

14 June 2021

Committee	Council
Date	Tuesday, 22 June 2021
Time of Meeting	6:30 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COUNCIL ARE REQUESTED TO ATTEND

Agenda

1. ANNOUNCEMENTS

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

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

2. To receive any announcements from the Chair of the Meeting and/or the Chief Executive.

2. APOLOGIES FOR ABSENCE



Item	Page(s)
3. DECLARATIONS OF INTEREST	
<p>Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.</p>	
4. MINUTES	1 - 10
<p>To approve the Minutes of the meeting held on 4 May 2021.</p>	
5. ITEMS FROM MEMBERS OF THE PUBLIC	
<p>a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.</p> <p style="padding-left: 40px;"><i>(The deadline for public participation submissions for this meeting is 16 June 2021).</i></p>	
<p>b) To receive any petitions submitted under the Council's Petitions Scheme.</p>	
6. MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES	
<p>To receive any questions submitted under Rule of Procedure 13. Any items received will be circulated on 21 June 2021.</p> <p style="padding-left: 40px;"><i>(Any questions must be submitted in writing to Democratic Services by, not later than, 10.00am on 14 June 2021).</i></p>	
7. CONSIDERATION OF A PETITION REQUESTING THAT THE COUNCIL INSTIGATES A FULL TRANSPARENT REVIEW OF PLANNING AND WATER MANAGEMENT POLICY FOR THE AREA OF ASH LANE AND DOWN HATHERLEY LANE IN DOWN HATHERLEY.	11 - 26
<p>To consider the details of a petition and request Officers to consider the planning issues raised by the Petition as part of the review of the Joint Core Strategy.</p>	
8. CONSIDERATION OF A PETITION REQUESTING THAT THE COUNCIL REDUCE FLOODING, EXAMINE FLOOD RISK IN DETAIL BEFORE ALLOCATING MORE DEVELOPMENT SITES	27 - 44
<p>To consider the details of a petition and request that Officers ensure the issues raised within it are considered as part of the Strategic Flood Risk Assessment prepared in connection with the review of the Joint Core Strategy which will inform the identification of strategic site allocations.</p>	

9. RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

The Council is asked to consider and determine recommendations of a policy nature arising from the Executive Committee as follows:-

(a) Treasury and Capital Management

45 - 77

At its meeting on 3 March 2021 the Executive Committee considered a range of policies, strategies and statements in respect of the Council's treasury and capital management and **RECOMMENDED TO COUNCIL** that the following be **ADOPTED**:

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

10. ANNUAL STATE OF THE BOROUGH REPORT

78 - 88

To receive the annual 'State of the Borough' report and receive a verbal update from the Leader of the Council.

11. ANNUAL OVERVIEW AND SCRUTINY COMMITTEE REPORT

89 - 117

To receive the annual report of the Overview and Scrutiny Committee.

12. COVID-19 EMERGENCY DECISION TAKEN UNDER URGENCY POWERS IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION

118 - 122

To note the urgent decision taken during the COVID-19 pandemic.

13. NOTICE OF MOTION: SUPPORT OF THE CLIMATE AND ECOLOGICAL EMERGENCY BILL

The following Motion will be proposed by Councillor Cody and seconded by Councillor Jordan:

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by over 1 degree Celsius from pre-industrial levels. Atmospheric CO₂ levels are above 400 parts per million (ppm) and continue to rise—this far exceeds the 350 ppm deemed to be a safe level for humanity.

Without more significant and sustained action, the world is set to exceed the Paris Agreement's 1.5°C limit between 2030 and 2040. Therefore, the current UK target of net zero by 2050 is not sufficient. It is too little too late.

The increase in harm caused by a rise of 2°C rather than 1.5°C is significant. This is described by the Intergovernmental Panel on Climate Change's Special Report on Global Warming of 1.5°C published in October 2018. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities. The costs of failing

to address this crisis will far outstrip the investments required to prevent it. Investing now will bring many benefits in the form of good jobs, breathable cities and thriving communities.

Council notes that:

1. Many local authorities are playing an important role in the UK taking action to achieve net zero.
2. There is a Bill before Parliament — the Climate and Ecological Emergency Bill (published as the Climate and Ecology Bill)— according to which the UK Government must develop an emergency strategy that:
 - i. requires that the UK plays its fair and proper role in reducing greenhouse gas emissions consistent with at least a 66% chance of limiting global temperature increase to 1.5 degrees Celsius above pre-industrial temperatures; this corresponds to the most ambitious global mitigation pathway available according to the 2018 IPCC 1.5C Report.
 - ii. ensures that all the UK's consumption emissions are accounted for, including international aviation and passenger shipping;
 - iii. ensures that steps to mitigate emissions do not damage ecosystems, food and water availability, and human health;
 - iv. ensures that steps taken to increase the health, abundance, diversity and resilience of species, populations and ecosystems follow the mitigation and conservation hierarchy – avoid, minimise, restore and offset;
 - v. restores and expands natural ecosystems and enhances the management of cultivated ecosystems to protect and enhance biodiversity, ecological processes and ecosystem service provision, including optimising the state of resilient carbon sinks;
 - vi. includes measures to protect, restore and enhance ecosystems in the United Kingdom and elsewhere, where activity is generated from within the United Kingdom that is harmful to ecosystems;
 - vii. ensures an end to exploration, extraction, export and import of fossil fuels by the United Kingdom as rapidly as possible; and
 - viii. sets up an independent citizens' assembly, representative of the UK's population, to engage with the UK Parliament and UK Government and help develop the emergency strategy.

Council therefore resolves to:

1. Support the Climate and Ecological Emergency (CEE) Bill;
2. Inform the local media of this decision; and
3. Write to local Members of Parliament, asking them to support or thanking them for supporting the CEE Bill; and

4. Write to the CEE Bill Alliance, the organisers of the campaign for the Bill, expressing its support (campaign@ceebill.uk).

14. SEPARATE BUSINESS

The Chair will move the adoption of the following resolution:

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

15. REVIEW OF TEMPORARY MANAGEMENT ARRANGEMENTS

123 - 130

(Exempt –Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to any individual)

To consider the Council's temporary management arrangements.

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 Mayor 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.

Head of Democratic Services

**for Sara J Freckleton
Borough Solicitor**

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Council held remotely on Tuesday, 4 May 2021
commencing at 6:30 pm**

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor A S Reece
Councillor J W Murphy

and Councillors:

R A Bird, G F Blackwell, G J Bocking, C M Cody, K J Cromwell, M Dean, R D East, J H Evetts,
L A Gerrard, P A Godwin, M A Gore, D W Gray, D J Harwood, M L Jordan, E J MacTiernan,
J R Mason, P D McLain, P W Ockelton, C Reid, J K Smith, P E Smith, R J G Smith, V D Smith,
C Softley, P D Surman, M G Sztymiak, S Thomson, R J E Vines, M J Williams and
P N Workman

CL.1 ANNOUNCEMENTS

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

CL.2 APOLOGIES FOR ABSENCE

- 2.1 Apologies for absence were received from Councillors C L J Carter, H C McLain, H S Munro and R J Stanley.

CL.3 DECLARATIONS OF INTEREST

- 3.1 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.
- 3.2 There were no declarations of interest made on this occasion.

CL.4 MINUTES

- 4.1 The Minutes of the meeting held on 23 February 2021, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.5 ELECTION OF MAYOR

- 5.1 With the retiring Mayor, Councillor Gill Blackwell, in the chair, it was proposed by Councillor Rob Bird, and seconded by Councillor Bob East, that Councillor Andrew Reece be, and is hereby elected, Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 5.2 On the Motion being put to the meeting it was declared to be carried, whereupon the Mayor took the chair, signed the Declaration of Acceptance of Office and took the Oath of Allegiance to Her Majesty the Queen.
- 5.3 In thanking Members for the honour of being elected Mayor of the Borough of Tewkesbury, Councillor Reece indicated that although it had been a difficult year, there were some positives that could be taken forward into the forthcoming Municipal Year; the Council could be very proud of the way in which its Officers had dealt with the COVID-19 pandemic, working remotely and taking on extra duties without hesitation - the communications team for providing daily up to date information, the finance teams for dealing with changes in benefits and business grants, the environmental teams for making sure the Borough's High Streets and work places were safe to use and the IT team for keeping the Council safe from cyber attacks whilst remote meetings had taken place, to name but a few. He also felt Members could be proud of the residents of the Borough who had made their own sacrifices during the COVID restrictions and had put the safety and wellbeing of their families and loved ones first. The motto on the Council's website said "Tewkesbury Borough a place where a good quality of life is open to all" and he felt this was absolutely true.
- 5.4 The Mayor advised that his Chaplain for the year would be Reverend Wendy Ruffle and he thanked her for her continued support. The Mayor also announced the organisations that he would be supporting during his Mayoral Year which were the Severn Area Rescue Association (SARA) which provides a multitude of services including in-shore lifeboat and missing persons search, and Scoo-B-Doo which provided support to the neonatal unit at Gloucester Royal Hospital.
- 5.5 In conclusion, the Mayor indicated that, having been the longest serving Deputy Mayor due to the COVID-19 pandemic, he had had plenty of time to think about the role of Mayor and what it meant and he felt it to be a great honour and privilege to have the opportunity to serve as Mayor and he was looking forward to working in the community and being part of it as things restarted. He very much hoped his year would be remembered as the year when people could get back together.

CL.6 RETIRING MAYOR - COUNCILLOR GILL BLACKWELL

- 6.1 Councillor Rob Bird expressed the Council's thanks to Councillor Blackwell for the way that she had represented the Borough throughout her years in Office. He knew that Councillor Blackwell had loved being the Mayor, although the extension of her Term of Office due to the COVID-19 pandemic had demanded an even higher degree of commitment. She had been a fantastic ambassador as Mayor of the Borough and he expressed the Council's gratitude for the dedication she had given to the role and the calm and charming efficiency she had brought as chair of the Council meetings.
- 6.2 Councillor Blackwell thanked Councillor Bird for his kind words and indicated that she had appreciated the commitment everyone involved with the Council had shown over the last two years. She had thoroughly enjoyed being Mayor and the events she had attended and she felt sure Councillor Reece would do extremely well in the role; she looked forward to being a Councillor for a few years.

CL.7 APPOINTMENT OF DEPUTY MAYOR

- 7.1 It was proposed by Councillor Jim Mason, and seconded by Councillor David Gray, that Councillor John Murphy be, and is hereby appointed, Deputy Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 7.2 The Motion was put to the meeting and was carried.
- 7.3 Councillor Murphy expressed thanks to his fellow Councillors for their support and indicated that he felt honoured to be elected Deputy Mayor. He looked forward to supporting Councillor Reece during his Mayoral year and in performing his role as Deputy Mayor to the best of his ability.
- 7.4 Councillor Murphy accepted the Deputy Mayor's Badge of Office and signed the Declaration of Acceptance of Office.

CL.8 ITEMS FROM MEMBERS OF THE PUBLIC

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

CL.9 ELECTION OF LEADER OF THE COUNCIL

- 9.1 Upon being proposed and seconded it was
RESOLVED That Councillor R A Bird be elected as Leader of the Council, and therefore Chair of the Executive Committee, for the ensuing Municipal Year.
- 9.2 Councillor Bird thanked the Council for having confidence in him and undertook to do his best to honour that commitment accordingly.

CL.10 ELECTION OF DEPUTY LEADER OF THE COUNCIL

- 10.1 Upon being proposed and seconded it was
RESOLVED That Councillor J R Mason be elected as Deputy Leader of the Council, and therefore Vice-Chair of the Executive Committee, for the ensuing Municipal Year.
- 10.2 Councillor Mason thanked the Council for his appointment and pledged to support the Leader of the Council as he deserved.

CL.11 MEMBERSHIP OF COMMITTEES, WORKING GROUPS, PANELS AND BOARDS, LEAD MEMBERS AND APPOINTMENT TO OUTSIDE BODIES**Membership of Committees 2021/22**

- 11.1 Upon being proposed and seconded it was
RESOLVED That the following Committee Memberships be **AGREED**:

Executive (11)

R A Bird
 G F Blackwell
 M Dean
 M A Gore
 D J Harwood
 E J MacTiernan
 J R Mason
 C Softley
 R J Stanley
 M G Sztymiak
 R J E Vines

Planning (19)

R A Bird
 G F Blackwell
 R D East
 J H Evetts
 L A Gerrard
 M A Gore
 D J Harwood
 M L Jordan
 E J MacTiernan
 J R Mason
 P W Ockelton
 A S Reece
 P E Smith
 R J G Smith
 S A T Stevens
 P D Surman
 R J E Vines
 M J Williams
 P N Workman

Vacancy

Standards Committee (7)

C M Cody
 M Dean
 L A Gerrard
 J W Murphy
 C Reid
 P E Smith
 P D Surman

AD HOC COMMITTEES**Employee Appeals Committee
(any 5 from 8)**

R A Bird
 G F Blackwell
 J R Mason
 P D McLain
 A S Reece

Licensing Committee (15)

G F Blackwell
 G J Bocking
 C L J Carter
 P A Godwin
 D W Gray
 E J MacTiernan
 J W Murphy
 P W Ockelton
 C Reid
 J K Smith
 R J G Smith
 C Softley
 R J Stanley
 M G Sztymiak
 M J Williams

Overview and Scrutiny (15)

G J Bocking
 C L J Carter
 K J Cromwell
 P A Godwin
 H C McLain
 P D McLain
 H S Munro
 J W Murphy
 J K Smith
 R J E Smith
 S A T Stevens
 P D Surman
 S Thomson
 M J Williams
 P N Workman

Audit & Governance (9)

C M Cody
 L A Gerrard
 P A Godwin
 D W Gray
 H C McLain
 P D McLain
 H S Munro
 P E Smith
 V D Smith

**Employee
Appointments/Disciplinary (5)**

K J Cromwell
 M Dean
 M A Gore
 E J MacTiernan
 R J E Vines

P D Surman

M J Williams

Vacancy

Horsford Trust Management Committee

(Committee of Councillors representing the Tewkesbury Wards)

C M Cody

K J Cromwell

C Reid

V D Smith

M G Sztymiak

P N Workman

11.2 Upon being proposed and seconded, the Lead Members and their Portfolios were **AGREED** as circulated:

- Councillor R A Bird – Leader / Economic Development/Promotion.
- Councillor G F Blackwell – Housing.
- Councillor M Dean – Customer Focus.
- Councillor D J Harwood – Organisational Development.
- Councillor M A Gore – Built Environment.
- Councillor E J MacTiernan – Commercial Transformation.
- Councillor J R Mason – Clean and Green Environment.
- Councillor C Softley – Community.
- Councillor R J Stanley – Health and Wellbeing.
- Councillor M G Sztymiak – Corporate Governance.
- Councillor R J E Vines – Finance and Asset Management.

Working Groups, Boards and Panels 2021/22

11.3 Upon being proposed and seconded, it was

RESOLVED

That the following Working Groups, Boards and Panels membership be **AGREED**:

Climate Change and Flood Risk Management Group (8)
Established 09.06.10. Re-established 28 May 2019. (Renamed following Council on 1 October 2019).

Lead Member for Clean and Green Environment Plus 7

C M Cody

K J Cromwell

E J MacTiernan

V D Smith

C Softley

M G Sztymiak

Planning Policy Reference Panel (10)

Established 25.11.11.

Amended 16.05.17. Re-

established 28 May 2019.

Amended 13.08.20.

Lead Member for Built Environment Plus 9

R A Bird

G F Blackwell

C Cody

M Dean

R D East

D J Harwood

E J MacTiernan

P W Ockelton

M J Williams

C Reid

**Community Infrastructure
Levy Working Group (7)
Established 04.12.12. Re-
established 28 May 2019.**

**Transform Working Group
(14)
Established 30.04.14.
Amended 16.05.17. Re-
established 28 May 2019.**

R A Bird
G F Blackwell
M A Gore
A S Reece
C Softley
R J Stanley
R J E Vines

Executive Committee Plus 3

K J Cromwell
H C McLain
V D Smith

**Commercial Investment
Board (6)
Established by Executive
Committee 23.11.16. Re-
established 28 May 2019.**

**Spring Gardens and Oldbury
Road Regeneration Member
Reference Group (10)
Established by Executive
Committee 06.04.16. Re-
established 28 May 2019.**

R A Bird
K J Cromwell
D W Gray
E J MacTiernan
R J G Smith
R J E Vines

C M Cody
K J Cromwell
M Dean
P A Godwin
M A Gore
E J MacTiernan
C Reid
V D Smith
M G Sztymiak
P N Workman

**Tewkesbury Borough Plan
Working Group (7)
Established by Executive
Committee 26.04.17. Re-
established 28 May 2019.**

**Tewkesbury Garden Town
Member Reference Panel (14).
Established by Executive
Committee 04.09.19.
Membership amended at
Executive Committee 16.10.19
to add the Lead Member for
Clean and Green Environment
and a Member to replace one
of the Ward Members for
Tewkesbury South.**

Lead Member for Built
Environment
Lead Member for Economic
Development/Promotion Plus
5

Leader of the Council
Lead Member for Economic
Development/Promotion
Lead Member for Built
Environment
Lead Member for Community
Lead Member for Finance and
Asset Management.
Lead member for Clean and
Green Environment.
Ward Members for Isbourne
Ward Members for Northway
Ward Members for Tewkesbury
North and Twyning

C M Cody
R D East
P W Ockelton
A S Reece
P D Surman

**Parking Strategy Review
Working Group (6) –
Established at O&S
18.06.19**

Lead Member for Economic
Development/Promotion
Lead Member for Finance
and Asset Management plus
4 O&S Members

K J Cromwell
J W Murphy
M J Williams
P N Workman

Ward Members for Tewkesbury
East
Ward Members for Tewkesbury
South (1 Member currently
unable to participate due to a
Code of Conduct Interest).
Councillor R J Stanley (to
replace the Ward Member for
Tewkesbury South while the
Code of Conduct interest
maintains).

**Depot Services Working
Group (9) Established at O&S
23.07.19**

Lead Member for Clean and
Green Environment
Lead Member for Finance and
Asset Management plus 4 O&S
Members and 1 A&G Member

C L J Carter
K J Cromwell
J W Murphy
P W Ockelton
R J G Smith
V D Smith
M J Williams

Outside Bodies 2021/22

11.4 Upon being proposed and seconded, it was

RESOLVED That the following Outside Bodies representation be
AGREED:

A46 Member Partnership	V D Smith
A48 Meeting	J K Smith
Ambulance Trust (<i>observer</i>)	Vacancy
Cleeve Common Trust	R D East
Cotswolds AONB Conservation Board	M Dean
COVID-19 Health Protection Board – Member Engagement Board	Leader of the Council Deputy Leader of the Council
District Councils Network	Leader of the Council
Gloucester and District Citizens' Advice Bureau	C Softley
Gloucestershire Airport Consultative Committee	M J Williams

Gloucestershire Health and Care NHS Foundation Trust (formerly 2gether NHS Foundation Trust) (<i>observer</i>)	J K Smith
Gloucestershire Hospitals NHS Foundation Trust (<i>observer</i>)	G J Bocking
Gloucestershire Playing Fields Association	M A Gore
Leadership Gloucestershire	Leader of the Council Deputy Leader of the Council (Reserve)
Local Government Association	Leader of the Council <i>* should the Leader of the Council be unable to attend the Annual Local Government Association Conference in any year, authority will be delegated to the Chief Executive, in consultation with the Leader, to appoint a representative to attend.</i>
Lower Severn (2005) Internal Drainage Board	M J Williams
Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee	K J Cromwell J R Mason (Reserve)
Prior's Park Neighbourhood Project	C M Cody K J Cromwell
Roses Theatre Trust	Vacant
South West Councils	Leader of the Council M Dean (Deputy)
South West Councils – Employers Panel	M Dean
Tewkesbury Community Safety Partnership	Lead Member (<i>Community</i>) +1 S Thomson
Tewkesbury District Twinning Association Management Committee	K J Cromwell
Tewkesbury Leisure Centre Partnership Board	Lead Member (<i>Health and Wellbeing</i>) Lead Member (<i>Finance and Asset Management</i>)

Tewkesbury Regeneration Partnership	Lead Member <i>(Economic Development/Promotion)</i> E J MacTiernan P N Workman
-------------------------------------	---

Winchcombe Sports Hall Management Committee	J W Murphy
---	------------

County Groups

Gloucestershire Police and Crime Panel	D W Gray R A Bird (Reserve)
--	--------------------------------

Pensions Committee (* District Councils appointment)	D W Gray
--	----------

Shared Service Joint Monitoring Groups

Shared Legal Services Joint Monitoring and Liaison Group	Lead Member <i>(Corporate Governance)</i> E J MacTiernan M A Gore (substitute) H C McLain (substitute)
--	--

Shared Building Control Joint Monitoring and Liaison Group	Lead Member <i>(Built Environment)</i> R D East
--	--

Chairs and Vice-Chairs, County Council Health and Care Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee

11.5 The main Committees set out in Paragraph 11.1 took place to elect a Chair and Vice-Chair. The Overview and Scrutiny Committee also elected representatives to the County Council's Health Overview and Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee. Accordingly, it was

RESOLVED 1. That the Chairs and Vice-Chairs for each Committee be **AGREED** as follows:

Overview and Scrutiny Committee

Chair – Councillor K J Cromwell

Vice-Chair – Councillor J W Murphy

Audit & Governance Committee

Chair– Councillor V D Smith

Vice-Chair – Councillor H C McLain

Planning Committee

Chair – Councillor J H Evetts

Vice-Chair – Councillor R D East

Licensing Committee

Chair – Councillor G J Bocking

Vice-Chair – Councillor E J MacTiernan

Standards Committee

Chair – Councillor P D Surman

Vice-Chair – Councillor M Dean

2. That Councillor J K Smith be the Council's nominated representative on the County Council's Health Overview and Scrutiny Committee; there was no nominated reserve.
3. That Councillor J W Murphy be the Council's nominated representative on the Gloucestershire Economic Growth Scrutiny Committee; there was no nominated reserve.

CL.12 MAYOR OF TEWKESBURY'S APPEAL FUND

12.1 It was proposed, seconded and

RESOLVED That Councillors M A Gore, E J MacTiernan and J R Mason be appointed as Trustees of the Mayor of Tewkesbury's Appeal Fund for 2021/22.

The meeting closed at 7:25 pm

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	22 June 2021
Subject:	Consideration of a petition requesting that the Council instigates a full transparent review of planning and water management policy for the area of Ash Lane and Down Hatherley Lane in Down Hatherley
Report of:	Head of Development Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	One

Executive Summary:

An electronic petition (e-petition) was published by the Council on 27 January 2021. The e-petition requests that the Council instigates a full transparent review of planning and water management policy for the area of Ash Lane and Down Hatherley Lane in Down Hatherley. It also requests that the review be carried out in consultation with residents, the Parish Council, along with the water and highways authorities. 165 people have signed the petition.

The wording of the e-petition is set out in Paragraph 2.2.1 of this report. The Council's process for dealing with petitions is set out in Paragraph 1.3 of the Petition Scheme, which is attached as Appendix 1.

The planning and water management policies of the Council are contained with the Development Plan for the Borough.

A review of the local planning and water policies has recently been undertaken as part of the Local Plan review process. The JCS review which has commenced will provide the opportunity to review the strategic planning and water policies throughout the plan area.

