

61.3 It was
RESOLVED That the Executive Committee Forward Plan be **NOTED**.

OS.62 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2019/20

62.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme 2019/20, circulated at Pages No. 16-24, which Members were asked to consider.

62.2 A Member questioned when Ubico would next be reporting to the Committee and was reminded that this was an annual report which would be taken to the meeting in July 2020 although it was noted that a separate report on trade waste was due in January 2020. It was subsequently

RESOLVED That the Overview and Scrutiny Committee Work Programme 2019/20 be **NOTED**.

OS.63 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

63.1 Members received an update from the Council's representative on the Gloucestershire Police and Crime Panel on matters discussed at the last meeting of the Panel held on 12 November 2019.

63.2 The Council's representative on the Gloucestershire Police and Crime Panel advised that the Police and Crime Commissioner had updated the Panel on recent activity including the new focus on "every crime matters". A particular area of emphasis was the retail crime review and a report had been prepared to look at how the Gloucestershire Police had been responding to rising retail crime. The report was constructively critical of the approach and it was noted that retailers were clearly not satisfied when it had been discussed at a recent conference in Gloucester. The conference had been attended by a Superintendent who had responded positively to the concerns raised and had committed to producing an action plan to address them within the next month. The Police and Crime Commissioner had explained that, given scarce resources, it was always necessary to consider what response was reasonable.

63.3 Members were informed that crime had continued to rise over the past year, albeit at a reduced rate, but detection rates had improved. A rural crime week had recently been held to focus attention and resources on tackling the wide range of crimes across the county's extensive rural areas. Finding the people committing these crimes was very difficult and there was a need for greater effort in tackling the disposal of stolen property to stop criminals from making money from it. The Police and Crime Commissioner had also raised concern about the physical state of the courts in Gloucestershire which were dilapidated with inadequate facilities to segregate witnesses and the public from the accused and a lack of access for the disabled. It was noted that 80 electric Police vehicles had been ordered and the number of charging points had been significantly increased; the Council's representative pointed out that the vehicles would be used for dealing with enquiries rather than for frontline incident response. The annual anti-drink driving campaign would be carried out across the county with a focus on rural areas – the initial focus was on education and prevention changing to enforcement in early December. The Police and Crime Commissioner had welcomed the extra money for policing promised by the government; however, it could not be spent until it had passed through a budget following the election. The Panel had also discussed the impact of the "record everything" policy in light of the criticisms discussed at the last meeting - the Police and Crime Commissioner had confirmed this was the approach and that it undoubtedly resulted in additional resources being spent on form filling to ensure compliance.

- 63.4 The Panel's representative advised that another key issue discussed at the meeting was the impact of mental health on Gloucestershire Police. It was noted that only 25% of the annual total of 250,000 calls received by Gloucestershire Police actually related to crimes; 75% related to social services with 148 young people reported missing to the Police in September alone. The Police and Crime Commissioner had noted that both greater resources and greater co-ordination of national and local responses to the national mental health crisis were needed. One response had been deployment of the triage car which carried a mental health nurse along with a Police Officer; however, currently this only operated during the peak period of demand for four days per week so additional resources promised by the government could be used to expand this and free up Police Officers to deal with crime.
- 63.5 The Panel had also received the Chief Executive report from the Office of the Police and Crime Commissioner and there was a general discussion about how the Panel could help to address some of the issues raised, either through sponsoring research or writing letters to appropriate government departments or ministers, for instance, in relation to the mental health issue.
- 63.6 A Member queried whether anything was being done to encourage greater reporting of retail crime as he worked in that sector and was aware that only 5% was currently recorded. The Council's representative indicated that he was not aware of a particular drive to increase reporting but he undertook to ask the question and report back to Members. He indicated that retailers were frustrated as it took a lot of time and effort to record these crimes – often for very little in the way of outcomes – but without that information the true extent of the crime went unrecognised. Another Member went on to indicate that there had been a problem with theft in his Ward over the summer and the group of people responsible had been threatening and intimidating; however, there had been no Police response, despite numerous calls to 101 and 999, so he was keen to understand the approach to dealing with anti-social groups. The Council's representative provided assurance that the Police were well aware of that issue but he undertook to take up the point about the lack of response. He pointed out that co-ordination between the constabularies in neighbouring counties could be improved which would help in terms of the disposal of stolen goods – goods were often stolen in one area and then sold on in another in order to avoid detection. A Member went on to indicate that crimes of violence seemed to be increasing nationally and he questioned if that had been recognised and whether there was a strategy for dealing with it. The Council's representative advised that this topic had not been discussed at the last meeting but the statistics for Gloucestershire were lower than the national average and the county was very safe compared the rest of the country; nevertheless, violent crime, particularly knife crime, was on the increase.
- 63.7 With regard to mental health, a Member asked whether there was a county view on the impact of the Mental Capacity Act as clearly a lot hinged on mental capacity in terms of the safety of the individual and the community in which they lived. The Council's representative advised that anecdotal evidence showed that, on a typical day, frontline Police Officers could spend up to five hours in hospital waiting for a mental health professional to assess someone who had been picked up at an incident – this was clearly not a sensible way to use resources. He hoped the additional funding which was supposedly coming would start to change things but it was important to appreciate this was a society-wide issue. The Member questioned whether it was being suggested that young people who went missing should not be reported to the Police and the Council's representative stressed that the Police had a duty to prioritise missing young persons and that was something which the public

