upon is the number of complaints per 10,000 population. Over 50 Councils usually report upon this indicator.
- 4.2** In March 2020, the LGA deferred its benchmarking exercise to allow Councils to focus their resources on tackling the COVID-19 pandemic. This did not reconvene until the first quarter of 2021/22. Therefore, outturn figures usually input through LG Inform are not available for comparison against other local authorities during 2020/21. In previous years, our outturn figure has always been very low compared with others, which is very positive.

5.0 OMBUDSMAN COMPLAINTS (LGSCO)

- 5.1** The LGSCO deals with complaints against all local government authorities in England (except Parish and Town Councils) and certain other bodies. Each year the LGSCO publishes an “Annual Review Letter” for every authority which details the number of complaints and enquiries received and the decisions made. This letter is attached to this report at Appendix 2. It is also published on the [LGSCO website](#).
- 5.2** During 2020/21, the LGSCO decided 9 complaints relating to Tewkesbury Borough Council. They are as follows: -

Number of complaints	Department	Decision
4	Planning and Development	Not Upheld
		Not Upheld
		Referred back for local resolution
		Closed after initial enquiries
2	Benefits and Council Tax	Upheld
		Upheld
2	Housing	Incomplete/Invalid
		Incomplete/Invalid
1	Adult care services	Incomplete/Invalid

The chart below shows the number of complaints referred to the LGSCO compared to previous years:

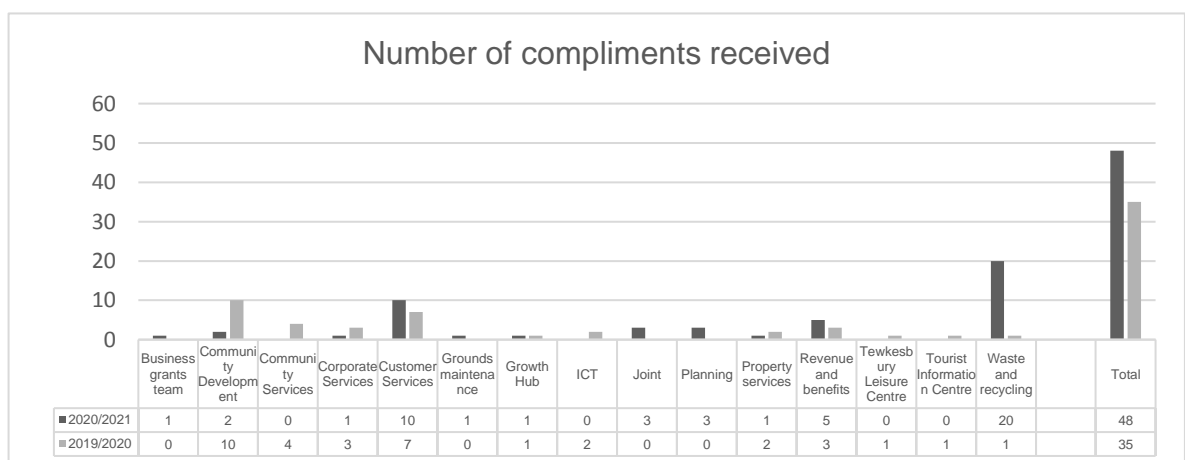


6.0 LESSONS LEARNT

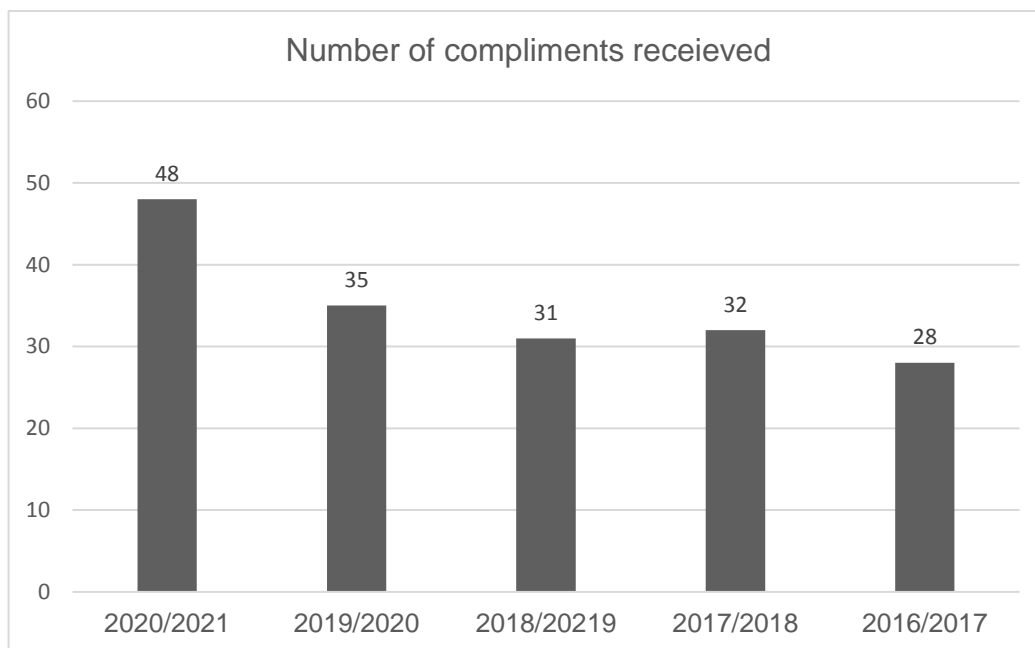
- 6.1** In essence, the majority of complaints relate to a perceived lack of customer focus. In response to this, mandatory customer service training has recently taken place for all customer-facing roles. In addition, improved customer focus will be at the heart of up and coming service reviews such as planning and licensing. Work continues to promote our customer care standards with staff and these are presented at each staff induction to new members of staff as well as at refresher training, where appropriate.
- 6.2** To ensure lessons learnt are actually implemented, once the Internal Audit team is up and running following its redeployment to the Council's COVID-19 response, days will be allocated to check a sample of complaints. The new complaints system was launched in May 2021 and, as a result, we will continue to review the way in which we monitor lessons learnt. One of the suggestions is to make the completion of the lessons learnt field mandatory including a follow-up box for monitoring purposes. Two complaints were upheld by the LGSCO relating to council tax. Lessons were learnt from these complaints as they both related to customers being billed on a provisional banding for council tax. To ensure this will not happen again we changed the practice so that it no longer sends council tax bills on a property within a provisional band.