The process for dealing with planning applications is set out in relation to drainage mitigation. In addition, the legal status of Ash Lane is explained setting out that any legal restrictions on the implementation of a planning permission and/or matters relating to the ownership of land are not considerations which are material to the determination of planning applications.

The Council has engaged with the County Council's Lead Local Flood Authority, the Environment Agency, Severn Trent to understand the contributory factors which led to the floods in December and officers have met with the Twigworth and Down Hatherley Flood Watch Group to listen to their concerns.

It is not recommended that the Council undertakes a specific review of planning and water policies for Ash Lane and Down Hatherley Lane, Down Hatherley separately, as requested by the petition. Rather, it is proposed that this is dealt with as part of the strategic review of these policies which will be undertaken by the Council as part of the JCS review process. The JCS review will involve members of the public, the County Council, the Environment Agency and, Severn Trent along with numerous other statutory consultees.

Recommendation:

That the Council requests Officers to consider the planning issues raised by the Petition as part of the review of the Joint Core Strategy.

Reasons for Recommendation:

The local planning and water policies have recently been reviewed as part of the process leading to the Examination in Public, of the Tewkesbury Borough Local Plan. The strategic planning and water policies are in the process of being reviewed, which the public and statutory agencies will be consulted upon. The work requested by the petition is already programmed to be undertaken as part of that wider review.

Resource Implications:

Officer time in considering the issues raised as part of the JCS and Borough Plan process.
Officer time in liaising with other statutory providers.

Legal Implications:

The Petition must be considered in accordance with the Council's Petition Scheme. The Scheme sets out a number of options for the Council to respond to the Petition. These are set out in the report at 2.5.1.

Risk Management Implications:

Any risks associated with land use allocations will be considered and recorded during the development of the JCS process.

Performance Management Follow-up:

None.

Environmental Implications:

As part of the JCS review process a Strategic Environmental Assessment will be undertaken which will identify any potential environmental impacts and the mitigation required to address any negative impacts.

1.0 INTRODUCTION/BACKGROUND

- 1.1** The Council's Petition Scheme, including e-petitions is designed to ensure that the public has easy access to information about how to petition the Council and to let them know what to expect from the Council in response. Included within the Scheme is the requirement to have a Council debate should a certain number of signatures be achieved. Tewkesbury Borough Council has set that threshold at 100 signatures. As such the Petition received now triggers a debate by Council.

- 1.2** The Scheme provides a fifteen minute maximum period for the debate and recognises that the issue may be referred to another Committee where the matter is not one reserved for Council. The purpose of the requirement for Council debate, therefore, is not to ensure that the final decision relating to the petition issue is made at that Council meeting, but to increase the transparency of the decision-making process, ensuring that debates on significant petitions are publicised with sufficient notice to enable the petition organiser and public to attend. It also ensures that local people know that their views have been listened to and they have the opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject matter of the petition.

2.0 THE PETITION

- 2.1** An electronic petition was published by the Council on 27 January 2021. The petition refers to unrestricted development and failing infrastructure at Ash Lane and Down Hatherley Lane in Down Hatherley.

- 2.2** The petition has 165 signatures which is in excess of the 100 signatures required to trigger a debate at Council. The wording of the petition is set out below:

- 2.2.1** *We the undersigned petition the council to Instigate a full transparent review of planning and water management policy for the area of Ash Lane and Down Hatherley Lane in Down Hatherley. This review to be carried out in consultation with residents, the Parish Council, and the water and highways authorities.*

Tewkesbury Borough Council has failed to consider the human rights, opinions, mental health and physical welfare of residents of Ash Lane and Down Hatherley Lane in the application of planning decisions:

- *it has failed to recognise the status of Ash Lane as a private road*
- *it has failed to differentiate between greenfield development and development amongst existing housing, which has to consider existing residents and infrastructure.*
- *it has failed to make adequate provision for the management and removal of foul drainage and flood water.*
- *it has allowed developers to adopt the least cost option of plugging into existing infrastructure rather than including infrastructure as part of any planning approval.*
- *it has made no attempt to balance new build against the impact on the existing community.*

The Neighbourhood Plan specifically excludes a settlement boundary for Down Hatherley. It is instead subject to piecemeal and unrestricted development. The strategy behind the piecemeal is not transparent although there are clearly long-term plans behind much of the building.

The area is still trying to recover from the crisis over the Christmas period 2020 with flooded houses and backed up sewers. The water pumping station failed, and Severn Trent were using tankers to pump out. In addition, the A38 junction with Down Hatherley lane flooded over this period and the field that acts as a soak away for neighbouring fields was flooded. This is marked for development. If this field is built on, this water will flood into nearby homes.

- 2.3** The e-petition requests that the Council undertakes a full transparent review of planning and water management policy for the area of Ash Lane and Down Hatherley Lane in Down Hatherley.

- 2.4** The Council is required to debate the electronic petition in accordance with the Petitions Scheme attached at Appendix 1.
- 2.5** Paragraph 5.1 of the Petitions Scheme states that the petition organiser (or their representative) will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of fifteen minutes. The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
- 2.5.1**
- taking the action requested in the petition;
 - considering the petition at a Council meeting;
 - holding an inquiry into the matter;
 - undertaking research into the matter;
 - holding a public meeting;
 - holding a consultation;
 - holding a meeting with petitioners;
 - referring the petition for consideration by the Council's Overview & Scrutiny Committee;
 - calling a referendum;
 - writing to the petition organiser setting out the Council's views about the request of the petition.

3.0 BACKGROUND INFORMATION TO THE SUBJECT OF THE PETITION

- 3.1** On 23 and 24 December 2020, a number of areas within the Borough experienced flooding. One of these areas was Ash Lane. The cause of flooding is complex and can include pumping station failure, drains not being maintained, the extent of the rainfall or a combination of factors.
- 3.2** There is a local perception that the flooding experienced is a direct result of new development and that the Council has failed to take into account the lack of infrastructure within areas, including the Ash Lane, Down Hatherley area.

4.0 EXISTING DEVELOPMENT PLAN POLICIES

- 4.1** Decisions upon planning applications should be made in accordance with the adopted development plan, unless there are other material considerations that may indicate otherwise. The planning and water management policies of the Council are contained with the Development Plan for the Borough.
- 4.2** The Development Plan consists of:
- the Gloucester, Cheltenham and Tewkesbury Joint core Strategy 2011-2031, adopted December 2017 (JCS). The JCS provides the overarching strategic plan for the area covered by the three Councils;
 - the saved policies of the Tewkesbury Local Plan to 2011, adopted 2006, Borough level document; and
 - the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan (NDP), made 28 May 2019.

4.3 In addition, the Council has a Flood and Water Management Supplementary Planning Document (SPD) adopted in February 2018. The SPD details the policies within the JCS and the existing Local Plan. The SPD sets out the national policies (NPPF) and relevant legislation. It sets out the information that applicants are required to submit as part of a planning application. It also details the flood risk zones and what a flood risk assessment should cover.

4.4 The Council is already in the process of reviewing a number of its flood and water management policies. In October/November 2013 the Council commenced the review of the Local Plan with a consultation on the key issues affecting the Borough. This led to the consultation on the Draft Policies and Site Options which took place from February to April 2015. The preferred option was issued for consultation in October 2018, with the pre-submission plan consulted upon in October 2019. The Plan was submitted to the Secretary of State in May 2020. The Examination in Public into the Local Plan took place between February-March 2021 and the Inspector’s report is awaited.

4.5 On 6 January 2021, the Executive Committee approved the Local Development Scheme. The Tewkesbury Borough Local Development Scheme (LDS) outlines the timetable for preparing statutory development plan documents in the Borough. The Local Plan timetable is detailed above. The estimated timetable for the JCS Review to adoption is as follows:

Issues & Options Consultation	Winter 2018/19
Preferred Options Consultation	Summer 2021
Pre-Submission Consultation	Winter 2022
Submission to the Secretary of State	Spring 2023
Examination	Summer 2023
Adoption	Winter 2023

4.6 The opportunity to review the planning and water management polices as requested by the petition is, at a strategic level, already underway.

5.0 LEGISLATIVE REQUIREMENTS IN THE DETERMINATION OF PLANNING APPLICATIONS

5.1 One of the claims within the petition is the Council has failed in its duty to take several factors into account in the determination of planning applications, within this area. This includes, status of road, provision of infrastructure, whether site is greenfield or brownfield, failure to to make adequate provision for the management and removal of foul drainage and flood water.

5.2 In relation to the issue of the legal status of Ash Lane, Down Hatherley, any such restrictions on the implementation of a planning permission and/or matters relating to the ownership of land are not considerations which are material to the determination of planning applications. A developer has to engage with the various parties who may own or have rights over /interests in the land that may affect the developers’ ability to implement any planning permission that has been obtained.

5.3 The National Planning Policy Framework (NPPF) says the following (paragraph 103):

“When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere, and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- *within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- *development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.”*

5.4 The Council will always seek to manage and reduce flood risk through the development management process. The Council has a duty to consult the Environment Agency for developments in areas at risk of flooding as well as the Lead Local Flood Authority (LLFA) (Gloucestershire County Council (GCC)) in relation to whether a scheme has adequate provision of infrastructure. As LLFA, GCC has responsibility for managing local flood risk from surface runoff, ordinary watercourses and groundwater in the area and is therefore a statutory consultee for development proposals. The Council is obliged to make its decisions within the existing legal and policy framework and any refusal of a planning application must be based on sound evidence-based reasons which should be resilient to the prospect of challenge. The responses from statutory consultees are taken into account when making any decision and where those raise no objection, the Council requires evidence to support a refusal on technical grounds.

6.0 WORKING WITH STAKEHOLDERS

6.1 Following the floods that took place in December 2020 and January 2021, officers have been working with the water, environment agency and flood authorities to determine the reason for some of the flooding that occurred across the County. Officers at the Borough Council have also spoken to residents who we are aware of who were flooded to gain more information about the specifics to each flood, so we have a better understanding of what caused the flood.

6.2 Furthermore, the County Council as lead local flood authority has published a County-wide report which summarises the scale of the flooding across Gloucestershire that took place on 23 and 24 December 2021. The report provides an overview, primarily of the effectiveness of the response to the floods by the County Council and other key agencies. The report identifies lessons learnt and sets out the next steps to address the issues raised by the flood events.

6.3 Additionally, officers from the Council, along with representatives of the Lead Local Flood Authority, Severn Trent and the Environment Agency have met with representatives of the Twigworth and Down Hatherley Flood watch group to discuss the issues related to flooding within the area. The purpose of the meetings has been to listen to the concerns of the residents, understand the issues, share information and to explain the roles and responsibilities of the respective agencies, with a view, wherever possible, to addressing the issues raised.

7.0 CONCLUSION

- 7.1** The petition is asking the Council to instigate a full and transparent review of the planning and water management policies for the area of Ash Lane and Down Hatherley Lane in Down Hatherley, in consultation with the residents, the Parish Council and the water and highway authorities.
- 7.2** It is not recommended that the Council undertakes a review of planning and water policies specifically for Ash Lane and Down Hatherley Lane, Down Hatherley. This is because, as set out previously in the report, a review of the local planning and water policies has recently been undertaken as part of the Tewkesbury Borough Council Local Plan review. The Examination in Public into the draft Local Plan has recently been held and the Council is currently awaiting the Inspectors report.
- 7.3** The review of the JCS is also underway and the strategic planning and water policies will be reviewed as part of this process. At the formal stages of the process all residents across the borough will be able to comment and engage with the Council on the proposed policies within the revised JCS. The review of the JCS will also involve the key statutory stakeholders including the County Council, the Environment Agency and Severn Trent.
- 7.4** Since the December flood, Council officers have worked with the County Council as Local Lead Flood authority and other key statutory agencies who have all met with Twigworth and Down Hatherley Flood Watch Group to listen to the concerns they have.
- 7.5** To conclude, given that the local planning and water policies have recently been reviewed and that the strategic planning and water policies are in the process of being reviewed in consultation with the public and statutory agencies, the review requested by the petition, whilst not solely for the Down Hatherley area, is already programmed to be undertaken.

8.0 OTHER OPTIONS CONSIDERED

- 8.1** None.

9.0 CONSULTATION

- 9.1** None.

10.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 10.1**
- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031, adopted December 2017.
 - Emerging Tewkesbury Borough Plan.
 - The saved policies of the Tewkesbury Local Plan to 2011, adopted 2006.
 - Flood and Water management SPD, March 2018.

11.0 RELEVANT GOVERNMENT POLICIES

- 11.1**
- Planning and Compulsory Purchase Act 2004.
 - National Planning Policy Framework (2019).
 - Local Democracy, Economic Development and Construction Act 2009.
 - The Flood and Water Management Act (FWMA) 2010

12.0 RESOURCE IMPLICATIONS (Human/Property)

12.1 Officer time.

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

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

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

14.1 The proposed plan review process and comments from statutory consultees/stakeholders will be cognisant of equalities and/HRA issues.

15.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

15.1 None.

Background Papers: None.

Contact Officer: Head of Development Services, Tel: 01684 272173
Email: Sandra.ford@teWKesbury.gov.uk

Appendices: 1. Council's petition scheme.



TEWKESBURY BOROUGH COUNCIL PETITIONS SCHEME

1. PETITIONS

- 1.1** Tewkesbury Borough Council welcomes petitions and recognises that petitions are one way in which people can let the Council know their concerns. All petitions sent, or presented, to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out what the Council plans to do with the petition. The Council will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.
- 1.2** Paper petitions can be sent to Democratic Services, The Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT.
- 1.3** Petitions can also be presented to a meeting of the Council or Executive Committee. Scheduled meetings of the Council take place throughout the year and the Executive Committee meets on a regular basis, the dates and times can be found at <http://minutes.tewkesbury.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1> . If you would like to present a petition to the Council, or would like your Councillor, or someone else, to present it on your behalf, please contact Democratic Services on 01684 272021, at least 10 working days before the meeting, for an explanation of the process. If the petition has received 100 signatures or more, it will also be scheduled for a Council debate. Should this be the case, the petition organiser will be advised as to whether this will happen at the same meeting, or a later meeting, of the Council.

2.0 WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

2.1 Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- The name and address and signature of any person supporting the petition.

2.2 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person that Democratic Services will contact to explain how the Council will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, Democratic Services will contact signatories to the petition to agree who should act as the petition organiser.

2.3 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum it may be necessary to deal with petitions differently – if this is the case Democratic Services will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In this case, Democratic Services will write to the petition organiser to explain the reasons.

3.0 WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

3.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let the organiser know what the Council plans to do with the petition and they can expect to hear from the Council again.

3.2 If the Council can do what the petition asks for, the acknowledgement may confirm that the action requested has been taken and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a Senior Officer giving evidence, then the acknowledgement will confirm this and tell the organiser when and where the meeting will take place. If the petition needs more investigation, the organiser will be advised of the planned steps.

3.3 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an Elected Mayor) or is on a matter where there is already an existing right of appeal, such as Council Tax banding and non-domestic rates, other procedures apply and this scheme will not be relevant.

- 3.4** The Council will not take action on any petition which it considers to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in the acknowledgement of the petition.
- 3.5** To ensure that people know what the Council is doing in response to the petitions received, a summary of petitions submitted to the Council will be published on Tewkesbury Borough Council's website, except in cases where this would be inappropriate. The details of Petitions received will remain on the website for a period of at least one year.

As identified above, as part of the petitions process the petition organiser will be required to provide their name and contact details. This information will only be used to contact them in relation to the petition. For more information, please visit our [website](#).

4.0 HOW WILL THE COUNCIL RESPOND TO PETITIONS?

- 4.1** The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
- taking the action requested in the petition.
 - considering the petition at a Council Meeting.
 - holding an inquiry into the matter.
 - undertaking research into the matter.
 - holding a public meeting.
 - holding a consultation.
 - holding a meeting with petitioners.
 - referring the petition for consideration by the Council's Overview and Scrutiny Committee. *
 - calling a referendum.
 - writing to the petition organiser setting out the Council's views about the request in the petition.

* Overview and Scrutiny Committees are Committees of Councillors who are responsible for scrutinising the work of the Council – in other words the Overview and Scrutiny Committee has the power to hold the Council's decision-makers to account. Tewkesbury Borough Council's Overview and Scrutiny Committee consists of Members of the Council who are tasked with scrutinising the work of the Executive Committee and holding the Members of that Committee to account.

4.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples:

Petition Subject	Appropriate Steps
Alcohol related crime and disorder	If your petition is about crime or disorder linked to alcohol consumption, the Council may, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a Designated Public Place Order or, as a last resort, imposing an Alcohol Disorder Zone. When an Alcohol Disorder Zone is established the licensed premises in the area where alcohol related trouble is being caused is required to contribute to the costs of extra policing in that area. The Council's response to your petition will set out the steps it intends to take and the reasons for taking this approach.
Anti-Social Behaviour (ASB)	As the elected representatives of the local area, and the licensing authority, the Council has a significant role to play in tackling anti-social behaviour. The Council, in conjunction with its partners in the local Community Safety Partnership, has set out minimum service standards for responding to issues of anti-social behaviour. When responding to petitions on ASB, the Council may consider, in consultation with its local partners, all the options available including the powers and mechanisms to intervene as part of its role as licensing authority. For example, the Council will work with the Neighbourhood Policing Team in the affected area to identify what action might be taken, including what role CCTV might play, consider identifying a dedicated contact within the Council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, the Council will alert the Community Safety Partnership and Overview and Scrutiny Committee to the issues highlighted in the petition.

Under Performing Health Services

The Council may work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (the LINK is run by local individuals and community groups and independently supported – their role is to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The County Council Health Community and Care Overview and Scrutiny Committee will also be alerted to the petition and, where the matter is sufficiently or potentially serious, the issue will be referred to that Committee for consideration.

- 4.3** If the petition is about something over which the Council has no direct control (for example, the local railway or hospital) the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and, where possible, will work with these partners to respond to the petition. If the Council is not able to do this for any reason (for example, if what the petition calls for conflicts with Council Policy), then the petition organiser will be advised accordingly. More information on the services for which the Council is responsible can be found on the Council's website at www.tewkesbury.gov.uk.
- 4.4** If the petition is about something that a different Council is responsible for, consideration will be given to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council but could involve other steps. In any event the petition organiser will be notified of what action has been taken.

5.0 FULL COUNCIL DEBATES

- 5.1** If a petition contains more than 100 signatures it will be debated by the Council unless it is a petition asking for a Senior Council Officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible, and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of fifteen minutes. The Council will decide how to respond to the petition at this meeting. The Council may decide to take the action that the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Committee. Where the issue is one on which the Council's Executive Committee is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

6. OFFICER EVIDENCE

- 6.1** A petition may ask for a Senior Council Officer to give evidence at a public meeting about something for which the Officer is responsible as part of their job. For example, the petition may ask a Senior Council Officer to explain progress on an issue, or to explain the advice given to Members to enable them to make a particular decision.
- 6.2** If your petition contains at least 100 signatures, the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee. Members of the Council's Corporate Management Team may be called to give evidence in this respect. The organiser should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another Officer to give evidence instead of any Officer named in the petition – for instance if the named Officer has changed jobs. The Committee may also decide to call the relevant Lead Member to attend the meeting. Members of the Overview and Scrutiny Committee will ask the questions at this meeting, but the petition organiser will be able to suggest questions to the Chair of the Committee by contacting Democratic Services no later than three working days before the meeting.

7. WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?

- 7.1** Should the petition organiser feel that the Council has not dealt with the petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee reviews the steps that the Council has taken in response to the petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.
- 7.2** The Overview and Scrutiny Committee will endeavour to consider the request at its next meeting, although, on some occasions, this may not be possible, and consideration will take place at the following meeting. Should the Committee determine that the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Executive Committee and arranging for the matter to be considered at a meeting of the Council.
- 7.3** Once the appeal has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on the Council's website.

8.0 E-PETITIONS

- 8.1** The Council welcomes e-petitions which are created and submitted through the [website](#). E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide the Council with their name, postal address and email address.
- 8.2** Once registered, the organiser will be asked for the title of the petition. The system will automatically search to see if there is already a petition in operation that deals with the same issues. If there is, the organiser will be asked to review that petition or to decide if their petition covers a new area. After this has been ascertained, the organiser of the petition will be asked to provide further details, including the options for signatories i.e. agree, agree/disagree or agree/disagree/don't know. The organiser will also need to decide how long the petition should be open for signatures. The system will default to allow for a period of two months, but this can be overridden and extended for up to 12 months in line with the requirements of the organiser.
- 8.3** When an e-petition is created, it will take up to five working days before it is published online as the suitability of the content must be checked before it is made available for signature.

8.4 If for some reason the Council is unable to publish the petition, the organiser will be contacted within the five-day period.

8.5 When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as a paper petition, an acknowledgement will be sent within 10 working days.

HOW DO I 'SIGN' AN E-PETITION?

- 8.6**
- Go to the Council's website at www.tewkesbury.gov.uk.
 - Go to 'About the Council'.
 - Click on 'Petitions and Public Participation'.
 - A list of the e-petitions that are currently active will be displayed under E-Petitions.
 - Click on the appropriate petition and then "sign a petition".
 - Contact details will need to be provided (name, address and email address) but only the name will be displayed on the website.

8.7 A petition may gather names and addresses both in electronic and paper form, although repeat names will be removed. Both petitions must run for the same period of time and must be submitted together.

8.8 The Council accepts no liability for the petitions published on the website and the views expressed in the petitions do not necessarily reflect those of the Council.

8.9 For further information, help and advice on how to submit an e-petition, contact Democratic Services on 01684 272021 or email democraticservices@tewkesbury.gov.uk

TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	22 June 2021
Subject:	Consideration of a petition requesting that the Council reduce flooding, examine flood risk in detail before allocating more development sites.
Report of:	Head of Development Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Built Environment
Number of Appendices:	Two

Executive Summary:

An electronic petition (e-petition) was published by the Council on 8 February and closed on 22 March 2021.

The e-petition requests that prior to the allocation of any more development sites, the Council commissions, with our JCS partners if possible or without, if necessary, a detailed pluvial and fluvial flood risk assessment across the JCS area. 117 people have signed the petition.

The wording of the e-petition is set out in Paragraph 2.2.1 of this report.

The Council's process for dealing with petitions is set out in Paragraph 1.3 of the Petition Scheme, which is attached as Appendix 1.

This report has been produced to enable Members to consider the request of the petitioners.

The request made by the petitioners to undertake a detailed pluvial and fluvial flood risk assessment across the Joint Core Strategy (JCS) area will be undertaken as part of the review of the JCS currently in progress. The information requested by the petition will be included within the Strategic Flood Risk Assessment which will need to be completed before any final decisions are made as to which sites should be proposed to be allocated for development. The JCS Authorities will engage the services of a specialist who will assess all the information and evidence available before presenting a report.

The Council's Local Plan is at an advanced stage, awaiting the Inspector's report following the Examination in Public. All the sites proposed to be allocated, within the Local Plan have, where necessary, been subject to a Strategic Flood Risk Assessment.

Recommendation:

That the Council requests Officers to ensure that the issues raised in the petition are considered as part of the Strategic Flood Risk Assessment prepared in connection with the review of the Joint Core Strategy (JCS) which will inform the identification of strategic site allocations.

