

**Questions raised by Overview and Scrutiny Committee at meeting held on**

**8 June 2021**

**Council Plan**

**Questions raised by Overview and Scrutiny**

**Response from officers**

**Performance tracker- priority: Finance and Resources**

Recovery plan action a) Continue to work with partners to ensure adequate measures are in place on our high streets to enable social distancing – A Member pointed out that he had not seen any hand sanitiser or signage recently on the high streets and he queried whether it was still in place and who was responsible for its maintenance.

The Head of Development Services explained that hand sanitisers had been installed in Tewkesbury, Bishop's Cleeve and Winchcombe high streets but some had been vandalised and they had needed to be constantly repaired and refilled, plus the stickers had come loose during bad weather and had been blown away; as such, the decision had reluctantly been taken to remove them. Spray paint was now being used on pavements for social distancing markers. The Member suggested it would be beneficial to work with local businesses who could maintain hand sanitising stations outside of their own properties and could take them inside at the end of the day. The Head of Development Services explained that the Council was the accountable body with money for such measures coming from the authority; furthermore, the hand sanitising stations were fixed to the pavements so could not be removed at the end of the day. She confirmed that it was no longer intended to supply hand sanitiser in localities as people were now used to taking their own with them and using the ones provided within the shops and businesses in the High Streets.

Objective 4 – Action a) Develop a business case to ensure our trade waste service operates more commercially – A Member noted that the recruitment process for the project manager had commenced and he questioned whether there was any update on that.

In response, the Head of Community Services confirmed that the project manager post had been recruited to along with a Waste Services Manager to replace another member of staff who had recently left the authority.

**Performance Tracker – Priority: Economic Growth**

<p>Objective 2 – Action a) Deliver employment land through allocating land in the Joint Core Strategy (JCS) and Tewkesbury Borough Plan – A Member indicated that every Parish Council meeting he had attended since he had joined the Council had highlighted concerns about the JCS and urban extensions within the borough and yet it seemed that the Council was at the mercy of developers as it was not meeting its quotas in terms of housing delivery so he questioned how the Overview and Scrutiny Committee could input into that process.</p> <p>In addition, he questioned how Members could input into planning, where appropriate, in terms of what they might consider to be suitable housing design as another regular complaint from Parish Councils was in relation to the amount of homogenous identikit development within the borough.</p>	<p>The Head of Development Services clarified that the JCS was under review so there would be a number of opportunities for Members to get involved. Work was ongoing with the Planning Policy Reference Panel and consideration was starting to be given to development opportunities and development type, urban extensions on new settlements and the quantum of development.</p> <p>In terms of housing design, the government had recognised that greater quality was needed and the national design guide was currently being consulted upon. There was a clear desire to move away from standardised housing types in character areas and housing design was something that would be closely considered as part of the Council’s ambitious growth agenda with the Garden Town acting as one of the key drivers for changing the principles of design going forward. She indicated that she would be happy to discuss both of these matters with the Member in more detail outside of the meeting and reminded the Committee that all Members were welcome to attend the Planning Policy Reference Panel where these issues would be discussed in more detail. If Members so wished, she could also arrange a Member seminar on design in the future.</p>
<p>Objective 3 – Action b) Bring forward plans for the redevelopment of Spring Gardens – A Member noted that the project had not yet been delivered but the reserve allocated had been spent.</p>	<p>The Head of Finance and Asset Management explained that up until early 2020, MACE consultants had been used by the Council to move this action forward; he confirmed that all of the works that had been paid for during that time had been completed.</p>
<p><b>Performance Tracker – Priority: Housing and Communities</b></p>	