would expect to happen; however, the mental health issues being increasingly experienced were very expensive and this was draining an already depleted resource base.

- 63.8 The Chair thanked the Council's representative for his update and indicated that it would be circulated to the Committee following the meeting. It was subsequently

RESOLVED That the Gloucestershire Police and Crime Panel Update be
NOTED.

OS.64 PERFORMANCE REPORT - QUARTER 2 2019/20

- 64.1 The report of the Head of Corporate Services, circulated at Pages No. 25-75, attached performance management information for quarter two of 2019/20. The Overview and Scrutiny Committee was asked to review and scrutinise the performance information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.
- 64.2 Members were advised that this was the second quarterly monitoring report for 2019/20 and progress against delivering the objectives and actions for each of the Council Plan priorities was reported through the Performance Tracker, attached at Appendix 1 to the report. Key actions for the quarter were highlighted at Paragraph 2.3 of the report and included Council approval for an additional £20m towards commercial property investment; extension of the Public Services Centre to let a further 1,000 square feet to Gloucestershire County Council; successful High Street Heritage Action Zone expression of interest for Tewkesbury Town; 1,325 businesses benefiting from Growth Hub support; collation and submission of comments on the Local Industrial Strategy; designation of Woodmancote Neighbourhood Development Plan (NDP) bringing the total to 16 NDPs across 21 Parishes; proactive approach to enviro-crimes with 12 fixed penalty notices issued, six cases referred to One Legal for prosecution, Officer attendance at Parish Council meetings, four community events and 35 patrols undertaken; and a workshop held in partnership with Gloucestershire Clinical Commissioning Group to support development of a local integrated health partnership. The Head of Corporate Services indicated that, due to the complex nature of the actions being delivered, it was inevitable that some would not progress as smoothly or quickly as envisaged and the details of these were set out at Paragraph 2.4 of the report.
- 64.3 In terms of the Key Performance Indicators (KPIs), Members were informed that the status of each indicator was set out at Paragraph 3.2 of the report. Of the 17 indicators with targets, 10 were on target, three were below target but the annual target would be achieved, two were below target and the target was unlikely to be achieved and two were awaiting data. Key areas where KPIs were performing particularly well were included at Paragraph 3.3 of the report and particular reference was made to KPI 7 as 706 visitors had entered the Growth Hub during the first two quarters so this action was on track to meet the 1,000 target for the year, and KPIs 21 and 22 which related to processing of new benefits claims and change of circumstances which had both improved due to new ways of working.