Reasons for Recommendation:

The Council along with the other JCS Local Authorities is already aware of the need to undertake a detailed pluvial and fluvial flood risk assessment across the JCS area, as part of the requirement to undertake a Strategic Flood Risk Assessment.

Resource Implications:

Officer time in considering the issues raised as part of the JCS review.

Legal Implications:

The Petition must be considered in accordance with the Council's Petition Scheme. The Scheme sets out a number of options for the Council to respond to the Petition. These are set out in the report at 2.5.1.

Risk Management Implications:

Any risks associated with land use allocations will be considered and recorded during the development of the Development Plan process.

Performance Management Follow-up:

None.

Environmental Implications:

As part of the JCS review process a Strategic Environmental Assessment will be undertaken which will identify any potential environmental impacts and the mitigation required to address any negative impacts.

1.0 INTRODUCTION/BACKGROUND

1.1 The Council's Petition Scheme, including e-petitions, is designed to ensure the public has easy access to information about how to petition the Council and to let them know what to expect from the Council in response. Included within the Scheme is the requirement to have a Council debate should a certain number of signatures be achieved. Tewkesbury Borough Council has set that threshold at 100 signatures. As such the Petition received now triggers a debate by Council.

1.2 The scheme provides a fifteen minute maximum period for the debate and recognises that the issue may be referred to another Committee where the matter is not one reserved for Council. The purpose of the requirement for Council debate, therefore, is not to ensure that the final decision relating to the petition issue is made at that Council meeting, but to increase the transparency of the decision-making process, ensuring that debates on significant petitions are publicised with sufficient notice to enable the petition organiser and public to attend. It also ensures that local people know that their views have been listened to and they have the opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject matter of the petition.

2.0 THE PETITION

2.1 An electronic petition was published by the Council on 8 March 2021. The petition asks the Council to examine flood risk in detail before allocating more development sites.

2.2 The e-petition has 117 signatures which is in excess of the 100 signatures required to trigger a debate at Council. The wording of the petition is set out below:

2.2.1 *We the undersigned ask this council, prior to the allocation of any more development sites, to commission, with our JCS partners if possible or without if necessary, a detailed pluvial and fluvial flood risk assessment across the JCS area, to include cumulative impacts from our neighbours, climate change, other influencing factors and all development completed, planned or projected since 2014, including major infrastructure projects and reviewing mitigation requirements that may be required during the construction phase. Also, to consult with relevant agencies and parish councils reviewing and incorporating their local evidence and include this within the council's development plans*

2.3 The e-petition asserts that the flood risk assessments of the current development plans fall short, especially given all the evidence available now, in the area of pluvial and fluvial flooding's cumulative impact across the whole JCS area and the result of this is having a severe impact on residents and in some areas has virtually destroyed faith in the Council's plan.

2.4 The Council is required to debate the electronic petition in accordance with the Petitions Scheme. The process for dealing with petitions, agreed by Tewkesbury Borough Council is attached as Appendix 1.

2.5 Paragraph 5.1 of the Petitions Scheme states that the petition organiser (or representative) will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of fifteen minutes. The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- 2.5.1**
- taking the action requested in the petition;
 - considering the petition at a Council meeting;
 - holding an inquiry into the matter;
 - undertaking research into the matter;
 - holding a public meeting;
 - holding a consultation;
 - holding a meeting with petitioners;
 - referring the petition for consideration by the Council's Overview & Scrutiny Committee;
 - calling a referendum;
 - writing to the petition organiser setting out the Council's views about the request of the petition.

3.0 BACKGROUND AND CONTEXT

3.1 The National Planning Policy Framework, 2019, sets out the planning system should be plan led and that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. The process for considering whether a site should be allocated within a local or strategic plan is part of the plan making process.

3.2 Local and strategic site allocations proposed within the development plan are required to be supported and justified by evidence demonstrating their suitability for inclusion within the respective Development Plan. Allocated sites should provide sufficient information so that the scale, quantum, and type of development is clear.

3.3 The Planning and Compulsory Purchase Act 2004 sets out the process which must be followed in the preparation of the development plan. One of the requirements is that the preferred plan containing proposed site allocations must be submitted to the Secretary of State for independent examination. The Inspector appointed to conduct the Examination in Public will consider if the legislative requirements have been adhered to. Furthermore, objectors will be able to promote development allocations that the Council has not proposed with its Plan. The Inspector will, after hearing all of the evidence, advise the Council which site allocations should be contained within the development plan to make the Plan sound.

4.0 EXISTING DEVELOPMENT PLAN POLICIES

4.1 Within Tewkesbury Borough, the Development Plan consists of:

- the Gloucester, Cheltenham and Tewkesbury Joint core Strategy 2011-2031, adopted December 2017 (JCS). The JCS provides the overarching strategic plan for the wider area covered by the three Councils;
- the saved policies of the Tewkesbury Local Plan to 2011, adopted 2006, Borough level document.

4.2 In October/November 2013 the Council commenced the review of the Local Plan with a consultation on the key issues affecting the Borough. This led to the consultation on the Draft Policies and Site Options which took place from February to April 2015. The preferred option was issued for consultation in October 2018, with the pre-submission plan consulted upon in October 2019. The Plan was submitted to the Secretary of State in May 2020. The Examination In Public into the Local Plan took place between February-March 2021 and the Inspector's report is awaited. As part of the Local Plan process, Strategic Flood Risk Assessments were undertaken for the specific site allocations.

4.3 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031 was adopted in December 2017 (JCS). The JCS provides the overarching strategic plan for the wider area covered by the three Councils. As part of this plan a Strategic Flood Risk Assessment, levels 1 and 2 were commissioned to inform site allocations. The JCS is now under review.

4.4 On 6 January 2021, the Executive Committee of the Council approved the Local Development Scheme. The Tewkesbury Borough Local Development Scheme (LDS) outlines the timetable for preparing statutory development plan documents in the Borough. The Local Plan timetable is detailed above. The estimated timetable for the JCS Review to adoption is as follows:

Issues & Options Consultation	Winter 2018/19
Preferred Options Consultation	Summer 2021
Pre-Submission Consultation	Winter 2022
Submission to the Secretary of State	Spring 2023
Examination	Summer 2023
Adoption	Winter 2023

4.5 As part of the JCS review process a Strategic Flood Risk assessment will be undertaken, this is a requirement as set out in the National Planning Policy Framework, (NPPF), under “Planning and Flood Risk” - attached at Appendix 2. The government has produced guidance on how to prepare a strategic flood risk assessment which details the information required to be included within it and who should be involved in its preparation. The Strategic Flood Risk Assessment will include a detailed pluvial and fluvial flood risk assessment across the JCS area, which the petition is seeking to be undertaken.

The Strategic Flood Risk Assessment is one of several technical studies that will be used to inform the identification of strategic sites.

5.0 COMMENTS ON THE PETITION

5.1 The request made by the petitioners to undertake a detailed pluvial and fluvial flood risk assessment across the JCS area will be undertaken as part of the review of the JCS. This information will be contained within the Strategic Flood Risk Assessment which will need to be completed before any final decisions are made as to which sites should be proposed within the preferred Joint Core Strategy as development allocations. The process for undertaking SFRA’s is set out in government guidance entitled, ‘How to prepare a strategic flood risk assessment’, updated September 2020.

5.2 The petition has requested that the Council consult with the relevant agencies and Parish Councils reviewing and incorporating their local evidence and include this within the Council’s development plans. The Council is required to consult at the preferred option and pre-submission stage of the JCS, so there will be every opportunity for public to comment on the proposals being put forward. Given the technical nature of the work required to be undertaken in the preparation of a Strategic Flood Risk Assessment, the JCS Councils will be required to appoint a suitably qualified specialist in this area of work who will assess all available relevant information before reaching any conclusions in a report. As stated previously, the Local Plan process requires an independent Examination in Public to be held, the technical evidence the Council relies on to justify a proposed allocation with the development plan has to be technically and soundly justified with the Council’s evidence being capable of withholding scrutiny.

6.0 CONCLUSION

6.1 The Local Plan review is at an advanced stage with the Inspector's report due imminently. The Council will therefore be seeking to allocate local sites in due course; however, these have been subject to a Strategic Flood Risk Assessment. The Council is currently in the process of reviewing the JCS (as set out in paragraph 4.4 above), which will include allocating strategic sites. The JCS review will require the commissioning of a Strategic Flood Risk Assessment which will include a detailed pluvial and fluvial flood risk assessment as requested by the petition.

7.0 OTHER OPTIONS CONSIDERED

7.1 None.

8.0 CONSULTATION

8.1 None.

9.0 RELEVANT COUNCIL POLICIES/STRATEGIES

- 9.1**
- The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy 2011-2031, adopted December 2017.
 - Emerging Tewkesbury Borough Plan.
 - The saved policies of the Tewkesbury Local Plan to 2011, adopted 2006.
 - Flood and Water management SPD, March 2018.

10.0 RELEVANT GOVERNMENT POLICIES

- 10.1**
- Planning and Compulsory Purchase Act 2004.
 - National Planning Policy Framework (2019).
 - Local Democracy, Economic Development and Construction Act 2009.
 - The Flood and Water Management Act (FWMA) 2010

11.0 RESOURCE IMPLICATIONS (Human/Property)

11.1 Officer time. Consultants appointed to undertake Strategic Flood Risk Assessment.

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

12.1 Any site allocation proposed within a Development Plan will be subject to a Strategic Environmental Assessment incorporating a Sustainability Appraisal.

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

13.1 The proposed plan review process and comments from statutory consultees/stakeholders will be cognisant of equalities/HRA issues.

14.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

14.1 None.

Background Papers: None.

Contact Officer: Head of Development Services, Tel: 01684 272173
Email: sandra.ford@tewkesbury.gov.uk

Appendices: 1 Council's petition scheme.
2 Extract from NPPF.



TEWKESBURY BOROUGH COUNCIL PETITIONS SCHEME

1. PETITIONS

- 1.1** Tewkesbury Borough Council welcomes petitions and recognises that petitions are one way in which people can let the Council know their concerns. All petitions sent, or presented, to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out what the Council plans to do with the petition. The Council will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.
- 1.2** Paper petitions can be sent to Democratic Services, The Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT.
- 1.3** Petitions can also be presented to a meeting of the Council or Executive Committee. Scheduled meetings of the Council take place throughout the year and the Executive Committee meets on a regular basis, the dates and times can be found at <http://minutes.tewkesbury.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1> . If you would like to present a petition to the Council, or would like your Councillor, or someone else, to present it on your behalf, please contact Democratic Services on 01684 272021, at least 10 working days before the meeting, for an explanation of the process. If the petition has received 100 signatures or more, it will also be scheduled for a Council debate. Should this be the case, the petition organiser will be advised as to whether this will happen at the same meeting, or a later meeting, of the Council.

2.0 WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

2.1 Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- The name and address and signature of any person supporting the petition.

2.2 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person that Democratic Services will contact to explain how the Council will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, Democratic Services will contact signatories to the petition to agree who should act as the petition organiser.

2.3 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum it may be necessary to deal with petitions differently – if this is the case Democratic Services will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In this case, Democratic Services will write to the petition organiser to explain the reasons.

3.0 WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

3.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let the organiser know what the Council plans to do with the petition and they can expect to hear from the Council again.

3.2 If the Council can do what the petition asks for, the acknowledgement may confirm that the action requested has been taken and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a Senior Officer giving evidence, then the acknowledgement will confirm this and tell the organiser when and where the meeting will take place. If the petition needs more investigation, the organiser will be advised of the planned steps.

3.3 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an Elected Mayor) or is on a matter where there is already an existing right of appeal, such as Council Tax banding and non-domestic rates, other procedures apply and this scheme will not be relevant.

- 3.4** The Council will not take action on any petition which it considers to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in the acknowledgement of the petition.
- 3.5** To ensure that people know what the Council is doing in response to the petitions received, a summary of petitions submitted to the Council will be published on Tewkesbury Borough Council's website, except in cases where this would be inappropriate. The details of Petitions received will remain on the website for a period of at least one year.

As identified above, as part of the petitions process the petition organiser will be required to provide their name and contact details. This information will only be used to contact them in relation to the petition. For more information, please visit our [website](#).

4.0 HOW WILL THE COUNCIL RESPOND TO PETITIONS?

- 4.1** The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:
- taking the action requested in the petition.
 - considering the petition at a Council Meeting.
 - holding an inquiry into the matter.
 - undertaking research into the matter.
 - holding a public meeting.
 - holding a consultation.
 - holding a meeting with petitioners.
 - referring the petition for consideration by the Council's Overview and Scrutiny Committee. *
 - calling a referendum.
 - writing to the petition organiser setting out the Council's views about the request in the petition.

* Overview and Scrutiny Committees are Committees of Councillors who are responsible for scrutinising the work of the Council – in other words the Overview and Scrutiny Committee has the power to hold the Council's decision-makers to account. Tewkesbury Borough Council's Overview and Scrutiny Committee consists of Members of the Council who are tasked with scrutinising the work of the Executive Committee and holding the Members of that Committee to account.

4.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition. The table below gives some examples:

Petition Subject	Appropriate Steps
Alcohol related crime and disorder	<p>If your petition is about crime or disorder linked to alcohol consumption, the Council may, among other measures, consider the case for placing restrictions on public drinking in the area by establishing a Designated Public Place Order or, as a last resort, imposing an Alcohol Disorder Zone. When an Alcohol Disorder Zone is established the licensed premises in the area where alcohol related trouble is being caused is required to contribute to the costs of extra policing in that area. The Council's response to your petition will set out the steps it intends to take and the reasons for taking this approach.</p>
Anti-Social Behaviour (ASB)	<p>As the elected representatives of the local area, and the licensing authority, the Council has a significant role to play in tackling anti-social behaviour. The Council, in conjunction with its partners in the local Community Safety Partnership, has set out minimum service standards for responding to issues of anti-social behaviour. When responding to petitions on ASB, the Council may consider, in consultation with its local partners, all the options available including the powers and mechanisms to intervene as part of its role as licensing authority. For example, the Council will work with the Neighbourhood Policing Team in the affected area to identify what action might be taken, including what role CCTV might play, consider identifying a dedicated contact within the Council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, the Council will alert the Community Safety Partnership and Overview and Scrutiny Committee to the issues highlighted in the petition.</p>

Under Performing Health Services

The Council may work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (the LINK is run by local individuals and community groups and independently supported – their role is to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The County Council Health Community and Care Overview and Scrutiny Committee will also be alerted to the petition and, where the matter is sufficiently or potentially serious, the issue will be referred to that Committee for consideration.

- 4.3** If the petition is about something over which the Council has no direct control (for example, the local railway or hospital) the Council will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and, where possible, will work with these partners to respond to the petition. If the Council is not able to do this for any reason (for example, if what the petition calls for conflicts with Council Policy), then the petition organiser will be advised accordingly. More information on the services for which the Council is responsible can be found on the Council’s website at www.tewkesbury.gov.uk.
- 4.4** If the petition is about something that a different Council is responsible for, consideration will be given to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council but could involve other steps. In any event the petition organiser will be notified of what action has been taken.

5.0 FULL COUNCIL DEBATES

- 5.1** If a petition contains more than 100 signatures it will be debated by the Council unless it is a petition asking for a Senior Council Officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible, and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of fifteen minutes. The Council will decide how to respond to the petition at this meeting. The Council may decide to take the action that the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Committee. Where the issue is one on which the Council's Executive Committee is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

6. OFFICER EVIDENCE

- 6.1** A petition may ask for a Senior Council Officer to give evidence at a public meeting about something for which the Officer is responsible as part of their job. For example, the petition may ask a Senior Council Officer to explain progress on an issue, or to explain the advice given to Members to enable them to make a particular decision.
- 6.2** If your petition contains at least 100 signatures, the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee. Members of the Council's Corporate Management Team may be called to give evidence in this respect. The organiser should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another Officer to give evidence instead of any Officer named in the petition – for instance if the named Officer has changed jobs. The Committee may also decide to call the relevant Lead Member to attend the meeting. Members of the Overview and Scrutiny Committee will ask the questions at this meeting, but the petition organiser will be able to suggest questions to the Chair of the Committee by contacting Democratic Services no later than three working days before the meeting.

7. WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?

- 7.1** Should the petition organiser feel that the Council has not dealt with the petition properly, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee reviews the steps that the Council has taken in response to the petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.
- 7.2** The Overview and Scrutiny Committee will endeavour to consider the request at its next meeting, although, on some occasions, this may not be possible, and consideration will take place at the following meeting. Should the Committee determine that the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Executive Committee and arranging for the matter to be considered at a meeting of the Council.
- 7.3** Once the appeal has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on the Council's website.

8.0 E-PETITIONS

- 8.1** The Council welcomes e-petitions which are created and submitted through the [website](#). E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide the Council with their name, postal address and email address.
- 8.2** Once registered, the organiser will be asked for the title of the petition. The system will automatically search to see if there is already a petition in operation that deals with the same issues. If there is, the organiser will be asked to review that petition or to decide if their petition covers a new area. After this has been ascertained, the organiser of the petition will be asked to provide further details, including the options for signatories i.e. agree, agree/disagree or agree/disagree/don't know. The organiser will also need to decide how long the petition should be open for signatures. The system will default to allow for a period of two months, but this can be overridden and extended for up to 12 months in line with the requirements of the organiser.
- 8.3** When an e-petition is created, it will take up to five working days before it is published online as the suitability of the content must be checked before it is made available for signature.

8.4 If for some reason the Council is unable to publish the petition, the organiser will be contacted within the five-day period.

8.5 When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as a paper petition, an acknowledgement will be sent within 10 working days.

HOW DO I 'SIGN' AN E-PETITION?

8.6

- Go to the Council's website at www.tewkesbury.gov.uk.
- Go to 'About the Council'.
- Click on 'Petitions and Public Participation'.
- A list of the e-petitions that are currently active will be displayed under E-Petitions.
- Click on the appropriate petition and then "sign a petition".
- Contact details will need to be provided (name, address and email address) but only the name will be displayed on the website.

8.7 A petition may gather names and addresses both in electronic and paper form, although repeat names will be removed. Both petitions must run for the same period of time and must be submitted together.

8.8 The Council accepts no liability for the petitions published on the website and the views expressed in the petitions do not necessarily reflect those of the Council.

8.9 For further information, help and advice on how to submit an e-petition, contact Democratic Services on 01684 272021 or email democraticservices@tewkesbury.gov.uk

National Planning Policy Framework

Presented to Parliament
by the Secretary of State for Housing, Communities and Local Government
by command of Her Majesty

February 2019

Planning and flood risk

155. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

156. Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

157. All plans should apply a sequential, risk-based approach to the location of development – taking into account the current and future impacts of climate change.

158. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

159. If it is not possible for development to be located in zones with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in national planning guidance.

160. The application of the exception test should be informed by a strategic or sitespecific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. For the exception test to be passed it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that

outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

161. Both elements of the exception test should be satisfied for development to be allocated or permitted.

162. Where planning applications come forward on sites allocated in the development plan through the sequential test, applicants need not apply the sequential test again. However, the exception test may need to be reapplied if relevant aspects of the proposal had not been considered when the test was applied at the planmaking stage, or if more recent information about existing or potential flood risk should be taken into account. 47

163. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment 50. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.

164. Applications for some minor development and changes of use 51 should not be subject to the sequential or exception tests but should still meet the requirements for site-specific flood risk assessments set out in footnote 50.

165. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.

50 A site-specific flood risk assessment should be provided for all development in Flood Zones 2 and 3. In Flood Zone 1, an assessment should accompany all proposals involving: sites of 1 hectare or more; land which has been identified by the Environment Agency as having critical drainage problems; land identified in a strategic flood risk assessment as being at increased flood risk in future; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use.

51 This includes householder development, small non-residential extensions (with a footprint of less than 250m²) and changes of use; except for changes of use to a caravan, camping or chalet site, or

to a mobile home or park home site, where the sequential and exception tests should be applied as appropriate.

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	3 March 2021
Subject:	Treasury and Capital Management
Report of:	Head of Finance and Asset Management
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Finance and Asset Management
Number of Appendices:	Five

Executive Summary:

The Council is required to adopt a range of strategies and policies before the start of the financial year in order to provide clarity on the plans for the financial management of the authority in the forthcoming year.

Two new requirements were introduced in 2019 - the Capital Strategy which is a requirement of CIPFA's Prudential Code and the Investment Strategy which is a statutory requirement from the Ministry of Housing, Communities and Local Government (MHCLG). The new strategies compliment the existing requirements and together form a suite of Treasury and Capital Management strategies.

Given the number of strategies and the increased focus on these documents, they are presented together in a standalone report rather than forming part of the annual budget papers.

Recommendation:

The Committee is asked to RECOMMEND TO COUNCIL the adoption of:

- **The Capital Strategy 2021/22.**
- **The Investment Strategy 20221/22.**
- **Minimum Revenue Provision Statement 2021/22.**
- **Treasury Management Strategy 2021/22.**
- **The Flexible use of Capital Receipts Policy 2021/22.**

Reasons for Recommendation:

It is a statutory requirement to adopt these strategies prior to the start of the financial year.

Resource Implications:

None directly relating to the report.

Legal Implications:

As detailed within the report and appendices.

Risk Management Implications:

As detailed within the appendices.

Performance Management Follow-up:

As detailed within the appendices.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

- 1.1** There has been a longstanding requirement for the Council to produce both a Treasury Management Strategy and a Minimum Revenue Provision Policy before the start of the financial year. In addition, with the Council taking advantage of the flexibility currently available for the use of capital receipts, a further policy was introduced in 2018/19. All three of these policies were previously presented as part of the set of budget papers.
- 1.2** As Council's increase their commercial property activity, there has been increasing concern about this area of expenditure and as a result a desire for Councils to be more transparent in reporting these activities. The Chartered Institute of Public Finance and Accountancy (CIPFA) have updated their Prudential Code and included a new requirement for a Capital Strategy to be produced annually. Alongside this, the Ministry of Housing, Communities and Local Government (MHCLG) updated their investment guidance which included the new requirement of an Investment Strategy being produced on an annual basis.
- 1.3** Given the increase in strategies and policies required as well as additional focus now on these documents, they are presented as a suite of treasury and capital reports rather than forming appendices to the annual budget report.

2.0 TREASURY AND CAPITAL MANAGEMENT STRATEGIES

- 2.1** The following paragraphs give a brief overview of each of the five appendices.

2.2 Capital Strategy

This is a requirement of CIPFA's Prudential Code to place decisions around borrowing in the context of the overall longer term financial position of the authority and to improve links between the revenue and capital budgets.

This Capital Strategy was introduced for 2019/20, giving a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability.

2.3 Investment Strategy

This comes from updated MHCLG statutory guidance and applies to accounting periods starting 1 April 2018.

This is not the Council's strategy for actual investment or otherwise in either commercial property or service property. It does not commit the authority to any future direction or expenditure. The report provides oversight on how the Council undertakes transactions of this nature, the proportionality of these investments and a one year forecast of a range of financial indicators based on the standing investment decision of Council.

2.4 Minimum Revenue Provision Statement 2021/22

The statement at Appendix C sets out the Council policy on making a Minimum Revenue Provision (MRP) for the 2021/22 financial year in accordance with the Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008. The policy is also in line with the revised guidance issued in 2018. As a result of the Council's recent capital programme, funded by borrowing, the Council is required to make a MRP in order to repay the principal borrowed.