7.0 COMPLIMENTS

- 7.1** A compliments log is maintained by Customer Services. During 2020/21, 48 compliments were received:



7.2 Total number of compliments received since 2016/ 2017 are as follows;



7.3 A summary of the compliments received include:

- Helping provide support to local communities.
- Responding back to customers quickly and efficiently.
- Helping assist with completing forms.
- The council's emergency response to the pandemic.
- Excellent cutting of grass.
- Employees showing compassion, being helpful and kind.

8.0 LOOKING AHEAD

8.1 The complaints framework was introduced in 2016. As part of our continuous improvement it was prudent to review the framework and this took place in the latter part of 2020/21. This was initially delayed as a result of resources being used to respond to COVID-19. Working in partnership with the Overview and Scrutiny Committee, and in particular Councillor J K Smith, it was agreed that introducing more ways for customers to feedback to us would give us a clearer picture of residents' satisfaction. This would also prevent some issues being logged as formal complaints in the first instance.

8.2 This led to the introduction of the four C's - Compliments, Comments, Concerns and Complaints. This formed part of the new 'Have your Say' approach that was approved by Executive Committee on 31 March 2021. The new system has been deployed on our new digital platform and offers a value of additional benefits which include:

- Customers are given the option to log their issues as a concern or comment before accessing the formal complaints system.
- Customer can 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 had previously. Complaints are currently still triaged by Customer Services to ensure accuracy but this will be reviewed once the system is embedded.
- Officers receiving the complaint now have the option to reallocate the complaint if they feel it has not been allocated correctly.
- The allocation of stage two process was dealt with outside of the system, the entire process will now be done through our new digital platform- allowing for quicker response times, better monitoring and improved reporting.
- Where a complaint covers multiple services a lead manager can request information from the services through the system. This keeps all the information in the system to avoid the use of emails for sensitive information/ issues.
- Overall, creates efficiencies such as the time of the Corporate Services Officer as the reporting is much more intuitive.

9.0 OTHER OPTIONS CONSIDERED

9.1 None

10.0 CONSULTATION

10.1 None

11.0 RELEVANT COUNCIL POLICIES/STRATEGIES

11.1 Corporate Complaints Policy

12.0 RELEVANT GOVERNMENT POLICIES

12.1 Local Government Act 1974

13.0 RESOURCE IMPLICATIONS (Human/Property)

13.1 Officer time to monitor and investigate complaints received.

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

14.1 None

15.0 IMPACT UPON (Value for money/ Equalities/ E-Government/ Human Rights/ Health and Safety)

15.1 Due regard is paid to the relevant policies and schemes during the investigation and resolution of complaints. Outcomes arising from improvement actions as a result of a complaints investigation may be beneficial in these areas.

16.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

16.1 None.

Background Papers: None

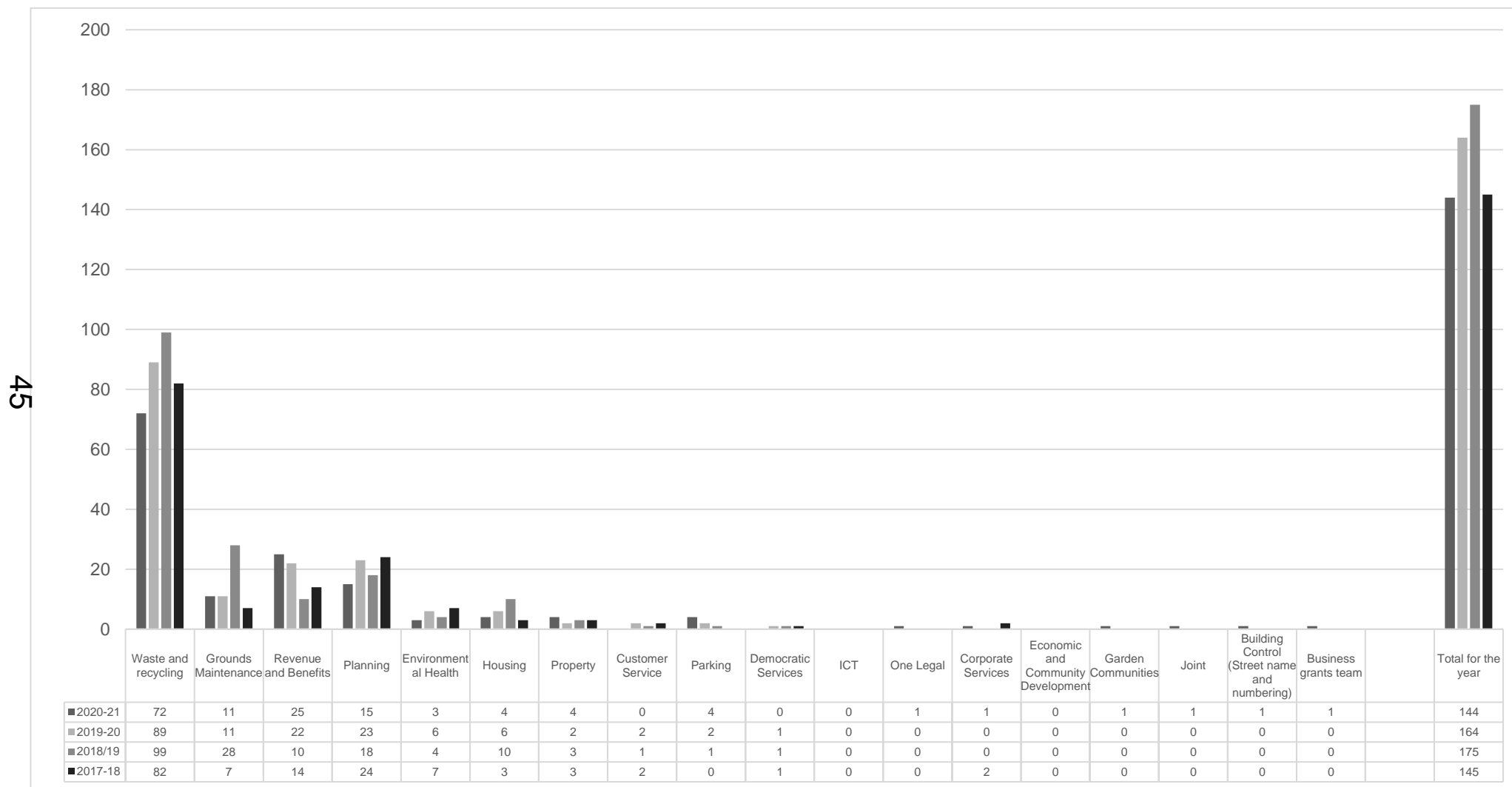
Contact Officer: Head of Corporate Services
01684 272002 Graeme.simpson@teWKesbury.gov.uk