64.4 During the debate which ensued, the following queries and comments were made in relation to the Performance Tracker:

Priority: Promoting and Supporting Economic Growth

P41 – Objective 2 – Action a) Deliver employment land through the Joint Core Strategy and Tewkesbury Borough Plan – A Member sought clarification as to the amended target date and whether this was realistic.

The Head of Development Services confirmed that the target date was spring 2020 rather than 2019 as incorrectly stated in the report. She reminded Members that Tewkesbury Borough Council was working with two other Joint Core Strategy authorities so there were a lot of complex issues to address but she was as confident as she could be that the new date would be achieved. Although it was a very challenging timetable, the revised date ensured that the Borough Plan remained on course for examination in 2021 and adoption in 2022. She stressed that it was not a quick process – the Joint Core Strategy had taken longer than anticipated as further work had been required at the examination stage – and, whilst it was possible to make up time at different points during the process, clearly it was important not to fall too far behind at this early stage.

P42 – Objective 3 – Action a) Produce a detailed strategy for the delivery of growth at Junction 9 – A Member noted that the comments against this action referenced the Garden Town project and she questioned whether it would be appropriate for Members to receive an update to understand what was happening and how the Garden Town impacted on other actions such as the delivery of growth at Junction 9.

The Head of Development Services advised that the Tewkesbury Garden Town Member Reference Panel was currently meeting every two weeks, although she accepted that the wider membership was not engaged so she would be happy to arrange a Member seminar in the New Year and to work with the Communications Team on the most appropriate method for communicating key messages as the Garden Town project progressed.

P45 – Objective 5 – Action b) Review the tourism resources to maximise the tourist provisions in the borough – A Member raised concern that the target date for this action had now changed four times and he sought an update on how this was progressing.

The Head of Development Services reminded Members that this action was not just about the Tewkesbury Tourist Information Centre, which had its own particular issues associated with its location in the Hat Shop, and she advised that a review of the broader service was underway; ultimately she felt there was a tourism post which could be utilised more effectively and she hoped to be able to report back to Members in March 2020. The Deputy Chief Executive undertook to ensure the action was revised to reflect the fact that it was a strategic tourism review rather than simply being focused on the future of the Hat Shop.

Key Performance Indicators for priority: Economic Development

P46 – KPIs 3 and 4 – Number of business births and business deaths – A Member noted that there was no data for 2019 and asked when this would be provided.

The Head of Development Services advised that the information was backdated which was why the last available information was from 2017; due to collection times, the new data would be available in quarter three which would be included in the next performance report and would relate to 2018.

Priority: Growing and Supporting Communities

P50 – Objective 2 – Ensure a supply of land to accommodate a five year requirement – A Member questioned why there was no Key Performance Indicator for the five year housing land supply.

The Head of Development Services explained that five year housing land supply was calculated on an annual basis therefore it remained the same each quarter. In response to a query as to whether a ruling had been made on whether housing built in advance could be included in the housing land supply figures, the Head of Development Services advised that the High Court Judge had decided not to rule on the position deeming it a matter for each decision-maker. As such, the Council would continue to defend its position and that would be tested through the appeal process when it was able to demonstrate a five year supply which she hoped would be in the new financial year. It was noted there were no new cases nationally to test the position.