The Council will look to utilise capital and revenue balances where possible in order to reduce the revenue impact of investment plans. However, where either internal or external borrowing is required a MRP will be required to be made. To minimise the impact on the revenue account, the financially most advantageous MRP option will be chosen.

2.5 Treasury Management Strategy 2021/22

The Chartered Institute of Public Finance and Accountancy's Treasury Management in the Public Services: Code of Practice 2017 Edition (the CIPFA Code) requires the authority to approve a Treasury Management Strategy before the start of each financial year. The report at Appendix D fulfils the authority's legal obligation under the Local Government Act 2003 to have regard to the CIPFA Code.

The Treasury Management Strategy 2021/2022 sets the framework in which day-to-day and strategic treasury activities are operated. The documents are compiled from the recommendations within the CIPFA guidance and from the Council's treasury management advisors with consideration given to the current financial climate and factors affecting market conditions.

The budget for investment income in 2021/22 is £0.35 million, based on an average investment portfolio of £20.5 million at an interest rate of 1.69%. The budget for debt interest paid in 2021/22 is £0.48 million, based on an average debt portfolio of £37 million at an average interest rate of 1.29%. If actual levels of investments and borrowing, and actual interest rates differ from those forecast, performance against budget will be correspondingly different.

2.6 The Flexible use of Capital Receipts Policy 2021/22

The Secretary of State has allowed, for a temporary period only, the flexible use of capital receipts to support transformational projects. The forthcoming year was originally destined to be the final year of this flexibility but the MHCLG have recently announced a further three-year extension. The Council has no new requirements for the flexible use in 21/22 and does not have any known additional capital receipts which could be applied.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 None.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 Medium Term Financial Strategy.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 As detailed within the appendices.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 No specific proposals within appendices affecting human or property resources.

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

8.1 None.

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

9.1 As contained within the appendices.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

Background Papers: None.

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

Appendices: A – Capital Strategy 2021/22.
B – Investment Strategy 2021/22.
C – Minimum Revenue Provision Statement 2021/22.
D – Treasury Management Strategy 2021/22.
E – The Flexible use of Capital Receipts Policy 2021/22.

Capital Strategy Report 2021/22

Introduction

This capital strategy report gives a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of local public services along with an overview of how associated risk is managed and the implications for future financial sustainability. It has been written in an accessible style to enhance members' understanding of these sometimes technical areas.

Decisions made this year on capital and treasury management will have financial consequences for the Authority for many years into the future. They are therefore subject to both a national regulatory framework and to local policy framework, summarised in this report.

Capital Expenditure and Financing

Capital expenditure is where the Authority spends money on assets, such as property or vehicles, that will be used for more than one year. In local government this includes spending on assets owned by other bodies, and loans and grants to other bodies enabling them to buy assets. The Authority has some limited discretion on what counts as capital expenditure, for example assets costing below £10k are not capitalised and are charged to revenue in year.

- For details of the Authority's policy on capitalisation, see Note 2.15 in the Financial Statements for the year ended 31 March 2020

In 2021/22, the Authority is planning capital expenditure of £4m as summarised below:

Table 1: Prudential Indicator: Estimates of Capital Expenditure in £ millions

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
General Fund services	1.03	1.45	4.06	6.02	0.60
Capital investments	0.00	19.62	0.00	0.00	0.00
TOTAL	1.03	21.07	4.06	6.02	0.60

The main General Fund capital projects include the replacement of the Vehicles which are used to deliver waste and recycling services, delivery of the ICT strategy, the delivery of the Ashchurch bridge project and also payment of Disabled Facility Grants.

Governance: Service managers must take a report to full Council in order to include projects in the Council's capital programme. Finance calculate the financing cost (which can be nil if the project is externally financed) and review any business case for the proposal to ensure it meets the council requirements over payback periods (if applicable). Council appraises all proposals based on a comparison of service priorities against financing costs and approves the use of capital resources. The final capital programme is then presented to Executive Committee and to Council in February each year.

All capital expenditure must be financed, either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing, leasing and Private Finance Initiative). The planned financing of the above expenditure is as follows:

Table 2: Capital financing in £ millions

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
External sources	0.57	0.56	3.59	5.87	0.50
Own resources	0.46	0.89	0.47	0.15	0.10
Debt	0.00	19.62	0.00	0.00	0.00
TOTAL	1.03	21.07	4.06	6.02	0.60

Debt is only a temporary source of finance, since loans and leases must be repaid, and this is therefore replaced over time by other financing, usually from revenue which is known as minimum revenue provision (MRP). Alternatively, proceeds from selling capital assets (known as capital receipts) may be used to replace debt finance. Planned MRP and use of capital receipts are as follows:

Table 3: Replacement of debt finance in £'000

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Own resources	537	552	882	905	1,000

The Authority's cumulative outstanding amount of debt finance is measured by the capital financing requirement (CFR). This increases with new debt-financed capital expenditure and reduces with MRP and capital receipts used to replace debt. The CFR is expected to be £54,130k during 2021/22. Based on the above figures for expenditure and financing, the Authority's estimated CFR is as follows:

Table 4: Prudential Indicator: Estimates of Capital Financing Requirement in £'000

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Capital investments	36.15	55.00	54.13	53.22	52.22
TOTAL CFR	36.15	55.00	54.13	53.22	52.22

Asset management: To ensure that capital assets continue to be of long-term use, the Council has an asset management strategy in place. This plan is set in the wider context of ensuring a sustainable future for Council expenditure and revenue and aims to:

- Identify and explain the context and objectives of Asset Management at Tewkesbury Borough Council.
- Identify and explain how the plan links with our Corporate Plan and processes that will be followed to deliver Asset Management to Tewkesbury Borough Council.
- Identify the specific challenges and opportunities that currently affect Tewkesbury Borough Council's land and building assets and the ability of those assets to deliver the priorities, goals and promises set out in our Corporate Plan.
- Identify and recommended strategies to address and resolve issues and opportunities within the asset portfolio.
- Establish an annual Service Action Plan summarising the required actions arising from those recommendations.

The Council's asset management strategy can be found on our website.

Asset disposals: When a capital asset is no longer needed, it may be sold so that the proceeds, known as capital receipts, can be spent on new assets or to repay debt. The Council is currently also permitted to spend capital receipts on service transformation projects until 2021/22. Repayments of capital grants, loans and investments also generate capital receipts. The Council plans to receive £20,000 of capital receipts in the coming financial year as follows:

Table 5: Capital receipts receivable in £'000

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Asset sales	115	66	0	0	0
Right to buy receipts	21	20	20	20	20
TOTAL	136	86	20	20	20

- The Authority's Flexible Use of Capital Receipts Policy is available alongside this report.

Treasury Management

Treasury management is concerned with keeping sufficient but not excessive cash available to meet the Authority's spending needs, while managing the risks involved. Surplus cash is invested until required, while a shortage of cash will be met by borrowing, to avoid excessive credit balances or overdrafts in the bank current account. The Authority is typically cash rich in the short-term as revenue income is received before it is spent, but cash poor in the long-term as capital expenditure is incurred before being financed. The revenue cash surpluses are offset against capital cash shortfalls to reduce overall borrowing.

Due to decisions taken in the past, the Authority currently has £39.66m borrowing at an average interest rate of 1.19% and £26.99m treasury investments at an average rate of 1.79%.

Borrowing strategy: The Authority's main objectives when borrowing are to achieve a low but certain cost of finance while retaining flexibility should plans change in future. These objectives are often conflicting, and the Authority therefore seeks to strike a balance between cheap short-term loans (currently available at around 0.10%) and long-term fixed rate loans where the future cost is known but higher (currently 1.5 to 2.5%).

Projected levels of the Authority's total outstanding debt (which comprises borrowing, PFI liabilities, leases are shown below, compared with the capital financing requirement (see above).

Table 6: Prudential Indicator: Gross Debt and the Capital Financing Requirement in £'000

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Debt	44.5	39.44	38.9	38.36	37.82
Capital Financing Requirement	36.15	55.00	54.13	53.22	52.22

Statutory guidance is that debt should remain below the capital financing requirement, except in the short-term. As can be seen from table 6, the Authority expects to comply with this in the medium term

Liability benchmark: To compare the Authority's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes that

cash and investment balances are kept to a minimum level of £10m at each year-end. This benchmark is currently £31.00m and is forecast to fall to £26.12m over the next three years.

Table 7: Borrowing and the Liability Benchmark in £ millions

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Outstanding borrowing	44.5	39.44	38.9	38.36	37.82
Liability benchmark	10.55	31.00	28.93	27.12	26.12

The table shows that the Authority expects to remain borrowed above its liability benchmark. This is because a deliberate decision has been made to borrow additional sums due to the volatility of the Councils cash flows.

Affordable borrowing limit: The Authority is legally obliged to set an affordable borrowing limit (also termed the authorised limit for external debt) each year and to keep it under review. In line with statutory guidance, a lower “operational boundary” is also set as a warning level should debt approach the limit.

Table 8: Prudential Indicators: Authorised limit and operational boundary for external debt in £m

	2020/21 limit	2021/22 limit	2022/23 limit	2023/24 limit
Authorised limit – borrowing	60	60	60	60
Operational boundary – borrowing	55	55	55	55

Further details on borrowing are in the treasury management strategy

Treasury investment strategy: Treasury investments arise from receiving cash before it is paid out again. Investments made for service reasons or for pure financial gain are not generally considered to be part of treasury management.

The Authority’s policy on treasury investments is to prioritise security and liquidity over yield, that is to focus on minimising risk rather than maximising returns. Cash that is likely to be spent in the near term is invested securely, for example with the government, other local authorities or selected high-quality banks, to minimise the risk of loss. Money that will be held for longer terms is invested more widely, including in bonds, shares and property, to balance the risk of loss against the risk of receiving returns below inflation. Both near-term and longer-term investments may be held in pooled funds, where an external fund manager makes decisions on which particular investments to buy and the Authority may request its money back at short notice.

Table 9: Treasury management investments in £’000

	31.3.2020 actual	31.3.2021 forecast	31.3.2022 budget	31.3.2023 budget	31.3.2024 budget
Near-term investments	15.0	6.45	9.98	12.25	12.71
Longer-term investments	11.99	11.99	9.99	8.99	8.99
TOTAL	26.99	18.44	19.97	21.24	21.70

Further details on treasury investments are in the treasury management strategy

Risk management: The effective management and control of risk are prime objectives of the Authority's treasury management activities. The treasury management strategy therefore sets out various indicators and limits to constrain the risk of unexpected losses and details the extent to which financial derivatives may be used to manage treasury risks.

Governance: Decisions on treasury management investment and borrowing are made daily and are therefore delegated to the Head of Finance and Assets and staff, who must act in line with the treasury management strategy approved by council. Half yearly reports on treasury management activity are presented to Executive Committee along with quarterly performance being reported as part of the quarterly budget reporting. The Audit & Governance Committee is responsible for scrutinising treasury management decisions.

Commercial Activities

With central government financial support for local public services declining and uncertainty around future funding sources (e.g. New Homes Bonus), the Council has no choice but to invest in commercial property purely or mainly for financial gain. Total commercial investments are currently valued at £42m as at 31.03.20 (with a cost value of £37m) providing a net return after all costs of 3.6%.

With financial return being the main objective, the Council accepts higher risk on commercial investment than with treasury investments. The principal risk exposures include voids, fall in capital value and high asset management costs. These risks are managed by using professional property advisers who are used to analyse the risk of voids, advice on alternative uses or exit strategies for investment properties. In order that commercial investments remain proportionate to the size of the authority, these are subject to an overall maximum investment limit of £65m and contingency plans are in place (including a contingency reserve) should expected yields not materialise.

Governance: Decisions on commercial investments are made by the Head of Finance and Asset Management alongside the Commercial Investments Board in line with the criteria and limits approved by Council. Property and most other commercial investments are also capital expenditure and purchases will therefore also be approved as part of the capital programme.

- Further details on commercial investments and limits on their use are in the investment strategy.
- Further details on the risk management of commercial investments are also within the investment strategy.

Liabilities

In addition to forecast debt of £39.44m detailed above, the Council is committed to making future payments to cover its pension fund deficit (valued at £28.8m as at 31 March 2020). It has also set aside £3.3m to cover risks of provisions (of which £2.9m relates to business rates appeals).

Governance: Decisions on incurring new discretionary liabilities are taken in line with the Financial Procedure Rules by service managers in consultation with Head of Finance and Asset Management and the Borough Solicitor.

Revenue Budget Implications

Although capital expenditure is not charged directly to the revenue budget, interest payable on loans and MRP are charged to revenue, offset by any investment income receivable. The net annual charge is known as financing costs; this is compared to the net revenue stream i.e. the amount funded from Council Tax, business rates and general government grants.

Table 10: Prudential Indicator: Proportion of financing costs to net revenue stream

	2019/20 actual	2020/21 forecast	2021/22 budget	2022/23 budget	2023/24 budget
Financing costs (£m)	0.51	0.57	1.08	1.11	1.19
Proportion of net revenue stream	5.89%	6.34%	11.31%	11.67%	11.39%

Further details on the revenue implications of capital expenditure are in the 2021/22 revenue budget.

Sustainability: Due to the very long-term nature of capital expenditure and financing, the revenue budget implications of expenditure incurred in the next few years will extend for up to 40 years into the future. The Head of Finance and Asset Management is satisfied that the proposed capital programme is prudent, affordable and sustainable because it has all been full costed and the full revenue implications have been included within the Medium Term Finance Strategy (MTFS).

Knowledge and Skills

The Council employs professionally qualified and experienced staff in senior positions with responsibility for making capital expenditure, borrowing and investment decisions. For example, the Head of Finance and Asset Management is a qualified accountant with over 20 years' experience, the Asset Manager has many years' experience and is supported by an experienced team including engineers and building surveyors. The Council pays for staff to study towards relevant professional qualifications including CIPFA and AAT.

Where Council staff do not have the knowledge and skills required, use is made of external advisers and consultants that are specialists in their field. The Council currently employs Arlingclose Limited as treasury management advisers, Lambert Smith Hampton as property consultants and Womble Bond Dickinson as legal specialists. This approach is more cost effective than employing such staff directly and ensures that the Council has access to knowledge and skills commensurate with its risk appetite.

Investment Strategy Report 2021/22

Introduction

The Authority invests its money for three broad purposes:

- because it has surplus cash as a result of its day-to-day activities, for example when income is received in advance of expenditure (known as **treasury management investments**),
- to support local public services by lending to or buying shares in other organisations (**service investments**), and
- to earn investment income (known as **commercial investments** where this is the main purpose).

This investment strategy meets the requirements of statutory guidance issued by the government in January 2018 and focuses on the second and third of these categories.

Treasury Management Investments

The Authority typically receives its income in cash (e.g. from taxes and grants) before it pays for its expenditure in cash (e.g. through payroll and invoices). It also holds reserves for future expenditure and collects local taxes on behalf of other local authorities and central government. These activities, plus the timing of borrowing decisions, lead to a cash surplus which is invested in accordance with guidance from the Chartered Institute of Public Finance and Accountancy. The balance of treasury management investments is expected to fluctuate between £16m and £24m during the 2021/22 financial year.

Contribution: The contribution that these investments make to the objectives of the Authority is to support effective treasury management activities.

Further details: Full details of the Authority's policies and its plan for 2021/22 for treasury management investments are covered in a separate document, the Treasury Management Strategy.

Service Investments: Loans

Contribution: The Council may lend money to local businesses/charities to support local public services and stimulate local economic growth. A loan agreement for £30k has been entered into during the year with a local business.

Security: The main risk when making service loans is that the borrower will be unable to repay the principal lent and/or the interest due. In order to limit this risk and ensure that total exposure to service loans remains proportionate to the size of the Authority, we ensure that any default in the repayment is affordable for the Council.

Accounting standards require the Authority to set aside loss allowance for loans, reflecting the likelihood of non-payment. The figure for any loans in the Authority's statement of accounts at the end of 2020-21 will be shown net of this loss allowance. However, the Authority makes every reasonable effort to collect the full sum lent and has appropriate credit control arrangements in place to recover overdue repayments.

Risk assessment: The Authority assesses the risk of loss before entering into and whilst holding service loans. As we only have one in progress we have assessed their credit rating and also ensured we could afford any financial loss of a default in repayment.

Service Investments: Shares

Contribution: The Council invests in the shares of a jointly owned teckel company (Ubico Ltd) to support local public services (environmental services). Tewkesbury Borough Council have a £1 share and there are 6 other authorities each owning £1 each.

The purpose of the investment is to work with other local authorities to create efficiencies and resilience within our environmental services and also enable a more commercial outlook within the company.

Security: One of the risks of investing in shares is that they fall in value meaning that the initial outlay may not be recovered. As the only shares we have are nominal and relate to a service objective then there is no risk of falls in value.

Other Shares

We also hold shares in a Local Authority Property Fund however this is covered within the Treasury Management Strategy.

Commercial Investments: Property

Contribution: The Council invests in local and UK wide commercial property with the intent of making a profit that will be spent on local public services. The properties held cover a range of sectors including industrial and retail to spread the risk and include a wide range of lease types and lengths. The income generated from these investments enables us to continue functioning as a council and provide our statutory duties.

Some investments are held for service reasons as well and are immaterial in value. The material items are shown in the table below:

Table 3: Property held for investment purposes in £ millions

Property	Actual	31.3.2020 actual	
	Purchase costs	Gains or (losses)	Value in accounts
Land only	1.5	(0.2)	1.3
Office	22.9	0.9	23.8
Industrial	3.8	(0.2)	3.6
Retail	12.9	(0.3)	12.6
TOTAL	41.1	0.2	41.3

Security: In accordance with government guidance, the Authority considers a property investment to be secure if its accounting valuation is higher than its purchase cost (including taxes and transaction costs) or, overall, the value of material investment properties are no less than 20% lower than purchase cost. A fall in the value of the property does not impact on the council as it is reversed out in the Movement in Statement of Reserves. The council is concerned about the net income return as this is crucial to the budget.

Where value in accounts is below purchase cost: The fair value of the Council's investment property portfolio is lower than the original purchase price as the fair value looks at the length of any leases currently in place (and as the lease term diminishes the fair value falls). If the value falls a significant amount (20% or more) then further work is done to identify whether any mitigating actions are needed to protect the capital invested. These actions include analysing any risk of lease defaults or cancellations and ensuring contingency funds are in place to mitigate any material impact on the budget.

Risk assessment: The Authority assesses the risk of loss before entering into and whilst holding property investments by:

- using professional property advisers (LSHIM) to assess the full cost of any potential commercial property purchase, including void periods;
- ensuring an exit strategy by looking at the alternative use for the property;
- costing any asset management requirements required and setting aside monies in the budget;
- looking at lease lengths and break clauses to ascertain the risk of any voids and to enter early negotiations with tenants;
- ensuring a minimum rate of return that enables all known costs to be covered;
- diversifying the portfolio over a number of sector areas.
- Undertaking an independent valuation exercise to substantiate the purchase price prior to completion
- Undertaking other building and environmental surveys
- Reviewing the strength of covenant of the existing tenant
- Reviewing the strength of economy in the surrounding area

Liquidity: Compared with other investment types, property is relatively difficult to sell and convert to cash at short notice and can take a considerable period to sell in certain market conditions. To ensure that the invested funds can be accessed when they are needed, for example to repay capital borrowed, the Council would use professional agents to sell these assets to maximise best value.

Proportionality

The Council is dependent on profit generating investment activity to achieve a balanced revenue budget. Table 4 below shows the extent to which the expenditure planned to meet the service delivery objectives of the Authority is dependent on achieving the expected net profit from investments over the lifecycle of the Medium Term Financial Plan. Should it fail to achieve the expected net profit, Council's contingency plans for continuing to provide these services to firstly use any contingency reserves available to continue to provide these services in the short term, whilst an assessment of the investments future capabilities are made, and then cost reductions would be made to ensure the council is financially viable in the longer term.

Table 4: Proportionality of Investments

	2019/20 Actual	2020/21 Forecast	2021/22 Budget	2022/23 Budget	2023/24 Budget
Gross service expenditure	32,471	32,223	33,441	33,271	34,128
Investment income	2,827	3,656	3,467	3,467	3,552
Proportion	8.7%	11.34%	10.7%	10.4%	10.4%

Borrowing in Advance of Need

Government guidance is that local authorities must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed. The Authority has chosen not to follow this guidance and has previously borrowed for this purpose because, as a small council with the 5th lowest council tax in the country, the level of cuts to core government support along with losses associated with the retained business rates scheme and the growing size of the Borough mean that the Council would be unlikely to balance its budget without this income and therefore would be forced to reduce service offering drastically. It would also heighten the potential for issuing a s114 notice. The Authority's policies in investing the money borrowed, including management of the risks, for example of not achieving the desired profit or borrowing costs increasing, is to always have a fixed rate for borrowing for at least 40% of investments to manage the risk of interest rate increases. In addition, the Council ensures any rental income is managed and leases are reviewed early to allow for any potential break clauses and void periods which can be factored into the budget.

Capacity, Skills and Culture

Elected members and statutory officers:

A Commercial Investment Board was set up along with an approved Commercial Investment Strategy (Council, December 2016) to provide a level of scrutiny and governance around property purchases. The board consists of six Members and council officers (to include the Head of Finance and Asset Management and the Asset Manager) who receive investment proposals and evaluate individual proposals for bidding.

Commercial deals and corporate governance:

Lambert Smith Hampton Investment Management (LSHIM) were appointed as our professional property investment advisers. The Council gave them the total amount of money available for investment and the minimum net return we will accept and they recommended a balanced portfolio between industrial, retail and office accommodation in order to spread the risk between sectors.

When a property comes to the market that LSHIM believe fits this criteria they will send us a summary to see whether we are interested in pursuing it further. If we choose to look into the investment, we commission LSHIM to perform their due diligence and prepare a full report on the property.

Detailed analysis of any potential bids are received by the board outlining the risks, returns, any existing tenancies and asset management opportunities for the property explained. LSHIM are aware of the differing requirements of a local authority and recommend properties that would fit within our approved commercial strategy and risk appetite. Detailed financials are received outlining possible net returns to us which include our statutory costs such as minimum revenue provision (MRP) and also allow for voids and conservative estimates of any rent increases.

Authority of investments up to £12m can be made by the Head of Finance and Assets in consultation with the Commercial Investment Board whereas anything over £12m is referred to the Executive Committee for deeper scrutiny and decision making.

Investment Indicators

The Authority has set the following quantitative indicators to allow elected members and the public to assess the Authority's total risk exposure as a result of its investment decisions.

Total risk exposure: The first indicator shows the Authority's total exposure to potential investment losses. This includes amounts the Authority is contractually committed to lend but have yet to be drawn down.

Table 5: Total investment exposure in £millions

Total investment exposure	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast
Treasury management investments	44.1	18.84	19.97
Commercial investments: Property	42.0	61.0	61.0
TOTAL INVESTMENTS	86.1	79.84	80.97

How investments are funded: Government guidance is that these indicators should include how investments are funded. Since the Authority does not normally associate particular assets with particular liabilities, this guidance is difficult to comply with. However, the following investments could be described as being funded by borrowing. The remainder of the Authority's investments are funded by usable reserves and income received in advance of expenditure.

We have no treasury management investments funded by borrowing and have no plans to do this in the future either.