Appendices: Appendix 1 - Complaints breakdown
Appendix 2 – Local Government and Social Care Ombudsman 2020/21
Annual Review Letter

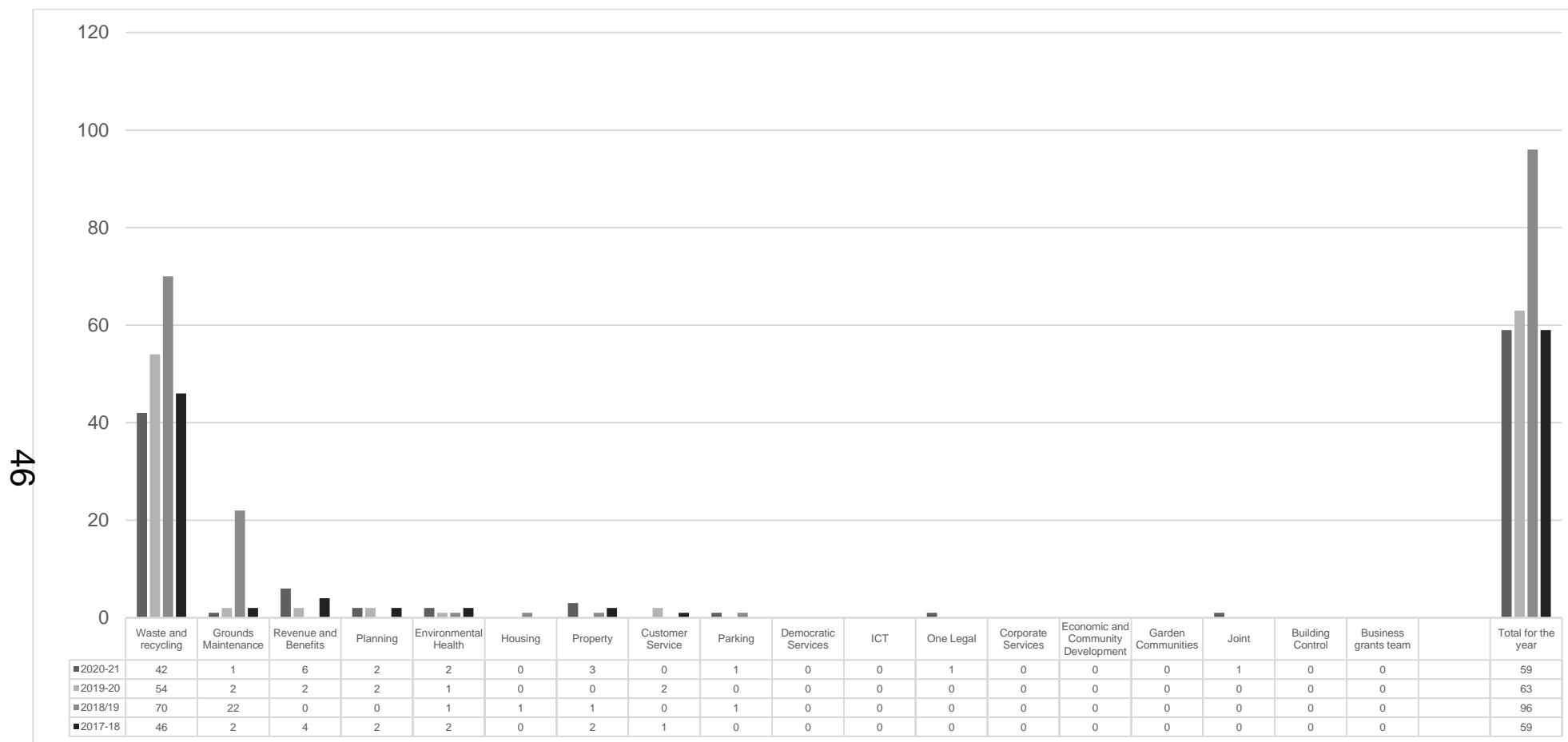
1. Breakdown by service (2019/20 figures in brackets)