- P54 – Objective 4 – Action a)
– Continue to improve the proactive homelessness prevention programme – A Member raised concern that the commentary box contained a lot of jargon which made it difficult to understand, for instance, ‘kata type questions’ ‘Liberating Structures’ and ‘Trello boards’.
- The Head of Community Services apologised and indicated that he would take this on board for future reports.
- P54 – Objective 4 – Action b)
Achieve the Council’s affordable homes target by working with local housing providers – A Member noted that a total of 109 affordable homes had been delivered in the first two quarters of 2019/20 with only 36 of those in quarter two and she questioned why so many more had been achieved in quarter one.
- The Head of Community Services advised that this was linked to when developments came on line; as the Council had little control over this, delivery of affordable homes was not evenly spread across the year.
- P56 – Objective 4 – Action d)
Develop a programme to work with landlords to ensure residents have a supply of rented properties to meet their needs – A Member noted that a new additional post had been recruited to within Housing Services which would assist with the additional workload associated with the new legal duties and she asked how this was progressing, particularly as the target date for this action had been amended twice previously.
- The Head of Community Services reminded Members that Tewkesbury Borough Council had led the successful bid for Ministry of Housing, Communities and Local Government (MHCLG) funding to incentivise landlords to take tenants on lower incomes. Slow progress had been made due to a key member of staff leaving the authority; however, there had been further developments during the third quarter and the scheme which was about to be adopted would include rent in advance, an enhanced deposit scheme and tenancy support. It was noted that Tewkesbury Borough Council was no further behind any of the other Gloucestershire authorities despite the delay. A launch event for landlords and agents was being organised by the person who had been appointed to the new post within Housing Services which would take place in January. Members were advised that the MHCLG project had been due to end in March but he was pleased to report that the pilot could continue until all of the money had been spent which was great news. He undertook to bring a full report on the project to the Committee in September 2020.

Key Performance Indicators for priority: Growing and Supporting Communities

P57-58 – KPIs 8, 9 10 and 11 in relation to housing applications and homelessness – A Member questioned why there was no direction of travel for these KPIs as it was unclear if they were performing well or not, for instance, 334 homeless applications had been accepted in 2018/19 with 22 in the first two quarters of 2019/20.

The Head of Community Services explained that legislative changes meant that the information being compared was not like for like. It was intended to review the KPIs ready for 2020/21 to coincide with the new Housing Strategy and consideration would be given to more meaningful measures which could be compared year on year. In the meantime, he undertook to ensure that more comments were included in the narrative so it was clearer if performance was positive or negative. A Member felt that it was right to reconsider the KPIs in light of the significant changes brought about by the Homelessness Reduction Act 2017 so he would be supportive of a complete review.

Priority: Customer focused services

P63 – Objective 3 – Action b) Introduce the option for paperless billing for council tax and business rates – A Member sought further detail of the issues experienced and whether this action would still be delivered.

The Head of Corporate Services explained that it had not been an easy process and there had been issues around the performance of the supplier so One Legal was currently looking at the contract. The Council's Digital Developer was looking at an in-house solution and he would know within the next seven to 10 days whether that could be achieved for February 2020.

Key Performance Indicators for priority: Customer focused services

P71 – KPI 31 and KPI 32 – Percentage of Freedom of Information (FOI) requests answered on time and percentage of formal complaints answered on time – A Member questioned why only 108 of the 142 FOI requests and 52 of the 62 formal complaints had been answered within the 20 working days deadline.

The Head of Corporate Services confirmed that the Overview and Scrutiny Committee received an annual report on formal complaints. In terms of the first two quarters of the year, 129 formal complaints had been received of which 115 had been answered on time. Of the remaining 14, six related to planning; two to waste and recycling; two to grounds maintenance; two to environmental health; one to customer services; and one to housing – whilst complaints were across the board, six of the 13 complaints received by planning had not been answered within the deadline. It was noted that there was an opportunity to discuss an extension of time with the complainant if it was not possible to respond within 20 working days.

The Head of Development Services indicated that this matter had been discussed by Management Team and she was very keen to address the situation. She reiterated that planning complaints were often complex and

required input from other departments such as One Legal so if a complaint could not be resolved within 20 working days, Officers should be negotiating a new deadline to ensure that they remained compliant with the KPI.

With regard to FOIs, the Head of Community Services felt it was important to recognise the sheer amount of requests, some of which asked for information dating back a number of years, or were repeat requests with a slight variation in the data or format being asked for. This was incredibly time consuming and Management Team was considering what information could be published on the Council's website in order to reduce the resources currently being used for FOIs.

A Member sought clarification as to the number of FOIs that came under one of the exemptions i.e. where the information requested did not have to be provided. The Head of Corporate Services confirmed that a very small number were subject to exemptions and he undertook to circulate the figures following the meeting.