Table 6: Investments funded by borrowing in £millions

Investments funded by borrowing	31.03.2020 Actual	31.03.2021 Forecast	31.03.2022 Forecast
Commercial investments: Property	29.50	39.44	38.90
TOTAL FUNDED BY BORROWING	29.50	39.44	38.90

Rate of return received: This indicator shows the investment income received less the associated costs, including the cost of borrowing where appropriate, as a proportion of the sum initially invested. Note that due to the complex local government accounting framework, not all recorded gains and losses affect the revenue account in the year they are incurred.

Table 7: Investment rate of return (net of all costs)

Investments net rate of return	2019/20 Actual	2020/21 Forecast	2021/22 Forecast
Treasury management investments	1.50%	1.51%	1.69%
Commercial investments: Property	3.60%	2.82%	3.25%
ALL INVESTMENTS	2.66%	2.32%	2.84%

Minimum Revenue Provision Statement 2021/22

Where the Authority finances capital expenditure by debt, it must put aside resources to repay that debt in later years. The amount charged to the revenue budget for the repayment of debt is known as Minimum Revenue Provision (MRP), although there has been no statutory minimum since 2008. The Local Government Act 2003 requires the Authority to have regard to the Ministry for Housing, Communities and Local Government's *Guidance on Minimum Revenue Provision* (the MHCLG Guidance) most recently issued in 2018.

The broad aim of the Guidance is to ensure that capital expenditure is financed over a period that is either reasonably commensurate with that over which the capital expenditure provides benefits, or, in the case of borrowing supported by Government Revenue Support Grant, reasonably commensurate with the period implicit in the determination of that grant.

The MHCLG Guidance requires the Authority to approve an Annual MRP Statement each year and recommends a number of options for calculating a prudent amount of MRP. The following statement incorporates options recommended in the Guidance.

For capital expenditure incurred after 31st March 2008, MRP will be determined by charging the expenditure over the expected useful life of the relevant asset as the principal repayment on an annuity with an annual interest rate of the Public Works Loan Board (PWL) annuity rate (less the 0.2% for certainty rate) for 20 years on the day of purchase, starting in the year after the asset becomes operational. MRP on expenditure not related to fixed assets but which has been capitalised by regulation or direction will be charged over 20 years.

MRP on purchases of freehold land will be charged over 50 years, except where the land is subsequently held for sale as part of an investment / economic development / regeneration project (in which case no MRP will be charged, the debt being repaid by applying the capital receipts / sale proceeds when received), or where the land is being held for future council development (in which case the MRP will be based on the asset life of the building(s) resulting from the development, commencing the year after those building(s) become operational).

For assets acquired by finance leases, MRP will be determined as being equal to the element of the rent or charge that goes to write down the balance sheet liability.

Capital expenditure incurred during 2021/22 will not be subject to a MRP charge until 2022/23.

Based on the Authority's latest estimate of its capital financing requirement (CFR) on 31st March 2021, the budget for MRP has been set as follows:

	31.03.2021 Estimated CFR £'000	2021/22 Estimated MRP £'000
Unsupported capital expenditure after 31.03.2008	55,007	882
Total General Fund	55,007	882

Treasury Management Strategy Statement 2021/22

Introduction

Treasury management is the management of the Authority's cash flows, borrowing and investments, and the associated risks. The Authority has borrowed and invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of financial risk are therefore central to the Authority's prudent financial management.

Treasury risk management at the Authority is conducted within the framework of the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2017 Edition* (the CIPFA Code) which requires the Authority to approve a treasury management strategy before the start of each financial year. This report fulfils the Authority's legal obligation under the *Local Government Act 2003* to have regard to the CIPFA Code.

Investments held for service purposes or for commercial profit are considered in a different report, the Investment Strategy.

External Context

Economic background: The impact on the UK from coronavirus, together with its exit from the European Union and future trading arrangements with the bloc, will remain a major influence on the Authority's treasury management strategy for 2021/22.

The Bank of England (BoE) maintained Bank Rate at 0.10% in November 2020 and also extended its Quantitative Easing programme by £150 billion to £895 billion. The Monetary Policy Committee voted unanimously for both, but no mention was made of the potential future use of negative interest rates. Within the latest forecasts, the Bank expects the UK economy to shrink -2% in Q4 2020 before growing by 7.25% in 2021, lower than the previous forecast of 9%. The BoE also forecasts the economy will now take until Q1 2022 to reach its pre-pandemic level rather than the end of 2021 as previously forecast.

UK Consumer Price Inflation (CPI) for September 2020 registered 0.5% year on year, up from 0.2% in the previous month. Core inflation, which excludes the more volatile components, rose to 1.3% from 0.9%. The most recent labour market data for the three months to August 2020 showed the unemployment rate rose to 4.5% while the employment rate fell to 75.6%. Both measures are expected to deteriorate further due to the ongoing impact of coronavirus on the jobs market, particularly when the various government job retention schemes start to be unwound in 2021, with the BoE forecasting unemployment will peak at 7.75% in Q2 2021. In August, the headline 3-month average annual growth rate for wages were 0% for total pay and 0.8% for regular pay. In real terms, after adjusting for inflation, total pay growth fell by -0.8% while regular pay was up 0.1%.

GDP growth fell by -19.8% in the second quarter of 2020, a much sharper contraction from -2.0% in the previous three months, with the annual rate falling -21.5% from -1.6%. All sectors fell quarter-on-quarter, with dramatic declines in construction (-35.7%), services (-19.2%) and production (-16.3%), and a more modest fall in agriculture (-5.9%). Monthly GDP estimates have shown the economy is recovering but remains well below its pre-pandemic peak. Looking ahead, the BoE's November Monetary Policy Report forecasts economic growth will rise in 2021 with GDP reaching 11% in Q4 2021, 3.1% in Q4 2022 and 1.6% in Q4 2023.

GDP growth in the euro zone rebounded by 12.7% in Q3 2020 after contracting by -3.7% and -11.8% in the first and second quarters, respectively. Headline inflation, however, remains extremely weak, registering -0.3% year-on-year in October, the third successive month of deflation. Core inflation registered 0.2% y/y, well below the European Central Bank's (ECB) target of 'below, but close to 2%'. The ECB is expected to continue holding its main interest rate of 0% and deposit facility rate of -0.5% for some time with further monetary stimulus expected later in 2020.

The US economy contracted at an annualised rate of 31.7% in Q2 2020 and then rebounded by 33.1% in Q3. The Federal Reserve maintained the Fed Funds rate at between 0% and 0.25% and announced a change to its inflation targeting regime to a more flexible form of average targeting. The Fed also provided strong indications that interest rates are unlikely to change from current levels over the next three years.

Former vice-president Joe Biden won the 2020 US presidential election. Mr Biden is making tackling coronavirus his immediate priority and will also be reversing several executive orders signed by his predecessor and take the US back into the Paris climate accord and the World Health Organization.

Credit outlook: After spiking in late March as coronavirus became a global pandemic, credit default swap (CDS) prices for the larger UK banks have steadily fallen back to almost pre-pandemic levels. Although uncertainly around COVID-19 related loan defaults lead to banks provisioning billions for potential losses in the first half of 2020, drastically reducing profits, reported impairments for Q3 were much reduced in some institutions. However, general bank profitability in 2020 is likely to be significantly lower than in previous years.

The credit ratings for many UK institutions were downgraded on the back of downgrades to the sovereign rating. Credit conditions more generally though in banks and building societies have tended to be relatively benign, despite the impact of the pandemic.

Looking forward, the potential for bank losses to be greater than expected when government and central bank support starts to be removed remains a risk, as does the UK not achieving a Brexit deal, suggesting a cautious approach to bank deposits in 2021/22 remains advisable.

Interest rate forecast: The Authority's treasury management adviser Arlingclose is forecasting that BoE Bank Rate will remain at 0.1% until at least the end of 2023. The risks to this forecast are judged to be to the downside as the BoE and UK government continue to react to the coronavirus pandemic and the Brexit transition period ends. The BoE extended its asset purchase programme to £895 billion in November while keeping Bank Rate on hold. However, further interest rate cuts to zero, or possibly negative, cannot yet be ruled out but this is not part of the Arlingclose central forecast.

Gilt yields are expected to remain very low in the medium-term while short-term yields are likely remain below or at zero until such time as the BoE expressly rules out the chance of negative interest rates or growth/inflation prospects improve. The central case is for 10-year and 20-year to rise to around 0.5% and 0.75% respectively over the time horizon. The risks around the gilt yield forecasts are judged to be broadly balanced between upside and downside risks, but there will almost certainly be short-term volatility due to economic and political uncertainty and events.

A more detailed economic and interest rate forecast provided by Arlingclose is attached at Appendix A.

For the purpose of setting the budget, it has been assumed that treasury investments generate an average income rate of return of 1.69%, and that loans will be borrowed at an average rate of 1.29%.

Local Context

On 31st December 2020, the Authority held £39.67m of borrowing and £26.99m of treasury investments. This is set out in further detail at **Appendix B**. Forecast changes in these sums are shown in the balance sheet analysis in table 1 below.

Table 1: Balance sheet summary and forecast

	31.3.20 Actual £m	31.3.21 Estimate £m	31.3.22 Forecast £m	31.3.23 Forecast £m	31.3.24 Forecast £m
General Fund CFR	36.15	55.00	54.13	53.22	52.22
Less: External borrowing	44.5	39.44	38.90	38.36	37.82
Internal borrowing	(8.35)	15.56	15.23	14.86	14.4
Less: Usable reserves	18.71	14.6	13.8	12.7	12.7
Less: Working capital	16.89	19.4	21.4	23.4	23.4
Treasury investments	43.95	18.44	19.97	21.24	21.70

The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. The Authority's current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing.

The Authority has an increasing CFR due to the capital programme, but minimal investments and will therefore be required to borrow up to £39.44m over the forecast period.

CIPFA's *Prudential Code for Capital Finance in Local Authorities* recommends that the Authority's total debt should be lower than its highest forecast CFR over the next three years. Table 1 shows that the Authority expects to comply with this recommendation during 2021/22.

Liability benchmark: To compare the Council's actual borrowing against an alternative strategy, a liability benchmark has been calculated showing the lowest risk level of borrowing. This assumes the same forecasts as table 1 above, but that cash and investment balances are kept to a minimum level of £10m at each year-end to maintain sufficient liquidity but minimise credit risk.

Table 2: Liability benchmark

	31.3.20 Actual £m	31.3.21 Estimate £m	31.3.22 Forecast £m	31.3.23 Forecast £m	31.3.24 Forecast £m
CFR	36.15	55.00	54.13	53.22	52.22
Less: Usable reserves	18.71	14.6	13.8	12.7	12.7
Less: Working capital	16.89	19.4	21.4	23.4	23.4
Plus: Minimum investments	10.0	10.0	10.0	10.0	10.0
Liability benchmark	10.55	31.00	28.93	27.12	26.12

Borrowing Strategy

The Authority currently holds £39.44 million of loans, a decrease of £5.06 million on the previous year, as part of its strategy for funding previous years' capital programmes. The balance sheet forecast in table 1 shows that the Authority expects to borrow up to £39.44m in 2021/22. The Authority may however borrow to pre-fund future years' requirements, providing this does not exceed the authorised limit for borrowing of £60 million.

Objectives: The Authority's chief objective when borrowing money is to strike an appropriately low risk balance between securing low interest costs and achieving certainty of those costs over the period for which funds are required. The flexibility to renegotiate loans should the Authority's long-term plans change is a secondary objective.

Strategy: Given the significant cuts to public expenditure and in particular to local government funding, the Authority's borrowing strategy continues to address the key issue of affordability without compromising the longer-term stability of the debt portfolio. With short-term interest rates currently much lower than long-term rates, it is likely to be more cost effective in the short-term to either use internal resources, or to borrow short-term loans instead.

By doing so, the Authority is able to reduce net borrowing costs (despite foregone investment income) and reduce overall treasury risk. The benefits of short-term borrowing will be monitored regularly against the potential for incurring additional costs by deferring borrowing into future years when long-term borrowing rates are forecast to rise modestly. Arlingclose will assist the Authority with this 'cost of carry' and breakeven analysis. Its output may determine whether the Authority borrows additional sums at long-term fixed rates in 2021/22 with a view to keeping future interest costs low, even if this causes additional cost in the short-term.

The Authority has previously raised all of its long-term borrowing from the PWLB but will consider long-term loans from other sources including banks, pensions and local authorities, and will investigate the possibility of issuing bonds and similar instruments, in order to lower interest costs and reduce over-reliance on one source of funding in line with the CIPFA Code. PWLB loans are no longer available to local authorities planning to buy investment assets primarily for yield; the Authority intends to avoid this activity in order to retain its access to PWLB loans.

Alternatively, the Authority may arrange forward starting loans, where the interest rate is fixed in advance, but the cash is received in later years. This would enable certainty of cost to be achieved without suffering a cost of carry in the intervening period.

In addition, the Authority may borrow further short-term loans to cover unplanned cash flow shortages.

Sources of borrowing: The approved sources of long-term and short-term borrowing are:

- HM Treasury's PWLB lending facility (formerly the Public Works Loan Board)
- any institution approved for investments (see below)
- any other bank or building society authorised to operate in the UK
- any other UK public sector body
- UK public and private sector pension funds
- capital market bond investors
- UK Municipal Bonds Agency plc and other special purpose companies created to enable local authority bond issues

Other sources of debt finance: In addition, capital finance may be raised by the following methods that are not borrowing, but may be classed as other debt liabilities:

- leasing
- hire purchase
- Private Finance Initiative
- sale and leaseback

Municipal Bonds Agency: UK Municipal Bonds Agency plc was established in 2014 by the Local Government Association as an alternative to the PWLB. It issues bonds on the capital markets and lends the proceeds to local authorities. This is a more complicated source of finance than the PWLB for two reasons: borrowing authorities will be required to provide bond investors with a guarantee to refund their investment in the event that the agency is unable to for any reason; and there will be a lead time of several months between committing to borrow and knowing the interest rate payable. Any decision to borrow from the Agency will therefore be the subject of a separate report to full Council.

Short-term and variable rate loans: These loans leave the Authority exposed to the risk of short-term interest rate rises and are therefore subject to the interest rate exposure limits in the treasury management indicators below. Financial derivatives may be used to manage this interest rate risk (see section below).

Debt rescheduling: The PWLB allows authorities to repay loans before maturity and either pay a premium or receive a discount according to a set formula based on current interest rates. Other lenders may also be prepared to negotiate premature redemption terms. The Authority may take advantage of this and replace some loans with new loans, or repay loans without replacement, where this is expected to lead to an overall cost saving or a reduction in risk.

Treasury Investment Strategy

The Authority holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. In the past 12 months, the Authority's treasury investment balance has ranged between £26.99 and £29.06 million, but expects lower levels of between £16m and £25 in the forthcoming year due to the use of internal funds in purchasing investment property.

Objectives: The CIPFA Code requires the Authority to invest its treasury funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Authority's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income. Where balances are expected to be invested for more than one year, the Authority will aim to achieve a total return that is equal or higher than the prevailing rate of inflation, in order to maintain the spending power of the sum invested.

Negative interest rates: The COVID-19 pandemic has increased the risk that the Bank of England will set its Bank Rate at or below zero, which is likely to feed through to negative interest rates on all low risk, short-term investment options. Since investments cannot pay negative income, negative rates will be applied by reducing the value of investments. In this event, security will be measured as receiving the contractually agreed amount at maturity, even though this may be less than the amount originally invested.

Strategy: Given the increasing risk and very low returns from short-term unsecured bank investments, the Authority aims to further diversify into more secure and/or higher yielding asset classes during 2021/22. This is especially the case for the estimated £5m that is available for longer-term investment. A dwindling proportion of the Authority's surplus cash remains invested in short-term unsecured bank deposits. This diversification will represent a continuation of the strategy adopted in 2018/19.

Business models: Under the new IFRS 9 standard, the accounting for certain investments depends on the Authority’s “business model” for managing them. The Authority aims to achieve value from its treasury investments by a business model of collecting the contractual cash flows and therefore, where other criteria are also met, these investments will continue to be accounted for at amortised cost.

Approved counterparties: The Authority may invest its surplus funds with any of the counterparty types in table 3 below, subject to the limits shown.

Table 3: Treasury investment counterparties and limits

Sector	Time limit	Counterparty limit	Sector limit
The UK Government	50 years	Unlimited	n/a
Local authorities & other government entities	25 years	£2m	Unlimited
Secured investments *	25 years	£2m	Unlimited
Banks (unsecured) *	13 months	£2m	Unlimited
Building societies (unsecured) *	13 months	£1m	£2m
Registered providers (unsecured) *	5 years	£2m	£5m
Money market funds *	n/a	£2m	Unlimited
Strategic pooled funds	n/a	£4m for CCLA Property Fund for & £2m for all other pooled funds	£10m
Real estate investment trusts	n/a	£2m	£5m
Other investments *	5 years	£1m	£2m

This table must be read in conjunction with the notes below

*** Minimum credit rating:** Treasury investments in the sectors marked with an asterisk will only be made with entities whose lowest published long-term credit rating is no lower than [A-]. Where available, the credit rating relevant to the specific investment or class of investment is used, otherwise the counterparty credit rating is used. However, investment decisions are never made solely based on credit ratings, and all other relevant factors including external advice will be taken into account.

Government: Loans to, and bonds and bills issued or guaranteed by, national governments, regional and local authorities and multilateral development banks. These investments are not subject to bail-in, and there is generally a lower risk of insolvency, although they are not zero risk. Investments with the UK Government are deemed to be zero credit risk due to its ability to create additional currency and therefore may be made in unlimited amounts for up to 50 years.

Secured investments: Investments secured on the borrower’s assets, which limits the potential losses in the event of insolvency. The amount and quality of the security will be a key factor in the investment decision. Covered bonds and reverse repurchase agreements with banks and building societies are exempt from bail-in. Where there is no investment specific credit rating, but the collateral upon which the investment is secured has a credit rating, the higher of the collateral credit rating and the counterparty credit rating will be used. The combined secured and unsecured investments with any one counterparty will not exceed the cash limit for secured investments.

Banks and building societies (unsecured): Accounts, deposits, certificates of deposit and senior unsecured bonds with banks and building societies, other than multilateral development banks. These investments are subject to the risk of credit loss via a bail-in should the regulator determine that the bank is failing or likely to fail. See below for arrangements relating to operational bank accounts.

Registered providers (unsecured): Loans to, and bonds issued or guaranteed by, registered providers of social housing or registered social landlords, formerly known as housing associations. These bodies are regulated by the Regulator of Social Housing (in England), the Scottish Housing Regulator, the Welsh Government and the Department for Communities (in Northern Ireland). As providers of public services, they retain the likelihood of receiving government support if needed.

Money market funds: Pooled funds that offer same-day or short notice liquidity and very low or no price volatility by investing in short-term money markets. They have the advantage over bank accounts of providing wide diversification of investment risks, coupled with the services of a professional fund manager in return for a small fee. Although no sector limit applies to money market funds, the Authority will take care to diversify its liquid investments over a variety of providers to ensure access to cash at all times.

Strategic pooled funds: Bond, equity and property funds that offer enhanced returns over the longer term but are more volatile in the short term. These allow the Authority to diversify into asset classes other than cash without the need to own and manage the underlying investments. Because these funds have no defined maturity date, but are available for withdrawal after a notice period, their performance and continued suitability in meeting the Authority's investment objectives will be monitored regularly.

Real estate investment trusts: Shares in companies that invest mainly in real estate and pay the majority of their rental income to investors in a similar manner to pooled property funds. As with property funds, REITs offer enhanced returns over the longer term, but are more volatile especially as the share price reflects changing demand for the shares as well as changes in the value of the underlying properties.

Other investments: This category covers treasury investments not listed above, for example unsecured corporate bonds and company loans. Non-bank companies cannot be bailed-in but can become insolvent placing the Authority's investment at risk.

Operational bank accounts: The Authority may incur operational exposures, for example through current accounts, collection accounts and merchant acquiring services, to any UK bank with credit ratings no lower than BBB- and with assets greater than £25 billion. These are not classed as investments but are still subject to the risk of a bank bail-in, and balances will therefore be kept below £4m per bank. The Bank of England has stated that in the event of failure, banks with assets greater than £25 billion are more likely to be bailed-in than made insolvent, increasing the chance of the Authority maintaining operational continuity.

Risk assessment and credit ratings: Credit ratings are obtained and monitored by the Authority's treasury advisers, who will notify changes in ratings as they occur. The credit rating agencies in current use are listed in the Treasury Management Practices document. Where an entity has its credit rating downgraded so that it fails to meet the approved investment criteria then:

- no new investments will be made,
- any existing investments that can be recalled or sold at no cost will be, and
- full consideration will be given to the recall or sale of all other existing investments with the affected counterparty.

Where a credit rating agency announces that a credit rating is on review for possible downgrade (also known as "negative watch") so that it may fall below the approved rating criteria, then only investments that can be withdrawn on the next working day will be made with that organisation until the outcome of the

review is announced. This policy will not apply to negative outlooks, which indicate a long-term direction of travel rather than an imminent change of rating.

Other information on the security of investments: The Authority understands that credit ratings are good, but not perfect, predictors of investment default. Full regard will therefore be given to other available information on the credit quality of the organisations in which it invests, including credit default swap prices, financial statements, information on potential government support, reports in the quality financial press and analysis and advice from the Authority's treasury management adviser. No investments will be made with an organisation if there are substantive doubts about its credit quality, even though it may otherwise meet the above criteria.

When deteriorating financial market conditions affect the creditworthiness of all organisations, as happened in 2008 and 2020, this is not generally reflected in credit ratings, but can be seen in other market measures. In these circumstances, the Authority will restrict its investments to those organisations of higher credit quality and reduce the maximum duration of its investments to maintain the required level of security. The extent of these restrictions will be in line with prevailing financial market conditions. If these restrictions mean that insufficient commercial organisations of high credit quality are available to invest the Authority's cash balances, then the surplus will be deposited with the UK Government, or with other local authorities. This will cause investment returns to fall but will protect the principal sum invested.

Investment limits: The Authority's revenue reserves available to cover investment losses are forecast to be £1.80 million on 31st March 2021. The maximum that will be lent to any one organisation (other than the UK Government) will be £2 million with the exception of the CCLA Property Fund which has a limit of £4m as part of the balanced pooled fund portfolio. A group of entities under the same ownership will be treated as a single organisation for limit purposes.

Credit risk exposures arising from non-treasury investments, financial derivatives and balances held for cash flow purposes in operational bank accounts count against the relevant investment limits.

Limits are also placed on fund managers, investments in brokers' nominee accounts and foreign countries as below. Investments in pooled funds and multilateral development banks do not count against the limit for any single foreign country, since the risk is diversified over many countries.

Table 4: Additional investment limits

	Cash limit
Any group of pooled funds under the same management	£5m per manager
Negotiable instruments held in a broker's nominee account	£5m per broker
Foreign countries	£2m per country

Liquidity management: The Authority uses purpose-built cash flow forecasting software to determine the maximum period for which funds may prudently be committed. The forecast is compiled on a prudent basis to minimise the risk of the Authority being forced to borrow on unfavourable terms to meet its financial commitments. Limits on long-term investments are set by reference to the Authority's medium-term financial plan and cash flow forecast.