Service area	Total complaints	Within target	Outside target	Awaiting response	Withdrawn	Justified	Partially justified	Not justified	Complaint appeals (stage two)	Stage two outcome
Waste and recycling	72 (89)	68 (86)	4 (3)	0	0	42 (54)	16 (25)	14 (10)	2 (2)	2- partially justified
Grounds Maintenance	11 (11)	7 (9)	2 (2)	0	2	1 (2)	6 (5)	3 (4)	2 (0)	1-Justified 1-Not justified
Revenues & Benefits	25 (22)	23 (16)	1 (6)	0	1	6 (2)	11 (13)	7 (7)	3 (6)	1-Withdrawn 1-Justified 1-Not justified
Planning	15 (23)	7 (10)	8 (11)	0 (1)	0 (1)	2 (2)	6 (10)	6 (9)	1 (6)	1-partially justified
Environmental Health	3 (6)	1 (4)	1 (2)	1	0	2 (1)	0 (3)	0 (2)	0 (0)	-
Housing	4 (6)	4 (5)	0 (1)	0	0	0 (0)	2 (3)	2 (3)	2 (0)	1-Not justified 1-Partially justified
Property	4 (2)	3 (2)	1 (0)	0	0	3 (0)	0 (0)	1 (2)	0 (0)	-
Customer Services	0 (2)	0 (0)	0 (2)	0	0	0 (2)	0 (0)	0 (0)	0 (0)	-
Parking	4 (2)	4 (2)	0 (0)	0	0	1 (0)	0 (0)	3 (2)	0 (1)	-
Democratic Services	0 (1)	0 (1)	0 (0)	0	0	0 (0)	0 (0)	0 (1)	0 (0)	-
ICT	0 (0)	0 (0)	0 (0)	0	0	0 (0)	0 (0)	0 (0)	0 (0)	-
One Legal	1 (0)	1 (0)	0 (0)	0	0	1 (0)	0 (0)	0 (0)	0 (0)	-
Corporate Services	1 (0)	1 (0)	0 (0)	0	0	0 (0)	1 (0)	0 (0)	0 (0)	-
Economic and community development	0 (0)	0 (0)	0 (0)	0	0	0 (0)	0 (0)	0 (0)	0 (0)	-
Garden Communities	1(0)	1 (0)	0 (0)	0	0	0 (0)	1 (0)	0 (0)	0 (0)	-
Joint (several service areas)	1(0)	0 (0)	1 (0)	0	0	1 (0)	0 (0)	0 (0)	1 (0)	1-Justified
Building Control	1 (0)	0 (0)	1 (0)	0	0	0 (0)	0 (0)	1 (0)	1 (0)	1-Not justified
Business Grants team	1 (0)	1(0)	0 (0)	0	0	0 (0)	0 (0)	1 (0)	0 (0)	-
Totals	144 (164)	121 (135)	19 (27)	1 (1)	3 (1)	59 (63)	43 (59)	38 (40)	12 (15)	-