64.5 Turning to the financial information, the Head of Finance and Asset Management indicated that the budget summary for quarter two showed a £18,530 deficit against the profiled budget; although this was a reduction from the £71,190 deficit in quarter one, it was still a deficit and was not comparable to the previous year. The table at Page No. 31, Paragraph 4.2 of the report detailed how the deficit had arisen, much of which was as reported at quarter one. Employee costs had generated a surplus of £111,439 largely through managing vacancies by utilising current staff to cover work in the short term and limiting use of agency staff. The deficits reported in relation to supplies and services, and to a large extent on payments to third parties, were in relation to expenditure incurred in delivering the European Parliamentary Elections. Members were advised that the Council received a grant to cover the cost of the elections which was shown as an income surplus within Democratic Services; overall the Democratic Services account was in balance. In terms of other areas contributing to the deficit for payments to third parties, as reported at quarter one, there had been overspends on additional grounds maintenance resources for Ubico and the extra cost of the depot arising from the review of the use of space. The overspend on transfer payments related to housing benefit claimant payment and the recovery of expenditure from the government. It was noted that the Housing Benefit team had identified two significant overpayments as a result of claimant error which dated back several years. Whilst the debt could be recovered in the long-term, this took a long time which had resulted in an increase in the level of debt held in relation to housing benefit; it had been wrongly assumed that the level of debt would fall, as such, a £50,000 deficit had been recognised on the budget. Members were advised that income was in a surplus position of £200,970 with areas such as garden waste and car parking performing well.

64.6 The Head of Finance and Asset Management advised that the corporate codes included other sources of financing needed to balance the budget. There was a significant budget deficit being shown on investment properties due to not being able to secure another commercial opportunity. This had meant that the income expected to be received in rent had not been achieved but the loss had been

mitigated by treasury management costs having been lowered through reduced borrowing and no minimum revenue provision being made. The final element was business rates which was showing a surplus of £51,701 at the half year stage which was helping to reduce the overall deficit position for the Council. The Gloucestershire-wide business rates pool was going well with a potential £250,000 benefit to Tewkesbury Borough Council which would eradicate the current deficit; however, there was still risk in pooling, particularly as the NHS Trust was looking for mandatory relief on the business rates position which was currently being heard in Court. He reiterated that the overall position for quarter two was a deficit of £18,530 and Appendix 2 to the report provided more detail per service area. Appendix 3 to the report showed the capital budget position as at quarter two which was currently showing a small deficit due to incurring higher than predicted expenditure on Disabled Facilities' Grants; however, in reality that was covered by a government grant with up to £1.2m available this year. It was noted that the capital programme included a budget of £6.6m to secure a commercial investment property which was now profiled to happen in the next quarter of the financial year. Appendix 4 to the report provided a summary of the current usage of available reserves which showed that £410,795 had been spent as at the end of September 2019.

- 64.7 With regard to transfer payments, a Member noted that there was a deficit of £130,000 with a predicted subsidy recovery of £80,000; however, given that debt had increased, a £50,000 deficit on the budget had now been recognised and he questioned whether that was adequate. In response, the Head of Finance and Asset Management confirmed there had been a slow reversal in recent months with a reduction in big claimant errors so things were heading in the right direction. Whilst he hoped the projection was accurate, he provided assurance that this would be kept under review and could be changed if necessary in quarter three. The Member went on to draw attention to two big overspends in relation to Ubico detailed in Paragraphs 4.6.1 and 4.8.3 of the report. Given that there seemed to be a consistent overspend each year, he suggested that it would be beneficial to increase the Ubico budget to account for that. He also pointed out that the situation with recycling credits was not going to improve as supermarkets were now cutting out packaging which would reduce the amount of recyclate and therefore the amount of credits. The Head of Community Services recognised that it looked like a significant overspend but Officers had been aware of the £150,000 overspend going into 2019/20 and had planned for that accordingly. The nature of the waste service meant there was often unforeseen expenditure and overspends were not uncommon but, given the contract was worth around £5m, a deficit which was effectively less than £50,000 was not a bad position. Officers were working with Ubico to address the issues that had been experienced in respect of grounds maintenance rather than simply increasing the budget as the likelihood was that any additional money would be spent. He recognised that recycling credits had plateaued but pointed out that performance was still very good compared with the rest of the country; however, recycling credits may disappear altogether over the next few years which could be damaging, particularly if the government prevented local authorities from charging for garden waste services which was one of the proposals being consulted upon in its waste and resources strategy. The Head of Finance and Asset Management went on to explain that a contingency had been set aside in the reserves to cover any additional overspend in respect of grounds maintenance and the issue with depot space had come up in the early part of the year so there had been time to put reserves in place to cover that. In terms of the reduction in recycling credits, this was due to increased levels of contamination as opposed to anything Ubico was doing; a high level of contamination had not been assumed in the estimates for 2019/20 so that would be reflected in the budget for the following year. A Member felt that the public needed to be updated on what could be recycled and what was causing recyclate to be contaminated and the Head of Community Services provided assurance that was in hand. In response to a query as to the likely end of year position, the Head of Finance and Asset