The Authority will spread its liquid cash over at least four providers (e.g. bank accounts and money market funds) to ensure that access to cash is maintained in the event of operational difficulties at any one provider.

Treasury Management Indicators

The Authority measures and manages its exposures to treasury management risks using the following indicators.

Security: The Authority has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit rating of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Credit risk indicator	Target
Portfolio average credit rating	A

Interest rate exposures: This indicator is set to control the Authority's exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest rates will be:

Interest rate risk indicator	Limit
Upper limit on one-year revenue impact of a 1% <u>rise</u> in interest rates	£552,000
Upper limit on one-year revenue impact of a 1% <u>fall</u> in interest rates	£142,000

The impact of a change in interest rates is calculated on the assumption that maturing loans and investments will be replaced at current rates.

Maturity structure of borrowing: This indicator is set to control the Authority's exposure to refinancing risk. The upper and lower limits on the maturity structure of borrowing will be:

Refinancing rate risk indicator	Upper limit	Lower limit
Under 12 months	100%	0%
12 months and within 24 months	100%	0%
24 months and within 5 years	100%	0%
5 years and within 10 years	100%	0%
10 years and above	100%	0%

Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal sums invested for periods longer than a year: The purpose of this indicator is to control the Authority's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

Price risk indicator	2021/22	2022/23	2023/24
Limit on principal invested beyond year end	£6m	£5m	£4m

Related Matters

The CIPFA Code requires the Authority to include the following in its treasury management strategy.

Financial derivatives: Local authorities have previously made use of financial derivatives embedded into loans and investments both to reduce interest rate risk (e.g. interest rate collars and forward deals) and to reduce costs or increase income at the expense of greater risk (e.g. LOBO loans and callable deposits). The general power of competence in section 1 of the *Localism Act 2011* removes much of the uncertainty over local authorities' use of standalone financial derivatives (i.e. those that are not embedded into a loan or investment).

The Authority will only use standalone financial derivatives (such as swaps, forwards, futures and options) where they can be clearly demonstrated to reduce the overall level of the financial risks that the Authority is exposed to. Additional risks presented, such as credit exposure to derivative counterparties, will be taken into account when determining the overall level of risk. Embedded derivatives, including those present in pooled funds and forward starting transactions, will not be subject to this policy, although the risks they present will be managed in line with the overall treasury risk management strategy.

Financial derivative transactions may be arranged with any organisation that meets the approved investment criteria, assessed using the appropriate credit rating for derivative exposures. An allowance for credit risk calculated using the methodology in the Treasury Management Practices document will count against the counterparty credit limit and the relevant foreign country limit.

In line with the CIPFA Code, the Authority will seek external advice and will consider that advice before entering into financial derivatives to ensure that it fully understands the implications.

Markets in Financial Instruments Directive: The Authority has opted up to professional client status with its providers of financial services, including advisers, banks, brokers and fund managers, allowing it access to a greater range of services but without the greater regulatory protections afforded to individuals and small companies. Given the size and range of the Authority's treasury management activities, the Head of Finance and Assets believes this to be the most appropriate status.

Financial Implications

The budget for investment income in 2021/22 is £347K, based on an average investment portfolio of £20.5 million at an interest rate of 1.69%. The budget for debt interest paid in 2021/22 is £478K, based on an average debt portfolio of £37.0 million at an average interest rate of 1.29%. If actual levels of investments and borrowing, or actual interest rates, differ from those forecast, performance against budget will be correspondingly different.

Other Options Considered

The CIPFA Code does not prescribe any particular treasury management strategy for local authorities to adopt. The Head of Finance and Assets, having consulted the Cabinet Member for Finance, believes that the above strategy represents an appropriate balance between risk management and cost effectiveness. Some alternative strategies, with their financial and risk management implications, are listed below.

Alternative	Impact on income and expenditure	Impact on risk management
Invest in a narrower range of counterparties and/or for shorter times	Interest income will be lower	Lower chance of losses from credit related defaults, but any such losses may be greater
Invest in a wider range of counterparties and/or for longer times	Interest income will be higher	Increased risk of losses from credit related defaults, but any such losses may be smaller
Borrow additional sums at long-term fixed interest rates	Debt interest costs will rise; this is unlikely to be offset by higher investment income	Higher investment balance leading to a higher impact in the event of a default; however long-term interest costs may be more certain
Borrow short-term or variable loans instead of long-term fixed rates	Debt interest costs will initially be lower	Increases in debt interest costs will be broadly offset by rising investment income in the medium term, but long-term costs may be less certain
Reduce level of borrowing	Saving on debt interest is likely to exceed lost investment income	Reduced investment balance leading to a lower impact in the event of a default; however long-term interest costs may be less certain

Appendix A – Arlingclose Economic & Interest Rate Forecast - November 2020**Underlying assumptions:**

- The medium-term global economic outlook remains weak. Second waves of Covid cases have prompted more restrictive measures and further lockdowns in Europe and the UK. This ebb and flow of restrictions on normal activity will continue for the foreseeable future, at least until an effective vaccine is produced and importantly, distributed.
- The global central bank and government responses have been significant and are in many cases on-going, maintaining more stable financial, economic and social conditions than otherwise.
- Although these measures supported a sizeable economic recovery in Q3, the imposition of a second national lockdown in England during November will set growth back and likely lead to a fall in GDP in Q4.
- Signs of a slowing economic recovery were already evident in UK monthly GDP and PMI data, even before the latest restrictions. Despite some extension to fiscal support measures, unemployment is expected to rise when these eventually come to an end in mid-2021.
- This situation will result in central banks maintaining low interest rates for the medium term. In the UK, Brexit is a further complication. Bank Rate is therefore likely to remain at low levels for a very long time, with a distinct possibility of being cut to zero. Money markets continue to price in a chance of negative Bank Rate.
- Longer-term yields will also remain depressed, anchored by low central bank policy rates, expectations for potentially even lower rates and insipid inflation expectations. There is a chance yields may follow a slightly different path in the medium term, depending on investor perceptions of growth and inflation, the development of a vaccine or if the UK leaves the EU without a deal.

Forecast:

- Arlingclose expects Bank Rate to remain at the current 0.10% level.
- Additional monetary loosening through increased financial asset purchases was delivered as we expected. Our central case for Bank Rate is no change, but further cuts to zero, or perhaps even into negative territory, cannot be completely ruled out.
- Gilt yields will remain low in the medium term. Shorter term gilt yields are currently negative and will remain around zero or below until either the Bank expressly rules out negative Bank Rate or growth/inflation prospects improve.
- Downside risks remain in the near term, as the government continues to react to the escalation in infection rates and the Brexit transition period comes to an end.

	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23
Official Bank Rate													
Upside risk	0.00	0.00	0.00	0.15	0.15	0.15	0.15	0.30	0.30	0.30	0.30	0.30	0.30
Arlingclose Central Case	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10	0.10
Downside risk	-0.10	-0.20	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
3-month money market rate													
Upside risk	0.05	0.05	0.05	0.10	0.10	0.15	0.20	0.30	0.30	0.30	0.30	0.30	0.30
Arlingclose Central Case	0.10	0.10	0.15	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
Downside risk	-0.40	-0.40	-0.45	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
5yr gilt yield													
Upside risk	0.40	0.40	0.40	0.45	0.45	0.50	0.50	0.55	0.60	0.60	0.65	0.65	0.70
Arlingclose Central Case	0.00	0.00	0.05	0.10	0.15	0.15	0.20	0.20	0.25	0.25	0.25	0.25	0.25
Downside risk	-0.30	-0.40	-0.50	-0.55	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60	-0.60
10yr gilt yield													
Upside risk	0.40	0.40	0.40	0.45	0.45	0.50	0.50	0.55	0.60	0.60	0.65	0.65	0.70
Arlingclose Central Case	0.30	0.30	0.35	0.40	0.40	0.45	0.45	0.50	0.50	0.55	0.55	0.55	0.55
Downside risk	-0.30	-0.40	-0.50	-0.55	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50	-0.50
20yr gilt yield													
Upside risk	0.40	0.40	0.40	0.45	0.45	0.50	0.50	0.55	0.60	0.60	0.65	0.65	0.70
Arlingclose Central Case	0.70	0.70	0.70	0.75	0.75	0.75	0.80	0.80	0.85	0.85	0.85	0.85	0.85
Downside risk	-0.20	-0.20	-0.25	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30
50yr gilt yield													
Upside risk	0.40	0.40	0.40	0.45	0.45	0.50	0.50	0.55	0.60	0.60	0.65	0.65	0.70
Arlingclose Central Case	0.60	0.60	0.60	0.65	0.65	0.65	0.70	0.70	0.75	0.75	0.75	0.75	0.75
Downside risk	-0.20	-0.20	-0.25	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30	-0.30

PWLB Certainty Rate (Maturity Loans) = Gilt yield + 1.80% PWLB HRA Rate = Gilt yield + 0.80%

PWLB Infrastructure Rate (Maturity Loans) = Gilt yield + 0.60%

Appendix B – Existing Investment & Debt Portfolio Position

	Dec-20 Actual Portfolio £m	Dec-20 Average Rate %
External borrowing:		
Public Works Loan Board	21.66	1.92
Local authorities	18.00	0.31
LOBO loans from banks	0.00	n/a
Other loans	0.00	n/a
Total external borrowing	39.66	1.19
Other long-term liabilities:		
Private Finance Initiative	0.00	n/a
Leases	0.00	n/a
Transferred Debt	0.00	n/a
Total other long-term liabilities	0.00	n/a
Total gross external debt	39.66	1.19
Treasury investments:		
Banks & building societies (unsecured)	3.00	0.12
Registered Providers	3.00	1.70
Government (incl. local authorities)	10.00	0.52
Corporate bonds and loans	0.00	n/a
Money Market Funds	2.00	0.01
Other pooled funds	8.99	4.27
Real estate investment trusts	0.00	n/a
Total treasury investments	26.99	1.79
Net Investments	(12.67)	

Flexible use of Capital Receipts Strategy

Introduction

As part of the November 2015 Spending Review, the Government announced that it would introduce flexibility for the period of the Spending Review for local authorities to use capital receipts from the sale of non-housing assets to fund the revenue costs of service reform and transformation. Guidance on the use of this flexibility was issued in March 2016 which applies to the financial years 2016/17 through to 2019/20. In December 2017 the Secretary of State announced that this flexibility would be extended for a further 3 years (until 2021-2022).

The Guidance

The guidance issued by the Secretary of State under section 15(1)(a) of the Local Government Act 2003 specified that;

- Local authorities will only be able to use capital receipts from the sale of property, plant and equipment received in the years in which this flexibility is offered. They may not use their existing stock of capital receipts to finance the revenue costs of reform.
- Local authorities cannot borrow to finance the revenue costs of the service reforms.
- The expenditure for which the flexibility can be applied should be the up-front (set up or implementation) costs that will generate future ongoing savings and/or transform service delivery to reduce costs or to improve the quality of service delivery in future years. The ongoing revenue costs of the new processes or arrangements cannot be classified as qualifying expenditure.
- The key determining criteria to use when deciding whether expenditure can be funded by the new capital receipts flexibility is that it is forecast to generate ongoing savings to an authority's net service expenditure.
- In using the flexibility, the Council will have due regard to the requirements of the Prudential Code, the CIPFA Local Authority Accounting Code of Practice and the current edition of the Treasury Management in Public Services Code of Practice.

The Council is also required to prepare a "Flexible use of capital receipts strategy" before the start of the year to be approved by Council which can be part of budget report to Council. This is that Strategy.

The guidance sets out examples of qualifying expenditure which includes;

- *Sharing back-office and administrative services with one or more other council or public sector bodies;*
- *Investment in service reform feasibility work, e.g. setting up pilot schemes;*
- *Collaboration between local authorities and central government departments to free up land for economic use;*
- *Funding the cost of service reconfiguration, restructuring or rationalisation (staff or non-staff), where this leads to ongoing efficiency savings or service transformation;*
- *Sharing Chief-Executives, management teams or staffing structures;*
- *Driving a digital approach to the delivery of more efficient public services and how the public interacts with constituent authorities where possible;*
- *Aggregating procurement on common goods and services where possible, either as part of local arrangements or using Crown Commercial Services or regional procurement hubs or Professional Buying Organisations;*
- *Improving systems and processes to tackle fraud and corruption in line with the Local Government Fraud and Corruption Strategy – this could include an element of staff training;*
- *Setting up commercial or alternative delivery models to deliver services more efficiently and bring in revenue (for example, through selling services to others);*
- *Integrating public facing services across two or more public sector bodies (for example children’s social care, trading standards) to generate savings or to transform service delivery.*

The Council’s Proposals

The Council has no new intentions for the use of flexibility over capital receipts to support transformational projects in 2021/22 as follows:

The Council has already approved the following projects in its 2020/21 budget:

1. £40,000 to support service reform feasibility work within the waste collection and recycling service area

Previous uses of the flexible use of capital receipts have now been expended

Impact on Prudential Indicators

The Council will have due regard to the requirements of the Prudential Code and the impact on its prudential indicators from implementing the proposed schemes.

As transformation proposals develop, the expenditure to be incurred will be included in the capital programme to be funded by capital receipts generated in the financial year. The capital expenditure prudential indicators will be amended and approved as appropriate.

These receipts have not been earmarked as funding for any other proposed capital expenditure and therefore there is no anticipated additional impact on the Council's prudential indicators as set out in the Council's Treasury Management Strategy.

The Council will also have due regard to the Local Authority Accounting Code of Practice when determining and including the entries required from undertaking and funding this scheme within the Council's Statement of Accounts

Monitoring this Strategy

This strategy will be monitored throughout the financial year and may be updated and replaced as proposals are developed and expenditure is incurred.

2021

Message from the leader

Councillor Rob Bird

Following a year of unprecedented challenge for our borough and, indeed, for the nation, I am pleased to report that Tewkesbury Borough Council's response to the Covid-19 pandemic has now shifted from emergency support to recovery, providing help that will enable residents, communities and businesses prosper again. Our Covid-19 Recovery Plan, approved by council members, gives us a focus on improvement for the future, and the flexibility to adapt as things change.

Despite the challenges of the pandemic, our council has successfully continued to implement the priorities we agreed in the Council Plan 2020-2024. Our ambition to ensure that we deliver for the future, with housing for young people and generations to come, sustainable and thriving communities, a prosperous local economy, and cost-effective services designed around the customer, has been pursued with enthusiasm and drive.

Back in March 2020 a peer review of Tewkesbury Borough Council provided a very encouraging report on the council's performance, indicating clear areas of strength, and setting out some valuable advice about how we can improve to deliver on our ambition. We will ensure that we pursue the subsequent action plan carefully, to help achieve the objectives we have set.

“ This year's State of the Borough provides a wealth of information on what the council has been doing over the past 12 months – and it's really clear to see that while responding to the pandemic has been a priority, there has been so many other **significant achievements of which we are extremely proud.**



Councillor Rob Bird, Leader

Finance and resources

- Our investment portfolio continues to perform very well with our return income being significantly higher than the local council average.
- The purchase of a Volvo garage in Crawley brought our total investment in commercial property to £60m. The portfolio generates around £3.43m (5.73%) gross rental resulting in just under £2m benefit to the council.
- Avoiding the potential closure of Cleeve Hill Golf Club due to financial unviability, we agreed and signed a new long-term lease with a tenant who will transform the facilities, offering locals, visitors and golfers a really exciting place to visit.
- Our trade waste service is set to be transformed. Following the development of a business case, we are now looking to recruit a trade waste officer to carry out a full review of the service. Improvements set to be around our offering (including considering a recycling service), our commercial approach, and the marketing of the service.
- In January, we took the decision to extend the contract with Ubico for another five years from 1 April 2022. We have been a partner in Ubico since 2015 and we are looking forward to continuing to work in partnership with them.
- We hosted a fully-funded Local Government Association Peer Challenge, which saw a team of six senior officers and members from other councils engage with more than 120 people over four days. Effective leadership, embracing digital change, engaged staff with a 'can do' attitude and a good understanding of its place was just some of the positive feedback we received.
- Despite there being no financially viable option but to increase council tax, our services continue to be provided at excellent value-for-money - with our council tax remaining the sixth lowest in the country.



Economic growth

- **We've appointed a Heritage Action Zone co-ordinator** to help us deliver this exciting three-year programme. Activities include a grant scheme for improving shop fronts, and the setting up of a culture consortium made up of 12 local community groups. The consortium, called Tewkesbury Culture, is aimed at promoting Tewkesbury's fantastic culture. It has already delivered Light Up for Tewkesbury, after the town's Christmas lights switch-on was cancelled due to the pandemic.
- **Tewkesbury Culture has been successful in its bid to historic England** for up to £80,000 to cover projects for the next three years entitled 'Rise up Tewkesbury Culture'. Projects include setting up a 'youth space', Tewkesbury in Medieval Bloom' (a school project), Tewkesbury festival of light and Tewkesbury Arts Festival.
- **The Growth Hub delivered over 100 events** throughout the year which included online business workshops and 1-2-1 events to help support businesses with social media, video promotion, branding, developing eco-businesses and social enterprise.
- **The examination into our Tewkesbury Borough Local Plan took place** – with adoption expected early next year.
- **We are a member of the steering group helping to shape Tewkesbury 2021** celebrations, and provided £25,000 of funding to support the events that are able to take place. While many have been scaled back due to the pandemic, events taking place include a son et lumiere, Tewkesbury Tapestry community artwork and school engagement through a virtual festival.
- **We continue to work with Cheltenham Borough Council in supporting Gloucestershire County Council** to meet the funding contract conditions and preparations for delivery of an all-ways Junction 10 on the M5. Gloucestershire County Council was awarded £249m to deliver the project.



Housing and communities

- **We agreed a Local Development Scheme** which sets out the timetable for a review of our Joint Core Strategy (which sets out the overall housing and employment land requirements for our area).
- **The first stages of the Housing Needs Assessment** were carried out by Gloucestershire Rural Community Council (GRCC). These surveys focus on Community Led Housing (CLH) within rural areas where people and communities play a leading role in addressing their own housing needs.
- **We recognised the complexity around the new Community Infrastructure Levy (CIL)** and delivered a well-received seminar for parish councils to help them prepare for the funding. This has seen multiple parish councils receive CIL payments collectively totaling to over £192k.
- **We now manage five temporary accommodation properties in-house** - resulting in £18,000 of savings. Our Property Services team oversees the maintenance of these properties while our Housing Services team manages the tenants.
- **We supported 276 community groups with funding advice**, including creating funding plans, reviewing funding applications and linking with other groups and projects in the area.
- **We donated 21 surplus laptops** to Gloucestershire Voluntary Community Sector Alliance and IT Schools for Africa to help those most in need of the IT equipment.
- **We supported the Office for National Statistics (ONS)** with promoting the Census 2021 with its first digital survey. Our borough's response rate exceeded expectations and 97 per cent of households completed the survey across England and Wales.
- The borough's population was rated one of the **top five fastest growing districts** outside of London (2020 ONS).



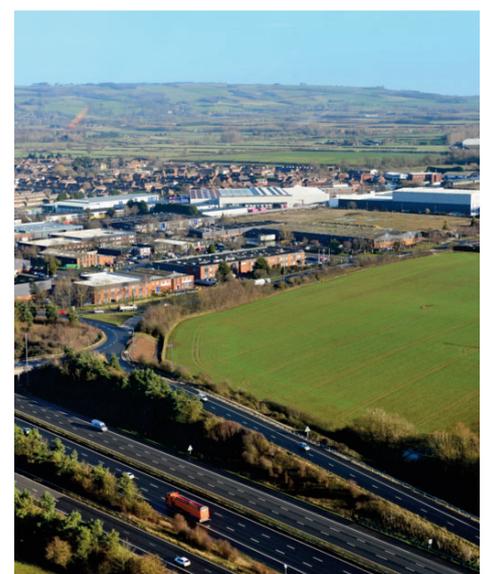
Customer first

- **More than 85 per cent of garden waste club customers are renewing online**, freeing up our customer services to support the customers who really need over the phone support.
- **Our new communications strategy was approved**, which will help us to ensure we're continuing to engage effectively with our customers and promoting the work we do.
- **We launched a new Business Transformation Team**, which brings together specialist skills and talent to help us push forward our improvement projects. Work includes launching a new digital platform, carrying out a review of our bulky waste service and reviewing our corporate website.
- **We launched a new bulky waste service**, with customers being able to make a booking online for the first time. The changes include a new contractor running the service and now at least 75 per cent of items are recycled or reused. The new service also introduced a more commercial pricing structure, a reduction in wait times from six weeks to one week, automated customer communications and improved back-office processes. We are on target to make £90,000 savings in the first year.
- **A new Customer Care Strategy was approved**, which includes a refreshed set of customer care standards – clearly setting out what our customers can expect from us in our approach to customer care.
- **We responded to 575 Freedom of Information requests.**
- **We remain one of the top performing councils** in relation to the low number of formal complaints we receive, with 144 received last year.
- **We continue to provide a grant of £52,000 to the Citizens' Advice Bureau**, helping them to provide support to over 1500 members of the community. Throughout 2020/21, residents using the service have benefitted from nearly £1.8m of financial gains.
- **We launched a new digital platform, Liberty Create**, to provide our customers with a significantly improved online experience. More online options, automated updates on bookings via email / text, and live information on issues such as missed bins are just some of the benefits. The new platform also provides efficiencies for the council through streamlining processes and removing the need to purchase additional software to deliver online services.



Garden communities

- A Supplementary Planning Document (SPD) for West Cheltenham development - known as the Golden Valley development - was adopted by Council on 28 July 2020.
- We established a governance structure for our Tewkesbury Garden Town to ensure this major programme is delivered in the best possible way.
- An evolution of the Tewkesbury Garden Town concept masterplan updated with recent changes is in its final stages and will be submitted as supporting evidence for the Joint Core Strategy review later in the year.
- A crucial part of the infrastructure needed for Tewkesbury's emerging Garden Town, a bridge over the railway at Ashchurch and Northway, was permitted by the our planning committee.
- The Tewkesbury Garden Town has been awarded £2.4m funding by the Ministry of Housing, Communities and Local Government (MHCLG).
- Work is now starting on the next stage of the Ashchurch north bridge programme, finalising detailed design and assembling the land required, ahead of commencing the procurement of a contractor in Spring 2022.
- We continue to be actively engaged in both the A46 Partnership and Midlands Connect to promote the development opportunities and led by Gloucestershire County Council, work continues on the development of a business case to bid to the Department of Transport for an off-line J9/A46 solution.



Sustainable environment

- Following the declaration of a Climate Change Emergency, we approved a 'climate change and carbon reduction action plan' with the aim of becoming carbon neutral by 2030.
- Supporting our carbon reduction action plan, and using £284,000 of funding from Public Sector Decarbonisation Scheme, we made a decision to replace our council offices heating system with an air-to-air system. This project is set to achieve a 78% reduction in the carbon usage for the heating of the building.
- Our waste and recycling contractor Ubico has increased awareness on the impact of contaminated recycling bins. Work has included carrying out additional checks and providing an information sticker explaining why a bin hasn't been emptied, and this work has been supported by a social media campaign.
- We worked with Gloucestershire Local Nature Partnership to map our natural capital assets. The goal is to help guide land-use and planning decisions, to identify opportunities for investment in the enhancement of natural capital in the county, and provide a tool for delivering positive benefits for people, wildlife and the economy.
- We have worked with partners across the county to promote a 'Be Clear on Plastics' campaign to encourage residents to reduce, reuse and recycle plastics.
- Our draft heritage strategy, which focuses on the conservation and enjoyment of our historic environment, is now being used to support the examination in public for our local plan.
- Our garden waste club continues to provide a fantastic and sustainable way for our customers to dispose of their garden waste – with more than 18,570 customers now signed up to the club.