2. Number stage one formal complaints received per department since 2017-18

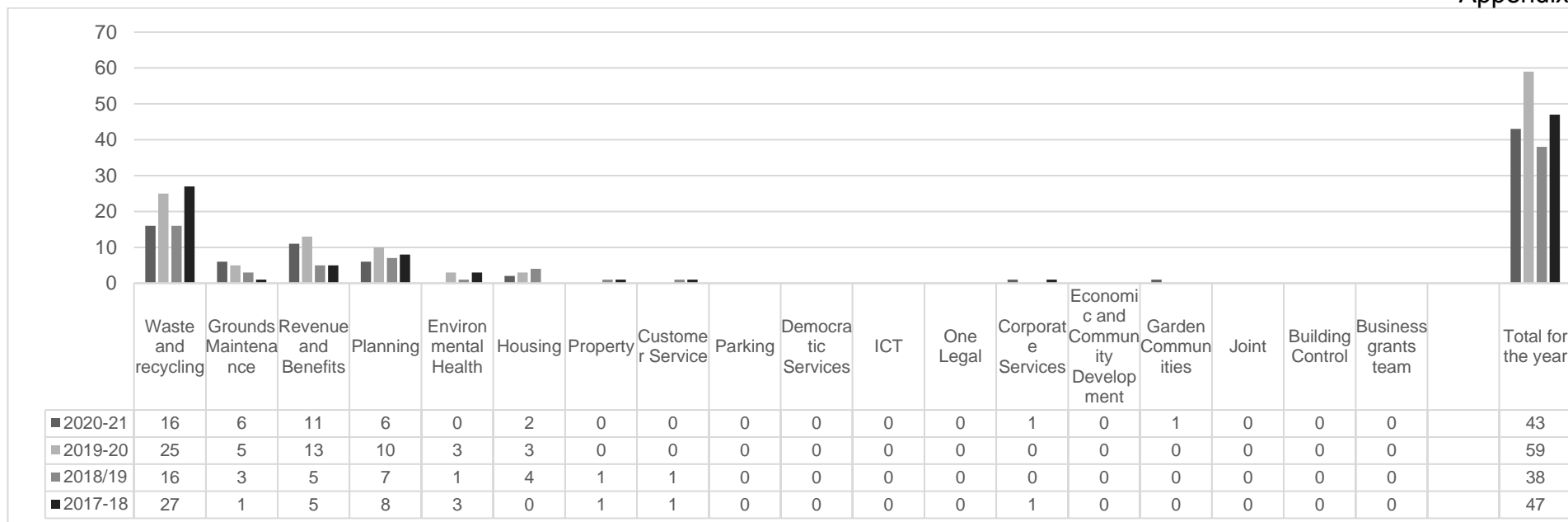


3. Number of stage one upheld (justified) formal complaints per department since 2017-18

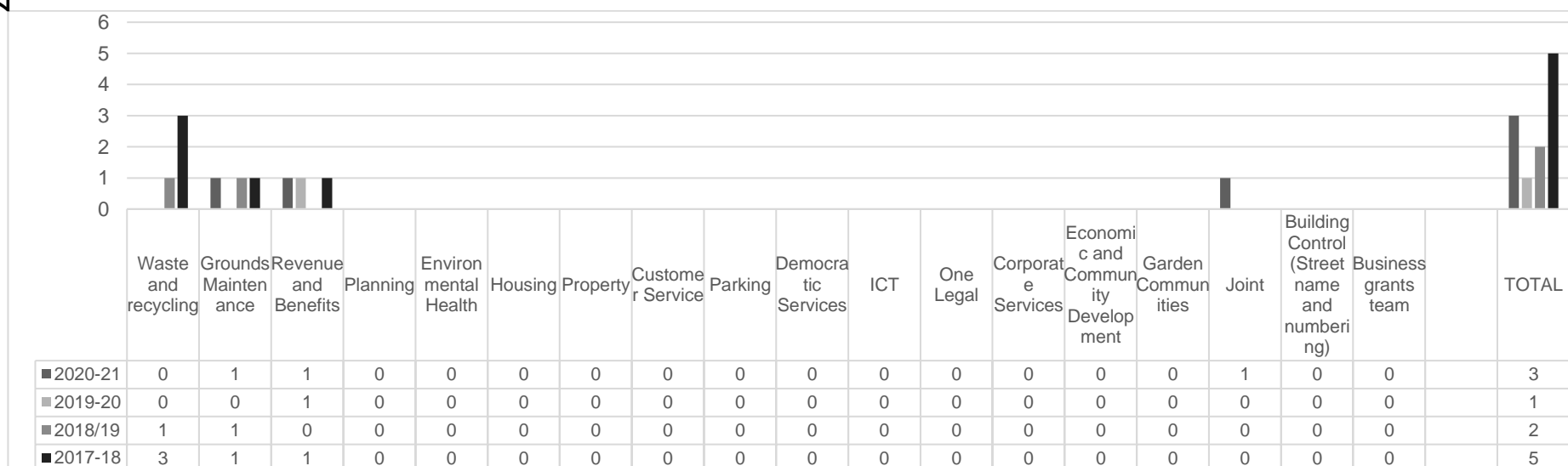


4. Number of stage one partially upheld (partially justified) formal complaint per department since 2017-18

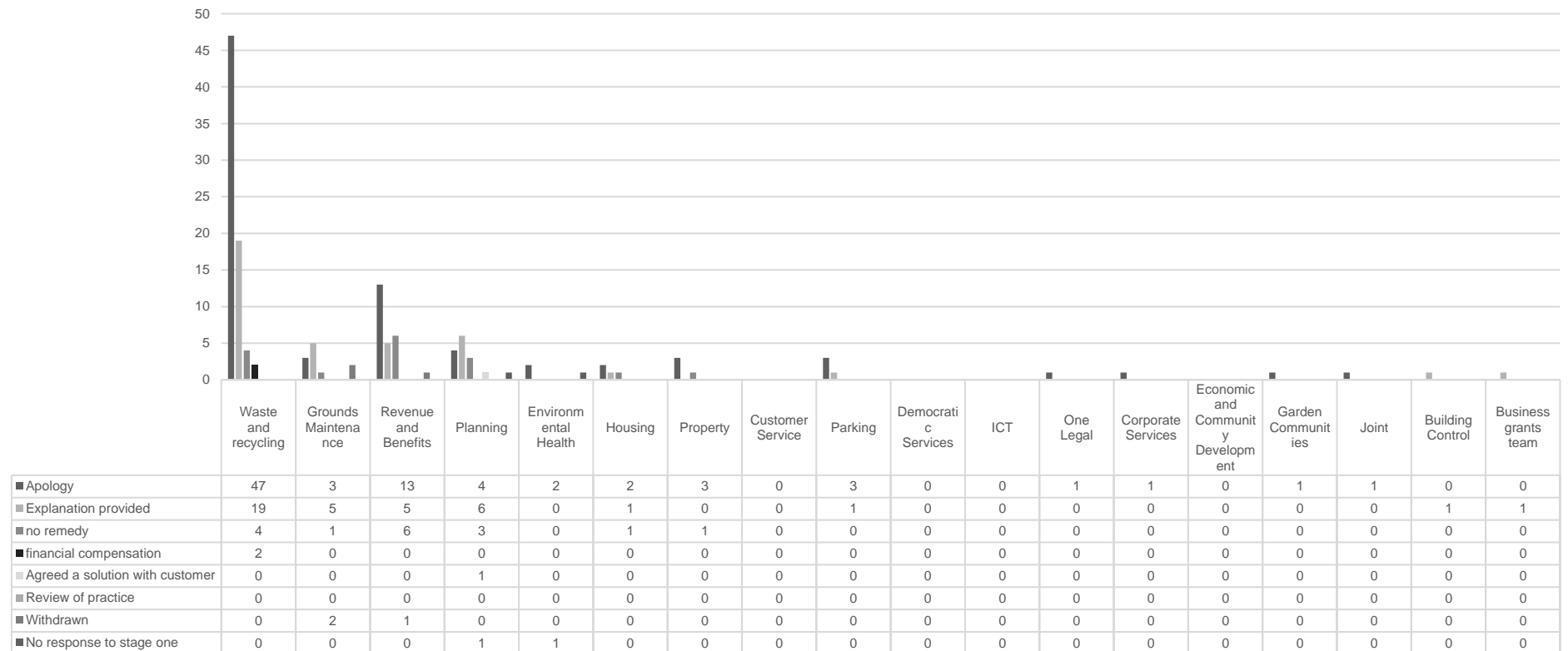
Appendix 1



5. Number of stage two upheld (justified) formal complaints per department since 2017-18

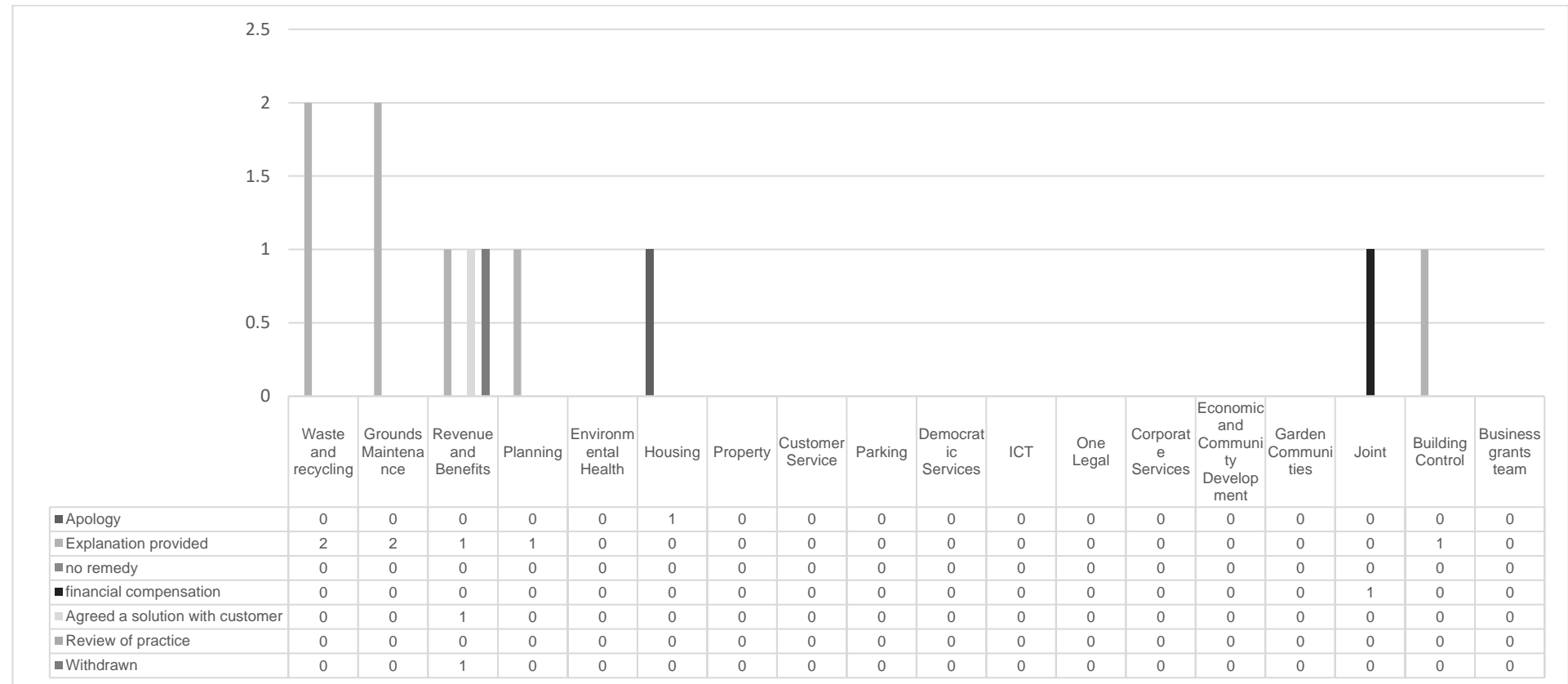


6. Remedy of stage one complaints for 2020-21.



NB- the two financial compensation equals to £42- this consists of £22 refunded for a missed bulky waste collection and £20 for repeatedly missed garden waste collection bin.