<p>Objective 4 – Action b) Promote through the Heritage Action Zone (HAZ) the heritage offer of Tewkesbury through the cultural consortium – A Member noted that one of the projects which would be covered as part of ‘Rise Up Tewkesbury Culture’ was setting up a ‘youth space’ and he asked what this was.</p>	<p>The Head of Development Services explained that, as part of the three year Heritage Action Zone programme, the Tewkesbury culture consortium – known as ‘Tewkesbury Culture’ – had successfully secured funding from Historic England. A number of working groups had been set-up as a result, one of which was an engagement group with Tewkesbury schools and youth groups who were concerned there was no central place for young people to get involved with conservation. As such, attempts were being made to identify a dedicated space within the High Street for 12-18 year olds, for instance, this could involve a trial pop-up youth centre in an empty shop. The redeveloped front of Tewkesbury Methodist Church was a place where they could come together in the interim to build a strategy and programme of partnerships to engage young people in conservation and heritage within Tewkesbury.</p> <p>In response to a query as to whether a Heritage Action Zone could be set-up in any area, the Chief Executive clarified that a bid had been made to Historic England for funding which was specifically for historic towns and was why Tewkesbury had qualified; the Heritage Action Zone had come forward on the basis.</p>
<p>Objective 4 – Action c) Celebrate with partners the significance of 2021 for Tewkesbury – A Member noted that the Council had been awarded £25,000 toward the 2021 celebrations and he questioned whether that was just for Tewkesbury Abbey. He also pointed out that Members had been told they would receive updates from the Community and Economic Development Manager on the 2021 Committee and what was being done in that regard.</p> <p>A Member sought further information in respect of the son et Lumiere.</p>	<p>The Head of Development Services clarified that a steering group, which included Tewkesbury Abbey, the Medieval Society and others, was proposing that the money be spent on three key areas and she indicated that she would speak to the Community and Economic Development Manager to ensure Member Updates were sent out in a timely fashion.</p> <p>In terms of the son et Lumiere, Members were informed that this project was being led by the Roses Theatre and a working group had been set-up to take it forward. The son et Lumiere was proposed to be held at Tewkesbury Abbey on 3-4 November 2021; it would be a ticketed event which was expected to attract approximately 10,000 visitors.</p>

<p>Objective 1 – General - Deliver the housing needs of our communities – A Member raised concern that residents’ view was that affordable housing meant social housing as opposed to the wider scope, e.g. right to buy, partial lets etc. and he questioned how the definition of affordable housing could be addressed by the Overview and Scrutiny Committee, or other relevant Committees.</p>	<p>The Head of Community Services advised that the definition of affordable housing was set by national planning policy and was linked to factors such as local housing rates etc. The point made by the Member had been recognised as a concern and the House of Commons was carrying out research as to what affordable housing was and whether it was truly affordable. He indicated that the Council’s Housing Strategy was in the process of being reviewed and the revised strategy would be brought to the Overview and Scrutiny Committee for consideration later in the year.</p>
<p>Objective 1 – Action b) Finalise and adopt the Tewkesbury Borough Plan – A Member asked for an overview of the steps that needed to be taken to get from the current position to the adoption of the Borough Plan and she questioned what input Members would have into the process.</p>	<p>The Head of Development Services advised that the next stage was receipt of the examination in public findings and a letter was expected from the Inspector within the next few weeks. This would set out whether the Council needed to do further work or may suggest a number of modifications in order to make the plan sound; if it was the latter, it would be necessary to take any modifications to the Executive Committee and Council for approval for consultation and any representations received would go straight to the Inspector. She clarified that any modifications the Inspector recommended would be to move the plan forward and, if the Council decided it did not wish to proceed with those modifications, this would effectively mean that it would not have a sound plan and the local plan would not be adopted.</p>
<p>Objective 3 – Action a) Work with partners, infrastructure providers and developers to progress the delivery of key sites – With regard to the developments at South Churchdown and Brockworth, a Member sought clarification as to whether the Section 106 funding had been received from developers.</p>	<p>The Head of Development Services explained that she would need to check the triggers for the Section 106 payments and whether the money had been paid and she would update the Member following the meeting.</p>

KPIs 12 and 13 – Percentage of ‘major’ applications determined within 13 weeks or alternative period agreed with the applicant and percentage of ‘minor’ applications determined within eight weeks or alternative period agreed with the applicant – A Member noted that performance was significantly lower during quarter four compared to previous quarters and she sought an explanation for this.

The Head of Development Services advised there were a number of contributing factors that had led to the downturn in performance and the team was working incredibly hard against a backdrop of changing how they worked. She explained that certain applications took longer to determine, particularly those which needed to go to Planning Committee; the second lockdowns had meant that officers had been unable to undertake visits once again; and a number of staff had been off sick. Nevertheless, she accepted that performance was a concern - this was one of the reasons for the review of the service that had commenced earlier in the year – and additional staffing resources were being brought in to assist the team.

Another Member expressed the view that performance in relation to KPI 13 was particularly concerning – he could understand that ‘major’ applications would be more complex and time consuming given their nature but he was still unclear as to why determination of ‘minor’ applications was taking so long. He noted there was an option to agree an extension of time with applicants and questioned how much worse the figures would be if that was not possible. From his perspective, extending a house was likely to be a very significant and important part of an individual’s life and one of the roles of the Planning team was to make this process as simple as possible. He was especially concerned at comments that had been made to him about applicants not being able to reach officers or find out the status of their applications and this was something which must be urgently addressed. The Head of Development Services undertook to look into this further to establish response rates in terms of officers getting back to customers.