Management advised that his view was that there would be a small surplus which could be further bolstered by the business rates pool; whilst the surplus would be much less than the previous year, this would still be a positive position for the Council.

64.8 Having considered the information provided, it was

RESOLVED That the performance management information for quarter two of 2019/20 be **NOTED**.

OS.65 COMMUNICATIONS STRATEGY

65.1 Attention was drawn to the report of the Head of Corporate Services, circulated at Pages No. 76-106, and the revised Appendix 2 – Media Protocol, circulated separately. Members were asked to consider the Communications Strategy 2020-24 and recommend to the Executive Committee that it be approved.

65.2 Members were informed that the previous Communications Strategy had been approved by the Executive Committee in 2017 so it had been necessary to carry out a review to ensure the strategy remained in line with best practice. Clear communication helped to strengthen relationships with the public, residents, stakeholders, Councillors and employees and to inform them of service changes in response to the challenges facing local government. The revised Communications Strategy, attached at Appendix 1 to the report, covered a four year period from 2020 to 2024 and would ensure that the Council embraced modern digital communications - such as social media, the Council's website and email – whilst recognising the need to continue with more traditional methods e.g. face to face meetings and telephone contact. The strategy identified key communication principles, achievements to date, what people thought of the authority, objectives going forward and how they would be achieved. This was supported by an action plan which would be monitored by the Overview and Scrutiny Committee on an annual basis. Appendix 2, circulated separately, set out the Council's media protocol which outlined the approach to dealing with media enquiries, developing press releases and identifying spokespersons.

65.3 A Member questioned how Ward Councillors were contacted if they were required to respond to a media enquiry and the Communications Officer advised that this was dependent on the timescale but would usually be via email, followed up with a telephone call. A Member pointed out a typographical error on Page No. 9 of Appendix 2 where a reference was made to a Director rather than a Head of Service and the Corporate Services Manager undertook to ensure this was amended prior to consideration by the Executive Committee.

65.4 A Member drew attention to Page No. 84 of the report which stated that 58 members of the Citizens' Panel had responded to a snapshot survey regarding communications and he questioned how many members were on the Panel in total. In response, the Corporate Services Manager advised that there were approximately 250 volunteer members so this was a fairly high response rate. She pointed out that when the wider customer satisfaction survey was carried out, this was promoted on social media and the Council's website in order to encourage a greater response. The Panel engaged regularly with the Council on a range of issues and consideration was being given as to how to thank them for their time. A Member queried what criteria was used to establish the Panel and was advised that the only requirement was for members to be residents of Tewkesbury Borough. It was noted that there was a link on the Council's website for anyone who was interested in becoming a member of the Panel and that the Panel was regularly promoted in the Borough News. The Chair suggested that this could also be mentioned by Members at Parish and Town Council meetings.

65.5

It was

RESOLVED

That it be **RECOMMENDED TO THE EXECUTIVE COMMITTEE** that the Communications Strategy 2020-24 be **APPROVED**, subject to an amendment to Page No. 9 of Appendix 2 to change the reference from Director to Head of Service.

The meeting closed at 6:00 pm