7. Remedy of stage two complaints- 2020-2021.



NB- Financial compensation resolution offered equating to £150- repeated failure from multiple service areas on several occasions.

21 July 2021

By email

Mr Dawson
Chief Executive
Tewkesbury Borough Council

Dear Mr Dawson

Annual Review letter 2021

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

Complaint statistics

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

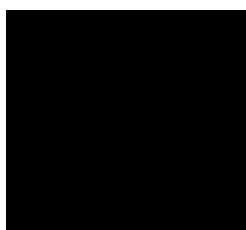
Supporting complaint and service improvement

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

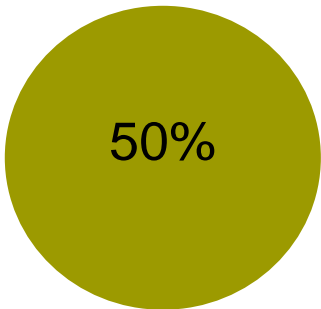
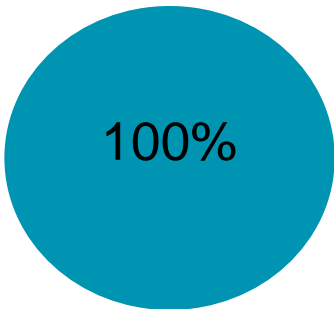
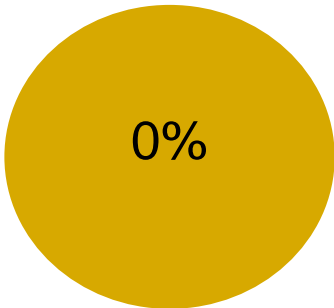
With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit www.lgo.org.uk/training.