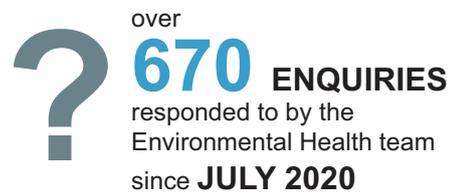


Covid-19 response

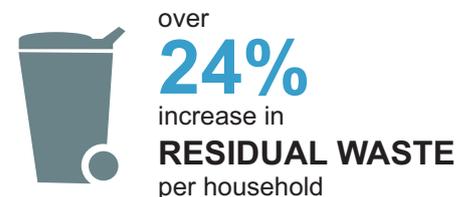
- **Our business grants team continues to work extremely hard to support local businesses gain access to government covid-19 support grants – with more than £30m awarded to over 1500 local businesses since March 2020.**
- **Recognising the volume and complexity of the information being issued by the government relating to the pandemic, we built and maintained a Covid-19 microsite so it was easier to access and digest.**
- **Working with Places Leisure, we've supported the reopening of Tewkesbury Leisure Centre in line with covid-19 safety requirements.**
- **Supporting our commitment to ensuring our services are provided to our residents, business and communities, we have put in measures to ensure staff feel safe returning to the public services centre while also supporting the benefits that come with remote working.**
- **We have worked with Cotswold Tourism through social media, campaign work and our website to promote the borough as a place to visit when it is safe to do so.**
- **Our Growth Hub has supported businesses throughout the pandemic – including around 100 webinars to more than 360 attendees. Topics included online marketing, video development, social media and goal setting.**
- **A bid has been developed to provide a Youth Hub service hosted within Tewkesbury Growth Hub, which will provide advice and information for young people.**
- **Supporting the reopening of the high streets and retail centres across the borough, we have delivered a range of promotion activity funded by the Reopening High Street Safely Fund. Initiatives included posters and floor stickers in town centres, footfall counts and social media campaign work.**
- **Supporting the Clinically Extremely Vulnerable residents in our borough, we worked with community groups to provide a winter grant scheme. This helped 556 vulnerable families struggling to pay for food, essential supplies and fuel costs.**
- **We provided active support to the countywide response and recovery to homelessness.**



Covid-19: How we supported our community



Covid-19: How we supported our residents



Covid-19: How we supported our businesses



105 virtual help and support **WEBINARS** for **BUSINESSES** through the **GROWTH HUB**



5384 **SUPPORT** and **ADVICE** visits to businesses by **ENVIRONMENTAL** health team



over **30m** paid in **BUSINESS GRANTS**



£21m awarded through **BUSINESS RATE RELIEF** and expanded retail/nursery discount



1230 **BUSINESSES CONTACTED** via email or letter by the **ENVIRONMENTAL** health team



780 **VISITS** to **BUSINESSES** by our Environmental Health team

Covid-19: How we maintained good governance



over **40,200** **VISITS** to the Covid-19 **MICROSITE**



81 **VIRTUAL COMMITTEES** and member working groups delivered



527 Management **TEAM ACTIONS**



82 information **BULLETINS** for councillors and parish councils



over **70** **FREEDOM** of **INFORMATION** requests relating to **covid-19** received



6082 **SUPPORT TICKETS** dealt with by **ICT TEAM**

Looking ahead

Next year will be unpredictable for councils across the country following the Covid-19 pandemic. Our response to this has been unprecedented, and it is clear that we have had to adapt and respond to this fast-moving emergency in a way that we have never had to before. As we begin to emerge, we now need to focus our resources on delivering our robust recovery plan while also ensuring our core service delivery is maintained.

We know that becoming smarter in how we provide our services will be key over the next few years. Customer demands and expectations continue to change, and all our services are working hard to adapt to new ways of working and become more creative in how we provide services to our customers. Our new Business Transformation team will help us to ensure that we shape our services to meet the future needs of our customers, as well as ensuring our in-house processes are as efficient as they can be.

Our growth agenda remains as a pivotal strand within our Council Plan and we are committed to punching well above our weight to create a 'place' to meet the needs of our growing population and aspiring businesses. As one of the fastest growing district outside of London, we know that our borough will continue to grow quickly over the next few years. Securing sustainable growth has its roots set in the Joint Core Strategy that we have adopted, and our Tewkesbury Garden Town will support our development approach by delivering a transformational quality settlement at the foothills of the Cotswolds.

Our growth will also help us to generate additional council tax and new homes bonus - or a replacement housing growth incentive scheme, should it be agreed by government - which will support the provision of services. Whilst our capital reserves are limited, our revenue reserves are in good shape. Delivering successive, significant surpluses have boosted those reserves and allowed us to set aside more funds into uncommitted reserves which will help to meet our future financial challenges.

Overall, these are challenging times given the financial climate but we have found this drives a desire to improve further and do more with less. With austerity, comes innovation and we have proven over the years this is something we are good at.



TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	22 June 2021
Subject:	Overview and Scrutiny Annual Report 2020/21
Report of:	Head of Corporate Services
Corporate Lead:	Chief Executive
Lead Member:	Lead Member for Organisational Development
Number of Appendices:	One

Executive Summary:

The role of the Overview and Scrutiny Committee is to assure that the Council's work is transparent, that the Council is held accountable for its decision-making, and that the needs of the community are considered. Reporting the work of the Overview and Scrutiny Committee through an annual report provides an opportunity for both the Council and the public to view the work of the Committee. It is also a requirement of the Council's Constitution that the Committee reports annually to Council. The draft report was considered and approved by the Overview and Scrutiny Committee on 6 April.

Recommendation:

To APPROVE the Overview and Scrutiny Annual Report 2020/21.

Reasons for Recommendation:

It is important 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. It is also a requirement of the council's Constitution that the Overview and Scrutiny Committee reports annually to Council.

Resource Implications:

None.

Legal Implications:

None.

Risk Management Implications:

None.

Performance Management Follow-up:

Annual review of the work of the Committee provides transparency and accountability and helps the Overview and Scrutiny Committee prepare its work programme.

Environmental Implications:

None.

1.0 INTRODUCTION/BACKGROUND

1.1 The Overview and Scrutiny function must deliver the work required of it as set out in the Council's Constitution. The Committee has a formal work programme for the year and it ensures the volume of work does not compromise the depth of examination required, does not duplicate the work of other Committees and adds value.

2.0 OVERVIEW AND SCRUTINY COMMITTEE ANNUAL REPORT

2.1 Not only is it a requirement of the Council's Constitution to report the activities of the Committee on an annual basis but it is good practice.

2.2 Over the past year, the Committee has once again been at the heart of the Council's decision-making process and supported the Executive Committee in helping shape and inform the Council's decision making. This year's annual report includes a brief summary of the role and responsibilities of Overview and Scrutiny, the work undertaken over the past year and the various outcomes.

2.3 The Overview and Scrutiny Committee held its first-ever virtual meeting in July 2020, thanks to the use of improved technology. It was a great success and has continued for the remainder of the municipal year as the pandemic continues. Despite the disruptions, the annual report highlights that the Committee has scrutinised a range of topics and has once again helped to shape and inform Council decisions and provide support to key areas.

2.4 The Committee's work has been undertaken through a combination of the following:

- Progress reports from Officers on the delivery of key strategies and policies. For example, the Committee receives update reports on key strategies such as the Customer Care Strategy, Economic Development and Tourism Strategy, Workforce Development Strategy, and Communications Strategy etc.
- Quarterly performance management reporting – The Committee receives a quarterly performance tracker report on the progress of delivering Council Plan and COVID-19 Recovery Plan actions, Key Performance Indicators and financial outturn performance. Further scrutiny led to additional presentations and reports on areas such as the tourism review, Tewkesbury 2021 project and the trade waste service - looking at maximising the commercial opportunities for the service.
- Working Groups to review specific areas of interest - as a direct result of the COVID-19 pandemic, Working Groups have been limited during the course of the year but two Working Groups continued to review the Parking Strategy and Depot Services.
- Presentations from Officers and external organisations - presentations were received during the year from organisations such as the Citizens' Advice Bureau and an external consultant provided an in-depth presentation for the tourism review.
- Other general scrutiny reviews - the Committee reviewed multiple reports which arose from two Council motions - to support the Tech Talent Charter and support for a local Electricity Bill. The Committee also received updates from the Gloucestershire Economic Growth Scrutiny Committee, Gloucestershire Police and Crime Panel and Gloucestershire County Council Health Overview and Scrutiny Committee.

2.2 The Overview and Scrutiny Committee, subject to minor textual amends, endorsed the annual report at its meeting on 6 April, and approval by Council will fulfil the reporting requirement within the Council's Constitution. The 2020/21 annual report can be found at Appendix 1.

3.0 OTHER OPTIONS CONSIDERED

3.1 None.

4.0 CONSULTATION

4.1 None.

5.0 RELEVANT COUNCIL POLICIES/STRATEGIES

5.1 None.

6.0 RELEVANT GOVERNMENT POLICIES

6.1 None.

7.0 RESOURCE IMPLICATIONS (Human/Property)

7.1 None.

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

8.1 None.

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

9.1 None.

10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

10.1 None.

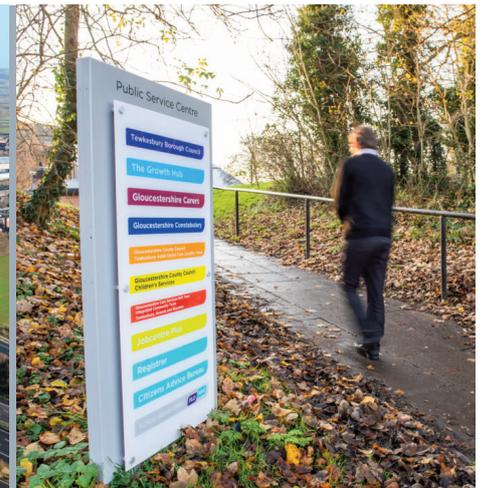
Background Papers: None

Contact Officer: Head of Corporate Services Tel: 01684 272002
Email: graeme.simpson@teWKesbury.gov.uk

Appendix: 1 – Annual Overview and Scrutiny Committee Report 2020/21.

Overview and Scrutiny Committee's annual report

2020-21



Message from the Chair of Overview and Scrutiny Committee, Councillor Kevin Cromwell



I am very pleased to present the 2020-21 Annual Report of our Overview and Scrutiny Committee.

I have been delighted to chair this committee for two years now while being supported by Councillor John Murphy as Vice Chair, and of course our very able and committed group of councillors.

This year has seen unprecedented challenges across the country as we have all faced the impact of the Covid-19 pandemic. Like organisations across the world, the biggest test we have ever experienced has been responding to this pandemic. I am extremely proud of our officers, partners and councillors, who continue to go above and beyond to support our communities throughout this difficult period. The pandemic significantly changed how the council operates on a day-to-day basis and in March 2020 the council offices closed, and since then all work has been successfully carried out remotely.

This Overview and Scrutiny committee held our first-ever virtual meeting in July 2020, thanks to the use of improved technology. It was a great success and has continued for the remainder of the municipal year as the pandemic continues.

Despite the disruptions, this report highlights that we, as a committee, have examined a range of topics and we have once again been at the heart of the council's decision-making process - helping to shape and inform council decisions and providing support to key areas.

Our responsibility to scrutinise the performance of the Council Plan's actions continues, with the committee receiving quarterly reports on the delivery of the Council Plan 2020 to 2024. Since the introduction of the Covid-19 Corporate Recovery Plan tracker in September 2020, we are now also responsible for ensuring this plan delivers what it was set out to do, which is to refocus, recover and rebuild our communities.



The committee has also continued to scrutinise and monitor the progress of important activities such as Ubico's performance and formal complaints received by the council. In addition, the committee has helped to shape the development of strategies such as the Customer Care Strategy and Economic Development and Tourism Strategy.

It is important that the committee builds its knowledge and understanding of how our partners help deliver our priorities, and as such the committee continues to receive presentations from key bodies such as the Citizens' Advice Bureau.

Looking ahead, there is a great opportunity for this committee to support the council through its future challenges as the borough emerges from the Covid-19 pandemic. I am confident that the committee will add even greater value through the work due to be carried out in our 2021/22 workplan. This will include monitoring the Peer Challenge action plan and the lessons learned following the pandemic.

I would like to take this opportunity to thank all the committee members and council officers for their support and hard work facilitating the scrutiny process. I am sure that the same dedication will be shown to scrutinise the work of the council and external partners during the year ahead.

**Best wishes,
Councillor Kevin Cromwell**

contents

The role of the Overview and Scrutiny Committee	1
The year in numbers	1
Members of the Overview and Scrutiny Committee	2
Scrutiny reviews of policy and strategy	3
Presentations made to Overview and Scrutiny	4
Overview and Scrutiny working groups	5
Other general areas for review	6
Looking forward to 2021-22	10
Appendix A	
How to select a potential scrutiny review`	11
Appendix B	
Overview and Scrutiny Committee draft work plan for 2021/22	12



The role of overview and scrutiny

The role of overview and scrutiny is an important one in the council's governance structure. It provides challenge and drives improvement and is often referred to as the "critical friend" of the council. The committee is not afraid to hold a magnifying glass over any areas of concern.

Formal work programme

Tewkesbury Borough Council has a single overarching Overview and Scrutiny Committee that examines all areas of the council's business.

The Overview and Scrutiny Committee has a number of roles within the council. These include:

- Holding the Executive Committee to account by thoroughly scrutinising their decisions to ensure that the council continues to provide the best services possible for Tewkesbury Borough's residents. As part of this role, the committee has the power to 'call-in' decisions made by the Executive Committee and request that they consider them again, taking into account the issues raised by the committee.
- Supporting the Executive Committee by reviewing council policies and strategies, making recommendations where appropriate.
- Providing overviews of work areas or topics of interest to the committee and members of the council – including feedback from the Gloucestershire Economic Growth Scrutiny Committee, the Gloucestershire Police and Crime Panel and the Gloucestershire County Council Health and Care Overview and Scrutiny Committee.
- Monitoring the Council Plan and Covid-19 Corporate Recovery Plan and finances, to ensure the council services are sustainable, meeting milestones and delivered to the highest possible standard.
- Commissioning reviews of services/topics that impact on the council or on the lives of Tewkesbury Borough residents.

- Pre-scrutiny of items prior to their consideration by the Executive Committee.
- Reviewing the level and types of complaints the council receives. On an annual basis a report is received summarising customer complaints and Local Government and Social Care Ombudsman complaints made in the year. This helps to identify trends and potential opportunities to learn from the complaints made.
- Setting up task and finish groups to focus on specific reviews and recommend ways to improve existing practices within the council. A flow chart on how to select a potential scrutiny review can be found at Appendix A.



Members of the Overview and Scrutiny Committee 2020-21



Councillor Graham Bocking



Councillor Craig Carter



Councillor Kevin Cromwell
Chair



Councillor Pauline Godwin



Councillor Heather McLain



Councillor Paul McLain



Councillor Helen Munro



Councillor John Murphy
Vice Chair



Councillor Jill Smith



Councillor Richard Smith



Councillor Sara Stevens



Councillor Philip Surman



Councillor Scott Thomson



Councillor Mark Williams



Councillor Philip Workman

Photographs courtesy of Posers
Photographic

Overview and scrutiny activity during 2020-21

Scrutiny reviews of policy and strategy

Corporate Enforcement Policy

13 October 2020

The council is required to have an effective Enforcement Policy so officers can investigate and take action to ensure individuals and businesses within the borough are complying with the law.

The committee was given the details of a new Enforcement Policy, which outlined the standards that the council will apply to its enforcement activities. It also included guiding principles by which the council will seek to protect public health, safety, amenity and environment within the borough through prosecution.

Members were informed the policy was created by the council's Counter Fraud Unit. As a result, this policy is used across several councils with minor tweaks to ensure it fits locally. Members were also informed that some service areas will have separate enforcement plans and policies setting out more relevant service specific procedures, for example planning enforcement.

Members agreed with the importance of this policy and recommended its approval at Executive Committee.

Economic Development and Tourism Strategy 24 November 2020

One of the council's key priorities is 'promoting and supporting economic growth' and reflecting this is the council's Economic Development and Tourism Strategy. The committee received the progress made against the delivery of the strategies action plan during year three and the actions identified for 2020/21.

The committee was made aware of the impact as a result of the Covid-19 pandemic but was reassured that services had worked hard to move online and provide a 'virtual offer'. Members of the committee

wanted to know more about what this online offer consisted of and were pleased to hear that it included provisions such as online webinars, one-to-one support and regular updates provided to businesses.

The committee was also informed how the Economic Development and Tourism team will be focusing on economic assessments and understanding the needs of businesses as we recover from the effects of the pandemic.

Reflecting the committee's scrutiny role, it was pointed out that action plans really should be an honest reflection of where teams are at in terms of delivery – and that if areas aren't progressing as well as anticipated, that these are highlighted. It was agreed that this would be made clearer in future reports.

The strategy was due to be refreshed in 2021. However, the committee agreed that due to the uncertainty in the business community it would be more effective for this strategy refresh to be undertaken in 2022.

An integral part of the council's support to economic growth is through the Growth Hub. Now operating in a virtual environment, the Growth Hub has provided advice and support to businesses affected by Covid-19. A presentation is to be made to Overview and Scrutiny Committee in April on the effectiveness of the Growth Hub and how they have operated during these challenging times.

Customer Care Strategy

12 January 2021

In our Council Plan, we make the promise that we will put the needs of our customers at the heart of what we do, and listen to what they say - treating people fairly and without bias. The Customer Care Strategy is an important step to making this a reality.

The committee was asked to consider a new customer care strategy, which is supported by an annual action plan and incorporates a refreshed set of Customer Care Standards. The committee held a detailed discussion around the importance of

customer care – and highlighted the fact that customer service is something that all services should be responsible for. The committee welcomed the new strategy, and asked questions around how the strategy and its customer care standards would be implemented and monitored.

Satisfied with the planned rollout, the committee endorsed the strategy and recommended to Executive Committee its approval. Executive Committee approved the strategy at its meeting on 3 February 2021.

Complaints Policy

9 February 2021

Understanding and responding to complaints is an important element of our customer care and the council is consistently benchmarked as being one of the best performers in relation to the low number of complaints received.

As part of its review of formal complaints, the committee was asked to consider a new 'Have Your Say' approach, which introduces four Cs - compliments, comments, concerns and complaints. This new approach was previously put forward by a member of the committee with experience of its success in the NHS. The committee was informed that officers had worked with the member and looked in depth at how the approach would work for the council.

The committee understood and agreed that a formal policy would be needed for complaints, given the statutory requirements involved, but that the other Have Your Say elements (comments, concerns and compliments) would be required to follow the council's wider customer care standards.

The committee also asked questions around how the new complaints system would work with the council's new digital platform Liberty Create, and what benefits this will bring to customers, staff and councillors.

With a number of formatting suggestions made, members supported the changes and recommended that the Executive Committee approve the new 'Have Your Say' approach and support the Formal Complaints Policy.

Presentations made to overview and scrutiny

Citizens' Advice Bureau (CAB)

1 September 2020

A CAB service provides free, confidential, independent and impartial advice to everyone on their rights and responsibilities. The service operates from 15 locations, seven of which are across the borough. For a number of years the CAB has had a service level agreement with the council. Supporting the work they provide, the council awards a grant of £52,000 to the CAB and the Overview and Scrutiny Committee plays a role in monitoring the effectiveness of this grant.

During a presentation in September, the North and West Gloucestershire CAB representative updated the committee on the key work the CAB has carried out throughout the year and the challenges they have experienced due to the pandemic. Like many organisations, the CAB had to change its procedures as a result of the pandemic with no face-to-face appointments being carried out in the 15 locations. The organisation was instead offering a virtual call centre to continue casework remotely. The presentation contained a wealth of information relating to performance during 2020/21.

The committee was pleased to hear that in the first nine months of 2020/21, the service helped 1,300 clients - with the main issues being around benefits, universal credits, debt, relationships, employment and housing. Since April 2020, clients have benefited from £1,179,526 of financial gains.

The committee queried if the outreach service provided was parish specific and what could be done to make rural areas aware of the services offered by the bureau. The committee was pleased to hear the representative would arrange for all parish councils in the borough to receive quarterly newsletters providing information about the services available.

Tourism review 24 November 2020

One of the council's objectives within our Council Plan is to 'promote the borough as an attractive place to live and visit'. A tourism review was planned to help identify key areas of work to support this objective.

In an update on the review, the committee was informed it had been delayed until Summer 2020 as a result of the pandemic. The committee was pleased that a consultant had been appointed to look at our current offer, potential future offers and the resources required in delivering these. As part of this update, the tourism team delivered a presentation to the committee.

During the presentation, the committee was advised the review had been split into two parts:

1. An external market assessment - looking at visitor behaviour and digital trends.
2. An internal assessment - looking at the tourism product, current tourism resources and stakeholders.

Members were provided with a snapshot of the borough before the pandemic, which included the number of tourism businesses, number of attractions, and a comparisons of 'day' and 'all stay' visit figures against neighbouring authorities.

The committee learned that there are a lot of attractions across the borough and in the towns of Tewkesbury and Winchcombe - including walking and cycling opportunities - but there was no dedicated staff resource coordinating or leading on the visitor economy.

Members agreed with the information provided in the presentation, particularly that Tewkesbury Borough and its heritage assets had a lot to offer to entice more visitors.

Given the impact of the pandemic, it was agreed a full report on the review would be completed in the new year.

Growth Hub presentation 6 April 2021

The hub celebrated its second year of operation in our Public Services Centre in November. The Growth Hub helps growing businesses by offering advice and support and the success it achieved over the year was presented to the Overview and Scrutiny Committee in April.

During the presentation, the committee heard that since the hub had opened it had delivered support to over 5000 business, and 384 business growth plans had been created. These statistics, when compared to other larger hubs, showed that the Tewkesbury Borough Growth Hub was certainly 'punching above its weight'.

Throughout the Covid-19 pandemic the Growth Hub had to act rapidly to realign its services to virtual business support as the hub was closed for face-to-face contact. Support included 107 webinars, one to one sessions and key covid-19 support advice for businesses.

As well as the business support interactions, the hub worked with a number of council services. In terms of the business cell, the hub supported the promotion and roll out of government schemes and proactively contacted over 2000 businesses during lockdown to promote available grants. The team also supported the recovery cell in assisting with the government's re-opening of the High Street safely fund - aimed at getting businesses back open following the national lockdown.

Testimonials from customers using the Growth Hub service highlighted how the hub is key for the success of a businesses' growth. Members noted it was important to continue to push the unique offering at the Growth Hub and to be sustainable moving forward following Covid-19.

Overview and Scrutiny working groups

The committee can establish working groups also known as 'Task and Finish Groups'. These are small groups comprised of members of the committee and council officers who meet on a regular basis. Sometimes external officers are brought in from

outside of the council to take part in the groups - bringing their knowledge and skills of the topics being discussed. The groups are established to undertake a piece of scrutiny work, get 'under the skin' of the subject matter and report back to the committee with their findings and recommendations.

As a direct result of the pandemic, working groups have been limited during the course of the year.

Depot Services working group

This working group was specifically set up in July 2019 to receive reports and information pertinent to the operation and strategic direction of waste and recycling, street cleansing and grounds maintenance services. In particular, to consider the relationship with Ubico and how effectively Ubico delivers the council's waste and recycling, street cleansing and grounds maintenance contract.

The group comprises six members of the Overview and Scrutiny Committee, one Member of the Audit and Governance Committee and the Lead Members for Clean and Green Environment and Finance and Asset Management. The work of the group to date will formally be presented to Overview and Scrutiny Committee in April. Key areas of work they have considered to date included the proposed extension to the Ubico contract, prior to consideration by Executive Committee and Council, consideration of the trade waste business case and early discussions around a strategic waste site depot.

Parking Strategy working group

The current Parking Strategy was adopted in 2015. A new parking strategy is required and a working group consisting of four members of the Overview and Scrutiny and the lead member of economic development/ promotion and finance and asset management was formed. The working group was set up to consider the following:

- The current and future parking need of its eight existing car parks in Tewkesbury and two in Winchcombe.

- To ensure, where practical, the strategy supports economic, social and regenerative needs of the borough.
- Further deployment of technology within the parking service including electric vehicle charging points and new pay and display machines.
- Gloucestershire County Council's on-street parking review - which included parking in Tewkesbury Town.

As a result of the council's response to Covid-19, the group has only met once in 2020 (September) to consider the impact on the Parking Strategy timetable. Behind the scenes, preparatory work continues in readiness for when the group reconvenes during 2021/22. Consideration of the draft strategy is a pending item within the committee's work programme.

Other general areas of review

Performance management

Quarterly reports

The committee has an important role in scrutinising the delivery of actions within the Council Plan and to achieve this it receives detailed information through a performance tracker.

Reflecting the committee's role in scrutiny, it was also asked to provide the same service on the council's new Covid-19 Corporate Recovery Plan.

The trackers provide a range of qualitative and quantitative information which allows the committee to review missed target dates, progression of actions, financial performance and, where appropriate, refer to the Executive Committee for a response or action.

During the year, the committee has questioned a wide range of service activity including enviro-crimes, landlords programme, planning processing times, sickness absence, council tax collection rates etc. and generally challenged slippages in key milestone dates. A review of performance information has led to further presentations and reports on areas such as the tourism review, the Tewkesbury 2021 project and the commercial waste project. The committee has also accepted an offer from the Business

Transformation Team to showcase their work. This is because a number of the projects being delivered by the team are reported through the performance tracker. For example, the new digital platform, bulky waste review and council tax paperless billing.

In line with a recommendation from the committee, the performance report has seen the addition of four new key performance indicators on Planning Enforcement response times. The committee has also requested a review of the homelessness indicators. A new set of indicators will be introduced for the 2021/22 reporting year.

Following a request from the committee, officers were asked to improve their performance reports by directly linking the comments made in those reports to the actions within the performance trackers. To help the committee successfully monitor the delivery of both plans, the covering reports also include an additional section highlighting any key actions that have been deferred, as a result of the Covid-19 pandemic.

Communications Strategy action plan review 12 January 2021

Communications has a vital role to play in helping the council deliver its vision, priorities and objectives to local people across the borough. To communicate effectively means to listen as well as broadcast and it only works when what we are saying is clear and easy to understand. Given that the council delivers a wide range of complex services to more than 90,000 residents, it needs a clear communications strategy to help face the challenges of communicating effectively.

As part of an annual review on the Communications Strategy action plan, the committee was informed about the range of work being carried out by the communications team and was pleased to see most of the action plan being achieved. The committee understood that the team delivers this action plan alongside its day-to-day work, as well as being instrumental in communicating the council's response to the pandemic.

A member of the committee gave their thanks to the team and advised that the town and parish councils had really appreciated the bulletins were being provided during the pandemic.

Trade waste review

1 September 2020, 13 October 2020 and 9 March 2021

The committee has sought regular assurance during the year that this project is moving forward, particularly given the additional income that could be generated if improvements to the service are made. Through the continued scrutiny of the committee, good progress has been made, culminating in a high level business plan for service improvements being recommended to Executive Committee for approval. This will be considered by Executive Committee on 31 March 2021. The committee has asked for an operational project plan to be brought forward to detail how and when the recommendations made can be delivered. The committee is determined to maintain an overview of the project and finally see it come to fruition.

Ubico annual performance report 24 November 2020

The committee plays a key role in monitoring Ubico's performance. Ubico has been delivering our waste, recycling, grounds maintenance and street cleansing services since April 2015. These services have a direct impact on our communities and so it is important to ensure it is delivered effectively and efficiently.

A detailed report was brought to committee in November outlining the 2019/20 outturn performance on all services provided by Ubico. As previously requested by the committee, it contained key performance indicators, health and safety statistics, the annual commissioner report and a corporate update outlining the company's view on progress throughout the year - including the impact of the pandemic to its service.

Following a range of questions from members on the information provided, Ubico's Managing Director agreed explanatory notes would be provided for some of the health and safety figures, as well as recognising the need to give members clearer figures for the missed bins presented in the key performance indicators.

The committee appreciated the range of information provided but asked that Ubico works with the council's performance team so that future reports are rather more concise and easier to understand.

Overall, Members thanked the officers representing Ubico for their hard work in providing their services – particularly as there had been no significant changes in the waste collections throughout the pandemic.

Council motion - support for Tech Talent Charter 13 October 2020

A Tech Talent Charter is a non-profit organisation leading a movement to address inequality in the UK tech sector.

A motion was presented to Council on 28 July 2020, asking the council's Human Resources Section to look at the charter and identify if it could be of benefit. Council agreed to refer the motion to the Overview and Scrutiny Committee to consider, and a make recommendation with its findings back to Council.

In October, the proposer addressed the committee and provided background information to the charter and what signatories of the tech talent charter would pledge to do. Following a detailed debate it was felt that the motion was addressing a problem that for the most part did not exist at Tewkesbury Borough Council and needed rewording.

The committee recommended the proposer to withdraw the motion and take on board the comments made in the meeting. It was also recommended that the proposer works with all members to prepare an alternative motion that could be submitted at an appropriate time. The proposer

agreed and the motion was subsequently withdrawn, and a report was noted at Council on 8 December 2020.

Council motion - support for local Electricity Bill 24 November 2020

At the Council meeting on 28 July 2020 a motion was presented seeking support for the Local Electricity Bill.

The Local Electricity Bill is a campaign run by 'Power for People' a not-for-profit organisation, who campaign for electricity generators to become local electricity suppliers to benefit communities.

The bill aims to solve the issues where local renewable energy generators, such as community energy groups, are unable to sell energy that they generate to local people. Council referred the motion to the Overview and Scrutiny Committee to consider and determine a response.

The proposer of the motion provided additional information in support of the bill and felt if the council would show leadership in willing to take forward the ideas and plans for the actions within the bill, it would set a precedent for others to follow.

Following discussions, the committee was appreciative that the motion recognised the council's climate change work and recognised the important role locally-produced electricity can provide if properly integrated.

After further questions, it was found the motion, at this current time, was lacking information on how it could work, and the committee raised serious concerns over the infrastructure to deliver it, security of power supply delivery, as well as the cost and the potential financial and reputational damage implications for the council.

Consequently, the committee rejected the motion, and then the committee's decision was reported to Executive Committee on 6 January 2021. Following a recorded vote, Executive Committee approved the decision of the Overview and Scrutiny Committee.

Workforce Development Strategy - annual review 24 November 2020

The council values its employees and will support, praise and invest in its workforce to develop the organisation. The Workforce Development Strategy endorses this by identifying how it will meet the current and future needs of the staff to ensure it has skilled people to deliver high quality services.

The strategy was approved at Executive Committee on 3 April 2019 and it was agreed that the Overview and Scrutiny Committee would monitor it on an annual basis.

At its meeting in November 2020 the committee received its first progress report on the 2019/20 action plan. The report highlighted achievements around workforce resilience, health and wellbeing. It was supported by a set of key performance indicators. Members were also made aware of areas where actions had to be refocused due to the changing way in which staff were working as a result of the pandemic.

The committee was pleased to hear the positive work around the Workforce Development Strategy, and it looked in detail around absence. It was requested that future reports include numeric figures for absences instead of percentages so the committee could identify any issues more easily.

It was also delighted with the news that the council was awarded excellence in five out of eight categories by the Health and Wellbeing Charter.

Complaints report 1 September 2020

The committee receives an annual report on the number of complaints the council receives. This report looks in detail at which areas are receiving complaints, how they are managed, and any lessons learnt.

Between April 2019 and March 2020, the committee was informed the council received 200 formal complaints, of which 178 related to council services. Of these, 89 related to the council's waste and recycling service. Given that waste and recycling is a

high-profile service with over 4 million collections during the year, this level of complaints was not considered to be a concern.

The report was well received, and the committee was pleased to hear that the council continues to be one of the best performing councils nationally. Members of the committee suggested that future reports are not as detailed and that more information is included on lessons being learnt.

Gloucestershire health and care overview and scrutiny committee 2020/21 financial contribution. 9 February 2021

Along with all other Gloucestershire districts, the council contributes £2,500 to Gloucestershire Health and Care Overview and Scrutiny Committee. A member of our Overview and Scrutiny Committee represents the council and reports back on the work carried out and the action being taken at a county level.

On an annual basis, the committee is asked to consider if the council should continue to be involved in the health and care committee, and whether value for money is being achieved.

The committee had an in-depth discussion around how we as a district council can influence health and social care. The committee also considered the wealth of reports it receives on vital issues which impact the lives of people across the borough, and how the county committee enables us to act as an advocate for the many communities in the borough. As a result, members agreed we continue to have a representative on the committee and that we continue to make the financial contribution.

Police and Crime Panel update, Gloucestershire Health Overview Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee

The committee would like to pay a debt of gratitude to Councillors David Gray, Jill Smith and John Murphy who represent the council on these outside bodies.

The committee receives regular updates from all three members around crime, health and economic matters impacting on Gloucestershire and the Borough. Being representatives of the council, they have the ability to influence and act as an advocate for the council at a countywide level. All three members take questions from Overview and Scrutiny Committee and if necessary take any areas of concern back to the respective county groups.



Looking forward

A key area of focus for the future will be the impact of the pandemic on the council's services and finances. The council will need to look at what lessons can be learnt from the response to the crisis.

This committee will be at the forefront of ensuring our strategies and policies are delivered effectively and efficiently, along with the council's Covid-19 recovery plan. This will be achieved by monitoring and scrutinising the performance of the actions contained within the plan on a quarterly basis and regularly reviewing the lessons learnt following the pandemic.

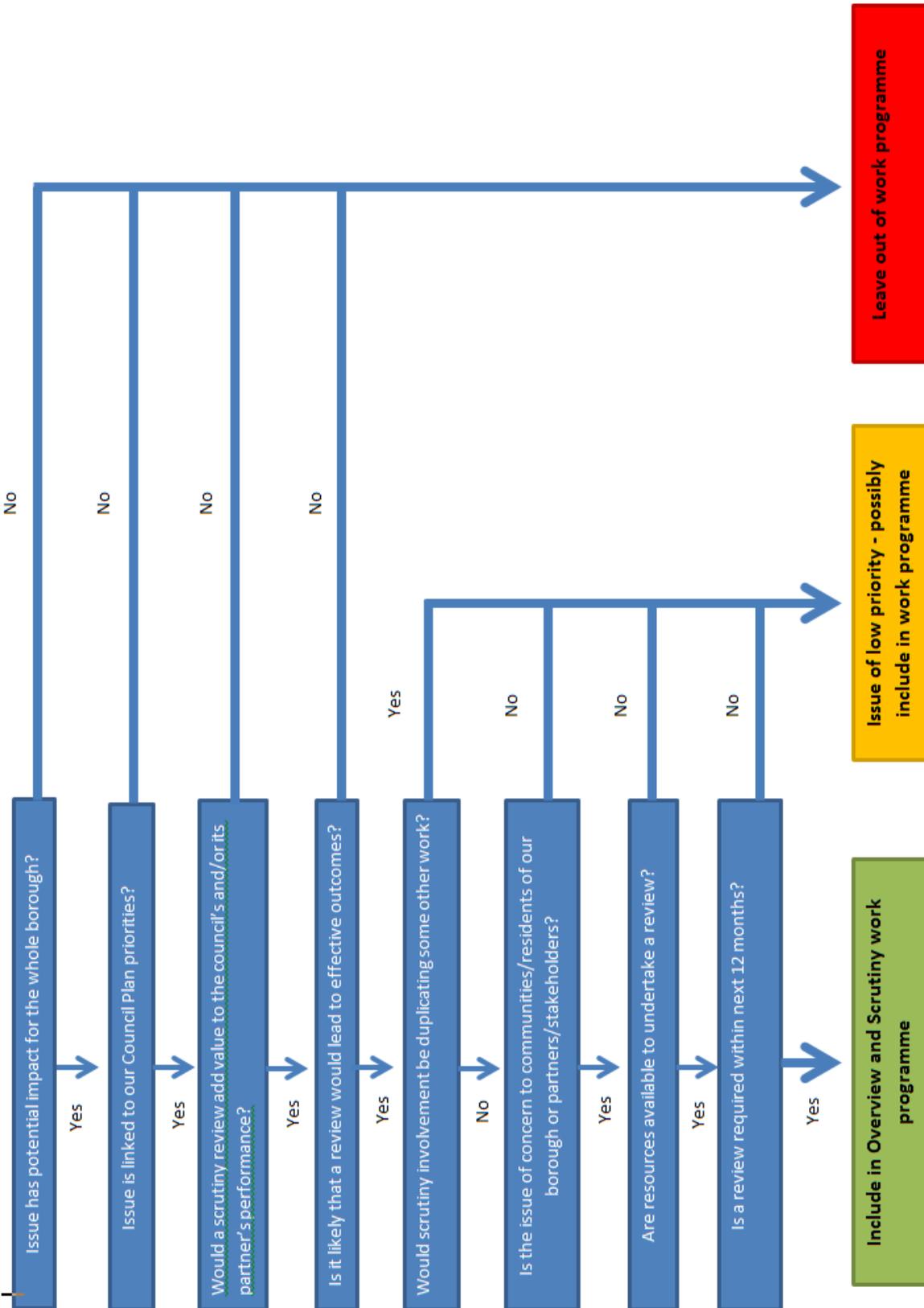
Alongside this, other key areas of activity during the next financial year include monitoring the delivery of actions arising from the Local Government Association (LGA) Peer Challenge final report and ensuring other service-related improvements are delivered.

The Overview and Scrutiny Committee's draft work programme for the year 2021/2022 can be found in Appendix B. As always, the programme will be flexible so any new areas for review can be added when required.

The committee looks forward to challenging its effectiveness and will be well supported at officer level, ensuring it continues to play an important role in helping deliver successful outcomes for both the council and its communities.



Flowchart on how to select a potential scrutiny review



OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2021/22

Committee Date: 8 June 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Presentation from Severn Trent Water	To provide an update on the works carried out to the Severn Ham as a result of the Scrutiny Review of Water Supply Outage in 2019.	Head of Community Services	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Four 2020/21	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.
Corporate Policies and Strategies	To consider the corporate polices and strategies and identify which will be reviewed by the Committee during 2021/22.	Head of Corporate Services	Yes - deferred in 2020/21 though policies have been considered e.g. complaints, corporate enforcement.
LGA Peer Challenge Report Action Plan	To monitor implementation of the action plan (6 monthly).	Head of Corporate Services.	No.

106

Committee Date: 8 June 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Private Sector Rented Housing Scheme	To receive a report on progress of the Private Rented Housing Sector Scheme.	Head of Community Services	Yes – moved from 1 September 2020 and 9 March 2021. The pilot was due to end in October but the countywide partnership is considering extending this – much of the work has paused due to COVID-19.

Committee Date: 13 July 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Climate Change Strategy Annual Report	To receive the annual report on the work of the Climate Change and Flood Risk Management Group.	Head of Finance and Asset Management	No.
Annual Workforce Development Strategy Review	To consider progress made against delivery of the Workforce Development Strategy.	Head of Corporate Services	No
Ubico Report 2020/21	To consider the Ubico performance report for 2020/21	Head of Community Services	No.

107

Committee Date: 13 July 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Gloucestershire Economic Growth Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (9 June 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 (15 June 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 (7 July 2021).	N/A	No.

Committee Date: 7 September 2021			
Agenda Item	Overview of Agenda Item	Lead Officer	Has agenda item previously been deferred? Details and date of deferment required
Citizens' Advice Bureau Presentation	To consider the annual update on Citizens' Advice Bureau activity in the borough.	Economic and Community Development Manager	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter One 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.
Lessons learned review following the COVID-19 pandemic	To receive a report setting out lessons learned in responding to and recovery from COVID-19.	Head of Corporate Services	No.
Development Services Improvement Plan	To receive an update on the outcomes of the customer satisfaction survey on experience of planning application process and the pre-application planning advice service and, if relevant, an explanation on any outstanding actions.	Head of Development Services	Yes – deferred from 16 June 2020. Improvement plan to be reviewed by new Head of Development Services.
Gloucestershire Health Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (13 July 2021).	N/A	No.

109

Committee Date: 12 October 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	No.
Complaints Report	To consider the annual update to provide assurance that complaints are managed effectively.	Head of Corporate Services	No.
Gloucestershire Health Overview and Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (14 September 2021).	N/A	No.
Gloucestershire Economic Growth Scrutiny Committee Update	To receive an update from the Council's representative on matters considered at the last meeting (15 September 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 (28 September 2021).	N/A	No.

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 (6 monthly).	Head of Corporate Services	No.
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.

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.
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.

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 an annual update on the progress of the Depot Services Working Group.	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.

PENDING ITEMS		
Agenda Item	Overview of Agenda Item	Date Item Added to Pending
Housing Strategy 2022 onwards	To consider and recommend for approval a new housing strategy.	24 November 2020
Economic Development and Tourism Strategy 2022 onwards	Report to Overview and Scrutiny Committee to approve the setting up of a task and finish working group to support development of a new strategy.	24 November 2020
Parking Strategy Review	To consider and recommend to Executive Committee for consultation approval a new housing strategy.	24 November 2020
Community Services Improvement Review	To consider the progress made against the Community Services Improvement Plan.	14 July 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 review the effectiveness of the centres and make a recommendation to the Executive Committee.	April 2020
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.

Graeme Simpson
Head of Corporate Services
Tewkesbury Borough Council
Tel: 01684 272002
email: graeme.simpson@tewkesbury.gov.uk



TEWKESBURY BOROUGH COUNCIL

Report to:	Council
Date of Meeting:	22 June 2021
Subject:	Covid-19 Emergency Decisions Taken Under Urgency Powers In Accordance with Part 3 of the Constitution
Report of:	Chief Executive
Lead Member:	Lead Member for Clean and Green Environment
Number of Appendices:	One

Executive Summary:

Further to the decisions reported to Council on 30 June and 8 December 2020, further decisions have been taken by the Chief Executive under the urgency powers set out in Part 3 of the Constitution as a result of the COVID-19 pandemic. This report advises Members of those decisions in order to comply with the requirements of the Constitution.

Recommendation:

That the Council NOTES the decision taken by the Chief Executive in consultation with the appropriate Lead Member as set out in the appendices attached to this report.

Reasons for Recommendation:

To comply with the requirements of the Constitution and ensure all urgency decisions taken as a result of the COVID-19 pandemic are reported to Members for information.

Resource Implications:

Contained in Appendices.

Legal Implications:

Where applicable contained in Appendices.

Risk Management Implications:

Where applicable contained in Appendices.

Performance Management Follow-up:

Where applicable contained in Appendices.

Environmental Implications:

Where applicable contained in Appendices.

1.0 INTRODUCTION/BACKGROUND

1.1 Since the Council meetings on 30 June and 8 December 2020, further decisions have been taken under urgency procedures as a result of the COVID-19 pandemic. As required, the decisions have been documented as follows:

Appendix one – Delegation Agreement for The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

1.2 The decision has been published on the Council’s website and, in accordance with the Constitution, is now being reported to Members for information.

2.0 OTHER OPTIONS CONSIDERED

2.1 Not applicable.

3.0 CONSULTATION

3.1 The Appendix identifies the consultation which was undertaken in respect of the decision.

4.0 RELEVANT COUNCIL POLICIES/STRATEGIES

4.1 The Council’s Constitution sets out the requirements in respect of urgency decisions.

5.0 RELEVANT GOVERNMENT POLICIES

5.1 Not applicable.

6.0 RESOURCE IMPLICATIONS (Human/Property)

6.1 Where applicable detailed in Appendices.

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

7.1 Not applicable.

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

8.1 Not applicable.

9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

9.1 None.

Background Papers: Agreement for The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

Contact Officer: Chief Executive Tel: 01684 272001
Email: chief.executive@teWKesbury.gov.uk

Appendices: 1. Decision - Delegation Agreement for The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

**COVID-19 EMERGENCY
DECISIONS TAKEN UNDER URGENCY POWERS
IN ACCORDANCE WITH PART 3 OF THE CONSTITUTION**

S101 Delegation Agreement with Gloucestershire County Council in respect of Enforcement Powers

1. Decision:

To enter into a delegation agreement between the County Council and the City Council (and the other district councils in Gloucestershire) relating to the exercise of enforcement powers set out in The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020.

2. Background documents

S101 Delegation Agreement

3. Reasons for decision:

The County Council is the enforcement authority for Gloucestershire in relation to the enforcement powers set out in The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 ('the Regulations').

The County Council and the Council, together with all the other district councils in Gloucestershire wish to make arrangements for the discharge of the enforcement powers referred to in the Regulations as set out in an Agreement.

The Agreement is entered into pursuant to Section 101 of the Local Government Act 1972, Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012.

The Agreement states that the County Council delegates to the Council, on a non-exclusive basis, the power to discharge enforcement functions. It specifically provides that, unless there is insurance cover in place, the Council and County Council will share any risk equally

4. Resource implications:

There are no direct resource implications arising from this report. Actions will be contained within existing resources.

5. Who has been consulted:

All District Councils. Environmental Health Managers Group. Public Health. Police

6. What were the comments:

Agreement to the delegation as an integral part of ensuring compliance with Covid Regulations

7. Background/context:

The Health Protection (Coronavirus, Restrictions) (England) (No. 3) Regulations 2020 do not currently delegate enforcement on premises subject to a Determination to restrict or prohibit a premise or event from being held to local authorities. This report agrees to that delegation.

8. Alternative options considered and why they were rejected:

Not to enter into the delegation agreement is not an option because the negative impact it would have on enforcing the Regulations county- wide.

9. Risk analysis:

A potential risk relating to insurance cover has been mitigated by the County and the Council to share such risks equally.

10. Any other relevant considerations:

None

11. Chief Officer authorising decision:

Chief Executive, Tewkesbury Borough Council

12. Title of Officer completing report:

Interim Environmental Health Manager

13. Date:

11 February 2021

Any queries to be raised with democraticservices@teWKesbury.gov.uk

Document is Restricted