Yours sincerely,



Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld		
	<p>50% of complaints we investigated were upheld.</p> <p>This compares to an average of 53% in similar authorities.</p>	<p>2 upheld decisions</p> <p>Statistics are based on a total of 4 detailed investigations for the period between 1 April 2020 to 31 March 2021</p>
Compliance with Ombudsman recommendations		
	<p>In 100% of cases we were satisfied the authority had successfully implemented our recommendations.</p> <p>This compares to an average of 100% in similar authorities.</p>	<p>Statistics are based on a total of 2 compliance outcomes for the period between 1 April 2020 to 31 March 2021</p>
<ul style="list-style-type: none"> Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning. 		
Satisfactory remedy provided by the authority		
	<p>In 0% of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of 16% in similar authorities.</p>	<p>0 satisfactory remedy decisions</p> <p>Statistics are based on a total of 4 detailed investigations for the period between 1 April 2020 to 31 March 2021</p>

NOTE: To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.

TEWKESBURY BOROUGH COUNCIL

Report to:	Overview and Scrutiny Committee
Date of Meeting:	12 October 2021
Subject:	Use of Mobile Surveillance Equipment for Fly-Tipping Investigations
Report of:	Principal Environmental Health Officer
Corporate Lead:	Head of Community Services
Lead Member:	Lead Member for Clean and Green Environment
Number of Appendices:	None

Executive Summary:

Mobile surveillance equipment such as rapid deployment cameras and covert cameras is widely deployed by local authorities to help tackle environmental crime, particularly fly-tipping. The use of cameras offers several advantages over traditional investigation methods and has resulted in impressive enforcement outcomes for several authorities. However, despite the clear benefits there are several potential drawbacks associated with the use of mobile surveillance equipment that need to be carefully considered.

This report reviews the options available to the Council in terms of the use of mobile surveillance equipment in connection with fly-tipping investigations. An indication of the estimated direct costs associated with each option is provided together with an appraisal of the relative advantages and disadvantages.

Recommendation:

To CONSIDER the options available to the Council in terms of the use of mobile surveillance equipment in connection with fly-tipping investigations and to note that option 2, as set out at Paragraph 3 of the report, will be trialled for a six month period with the results of the trial being reported back to the Overview and Scrutiny Committee to inform a final recommendation to the Executive Committee on the way forward.

Reasons for Recommendation:

Effective environmental crime enforcement remains an ongoing and key priority for the Environmental Health Team. Successful use of mobile surveillance techniques may allow the Council to investigate a greater number of fly-tipping incidents and improve the prospect of achieving significant prosecution outcomes.

Resource Implications:

The use of mobile surveillance equipment will incur direct costs for the Council. The extent of these costs is outlined in the body of this report. Any costs for the pilot will be met from existing budgets / reserves.

Legal Implications:

The use of mobile surveillance equipment is governed by the following statutes:

- The Human Rights Act 1998
- The Environmental Protection Act 1990
- Regulatory and Investigatory Powers Act 2000 (RIPA)
- The Data Protection Act 2018
- The General Data Protection Regulation 2018

One Legal and the Councils General Data Protection Regulation (GDPR) Officer will be consulted prior to the use of any mobile surveillance equipment

Risk Management Implications:

A reputational risk to the Council may arise from incorrect use of the cameras and failure to follow RIPA and data protection guidelines. One Legal and the Council's GDPR Officer will be consulted prior to the use of any mobile surveillance equipment.

Performance Management Follow-up:

Performance of the use of mobile surveillance equipment will be monitored by the Environmental Health Manager and Principal Environmental Health Officer.

Environmental Implications:

Successful use of the cameras may act as a deterrent for fly-tippers and may result in long term benefits to the environment.

1.0 INTRODUCTION/BACKGROUND

- 1.1** In 2017 the Council prepared an action plan to address rising levels of environmental crime within the borough, particularly fly-tipping. This included a commitment to increase the level of enforcement action and prosecution of offenders. In this respect the Council has made a significant improvement and, in recent years, a number of individuals have been successfully prosecuted for fly-tipping offences.
- 1.2** Despite the progress made, several communities within the borough continue to experience unacceptable levels of fly-tipping. Furthermore, this situation appears to have worsened significantly during the COVID-19 pandemic period. For example, in the year 2019/20, Ubico collected 403 fly-tips in the borough compared to 1,094 collections in 2020/21. This increase during the pandemic is consistent with the national picture for fly-tipping.

- 1.3** To combat fly-tipping, many local authorities have turned to the use of mobile surveillance equipment. This commonly takes the form of overt rapid deployment cameras or concealed covert cameras. The use of camera surveillance by local authorities has resulted in significant enforcement outcomes including custodial sentences and large fines.
- 1.4** The vast majority of the fly-tips reported to the Council do not contain evidence indicating the provenance of the waste. Therefore, unless a witness provides photographic or video evidence, it is difficult for investigating officers to identify the individuals responsible. A key advantage of mobile surveillance equipment is that it can overcome this problem by directly capturing footage of the individuals depositing material together with vehicle registration details. A second benefit of mobile surveillance is that it can provide high quality evidence to demonstrate the seriousness of the offence and therefore may increase the prospect of offenders receiving significant sentences from the court.
- 1.5** In general, the disadvantage of using mobile surveillance equipment is that the hardware, and software, to operate the cameras can be expensive and costs will also be incurred in terms of support from the company supplying the cameras and officer training. Furthermore, it should be noted that use of mobile surveillance equipment is unlikely to result in overnight success and cannot be relied upon to guarantee successful enforcement outcomes.
- 1.6** The surveillance will initially be undertaken on a six month trial basis and will be funded by the financial reserves held by the Head of Community Services.
- 1.7** The Council has the option to apply to the court for costs incurred in connection with successful fly-tipping investigations. Therefore, it is possible that successful prosecution outcomes may help to offset the costs of the camera equipment. However, the awarding of costs cannot be guaranteed and is often dependent on the financial status of the defendant. Therefore, this cannot be relied upon by the Council as a means of recovering the costs of the surveillance.

2.0 OPTION 1 – USE OF COVERT CAMERAS WITHOUT SIGNAGE

- 2.1** This option would involve the use of trail cameras which will be concealed at the target site, without any accompanying signage. The clear advantage of this method is that the absence of a deterrent such as signage may increase the chance of fly-tipping taking place and therefore improve the likelihood of obtaining the quality of evidence required to achieve the desired enforcement and prosecution outcomes.
- 2.2** The main disadvantage with this method is that fully covert surveillance is a highly specialised activity and may require a successful application to court under the Regulatory Investigatory Powers Act 2000. Therefore, this option will involve costs in terms of officer training. Furthermore, there is the potential for the cameras to capture footage of innocent third parties. This presents a significant reputational risk to the Council should the covert surveillance be undertaken incorrectly and not in accordance with relevant legislation.

2.3 The estimated direct cost for the Council to implement option 1 are as follows:

- Training for two officers on RIPA procedure = £300
- Training for two officers on use of the cameras and associated equipment = £240
- Purchase of two trail cameras with enclosures and memory cards = £1,000
- Installation assistance from the camera supplier = £240

Total estimated costs for the six month trial = £1,780

Total estimated ongoing equipment servicing costs = £150 per annum

3.0 OPTION 2 – USE OF COVERT CAMERAS WITH SIGNAGE

3.1 This option would involve the use of concealed trail cameras at the target site with the presence of the cameras advertised by signage. The advantage of this method of surveillance is that it is unlikely to require RIPA authorisation and therefore should require less resources in terms of officer training and input from One Legal compared to option 1. A further advantage of this method is that the trail cameras are relatively inexpensive compared to rapid deployment cameras and modern versions can be monitored remotely without the need to regularly replace memory cards.

3.2 The disadvantage of this option is that it may incur additional costs should new signage be required, and officers will still require training on technical aspects of the camera use. Furthermore, the presence of signage may act as a deterrent and therefore compromise the ability to obtain the quality of evidence required to achieve the desired enforcement outcomes.

3.3 The estimated direct cost for the Council to implement this option is as follows

- Purchase of new signage = £250
- Purchase of two trail cameras with enclosures and memory cards = £1,000
- Training for two officers on use of the cameras and associated equipment = £240
- Installation assistance by the camera supplier = £240

Total estimated cost for the six month trial = £1,730

Total ongoing equipment servicing costs = £150 per annum

4.0 OPTION 3 – USE OF OVERT RAPID DEPLOYMENT CAMERAS WITH SIGNAGE

4.1 This option would involve the use of overt dome cameras which can be installed at a site at very short notice if required. The presence of the cameras will also be advertised by signage in the general area. The advantage of this method is that it would provide officers with the flexibility to respond immediately to any new sites that appear to be subject to recurrent fly-tipping without having to remove fixed cameras from other locations. A further advantage of this method is that the cameras would only be on-site for a relatively short period and would not require as intensive on-site maintenance as is the case for covert cameras.

4.2 The main disadvantage of this option is that the equipment is more expensive than covert cameras and will need to be installed by the camera supplier each time the cameras are relocated. Secondly, the presence of the overt cameras and signage may act as a deterrent and therefore reduce the ability of the Council to obtain sufficient evidence to achieve successful prosecutions. Furthermore, the deterrent effect of the overt cameras and signage may simply displace the fly-tipping to another location.

4.3 The estimated direct cost to the Council to implement this option is as follows

- Purchase of new signage = £250
- Purchase of mid-range rapid deployment camera with housing and wi-fi connectivity = £3,429
- Training for two officers on use of the camera and associated equipment = £240
- Installation and connection by camera supplier £720 (assuming the camera is used at two different locations during the 6 month trial)

Total estimated cost for the six month trial = £4,399

Total estimated ongoing annual servicing and installation costs = £1,500 per annum.

5.0 PREFERRED OPTION

5.1 Option 2 has been selected as the preferred option for the six month trial because it is considered to represent the most cost effective option and will provide the Council with the ability to obtain the desired quality of evidence, whilst at the same time avoiding the potential risks associated with the use of fully covert cameras.

5.2 The results of the trial will be reported back to the Overview and Scrutiny Committee to inform a final recommendation to the Executive Committee on the way forward.

6.0 OTHER OPTIONS CONSIDERED

6.1 None

7.0 CONSULTATION

7.1 One Legal
GDPR Officer
Finance

8.0 RELEVANT COUNCIL POLICIES/STRATEGIES

8.1 Environmental crime action-plan 2017
Corporate Enforcement Policy 2018
Data Protection/GDPR Policy

9.0 RELEVANT GOVERNMENT POLICIES

9.1 Surveillance Camera Code of Practice 2013
Information Commissioners CCTV Code of Practice 2014
Regulatory Investigatory Powers Act 2014

10.0 RESOURCE IMPLICATIONS (Human/Property)

- 10.1** The six month trial period will require resources in terms of officer time. The impact of this on the ability of the Environmental Health team to deliver other priorities will be monitored by the Environmental Health Manager and Principal Environmental Health Officer. The costs for the pilot will be met from existing budgets / reserves.

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

- 11.1** Should the project achieve significant prosecution outcomes then this may serve as a deterrent to fly-tippers and may result in long term environmental improvements within the borough.

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

- 12.1** Human Rights – The use of mobile surveillance equipment will need to be undertaken in accordance with data protection legislation to protect individuals' privacy rights.
- 12.2** Health and Safety – The use of mobile surveillance equipment will be subject to a risk assessment and undertaken in accordance with relevant corporate health and safety policies.

13.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

- 13.1** None

Background Papers: None

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Appendices: None