KPIs 16,17 and 18 – Investigate category B cases within five working days, investigate category C cases within 10 working days and investigate category D cases within 15 working days – A Member raised concern regarding enforcement performance.

The Head of Development Services advised that a category A case, as detailed at Page No. 67 (KPI 15), had taken up a lot of officer time and there had also been an increase in the number of cases with more being reported over the last few months. The Council had unsuccessfully tried to recruit to the vacant Senior Enforcement Officer role early last year and that post would shortly be re-advertised.

Another Member indicated that he had previously requested that the email Councillors were sent regarding enforcement cases in their area be updated to include information about the action taken and the reasons behind that as currently it only gave the address which was very unhelpful. The Head of Development Services confirmed that consideration was being given to an enforcement tracker which would be available on the Member area of the intranet; unfortunately this had not yet been completed but she provided assurance that it was an action for the Business Transformation Officer and she undertook to find out the timetable for delivery. The Chief Executive advised that officers were currently looking at a corporate system for tracking Member questions in order to understand when they were not being answered and to chase up responses from a corporate point of view. In terms of enforcement, he acknowledged that the Overview and Scrutiny Committee had raised concerns before and officers had given a commitment to providing Members with feedback on enforcement cases; however, that was not what had happened and he provided assurance that this would be picked up as a matter of urgency.

A Member noted that category B enforcement cases were defined as development causing, or likely to cause, irreparable harm or damage and she questioned whether the Council was responsible if these were not dealt with in the timescales. The Head of Development Services explained that the situation would be assessed and responded to appropriately – for instance, if work to a listed building had been carried out five years hence, the response required was not the same as if the work had just commenced. She assured Members that in the latter

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	situation, officers would respond very quickly.
<b>Performance Tracker – Priority: Customer first</b>	

Objective 1 – Action c) Deliver the planning service improvement plan – A Member acknowledged that a new review had commenced in April and questioned when it was likely to be finished and whether it would be brought to the Overview and Scrutiny Committee for consideration.

The Head of Development Services confirmed that a consultant had been commissioned to undertake a review of the systems, processes and procedures within the Development Management service. The report was expected in July from which an action plan would need to be produced and November was the target date for that. It was proposed to use Transform Working Group as the vehicle for updating Members on the actions coming out of the review. The Chief Executive indicated that, should Members feel it appropriate, the Overview and Scrutiny Committee may wish to recommend to the Executive Committee that delivery of the action plan arising from the review be monitored by the Overview and Scrutiny Committee. Members agreed this would be appropriate and that this should be recommended to the Executive Committee when it received the report arising from the review.

In response to a query as to whether the report would make recommendations in respect of new staffing structures and systems for the Development Management service, the Chief Executive indicated that it was not clear at this stage exactly what the report would recommend but it was expected that it would make recommendations in terms of how the planning service should operate in order to improve performance. The service had some very good staff who worked extremely hard on behalf of the Council but there were issues with the current systems within the service and performance had fluctuated over the year due to a number of factors. The consultants that had been commissioned were planning professionals with knowledge of best practice across the country so were well placed to assess the current structures and systems and make recommendations on the best way of operating the service now and in the future; this may or may not include staffing structures but the main point was ensuring that the right resources were in place and that would be addressed when the report and recommendations came forward.

In response to a query as to whether there were any quick wins which could be achieved between now and November when the action

	<p>plan would be available, the Head of Development Services confirmed that it was hoped to recruit to Senior Planning Officer and Enforcement Officer posts over the next few weeks as well as securing some additional support from temporary posts to assist with the current officer caseload. The Chief Executive reiterated that provision could be made for additional resources in the long term depending upon the outcome of the review.</p>
<p>KPI 28 – Average number of sick days per full time equivalent – A Member was pleased to see that the average number of sick days had reduced quite significantly from 12.62 to 9.68 days and he questioned whether this included COVID-19 related absences.</p>	<p>The Head of Corporate Services confirmed that 168 days had been lost to COVID-19 absence and they were included within the figures; in terms of self-isolation, whether those figures were included depended on if the person was sick or not. The Member indicated that, if the COVID-19 related absences were removed from the figures, the average number of sick days would actually be around 8 which was in line with the local target so that was a great achievement.</p>
<p><b>Performance Tracker – Priority: Sustainable environment</b></p>	
<p>Objective 2 – Action b) Improve bio-diversity across the borough and educate communities on its benefits – A Member noted that this action had been deferred for six months; however, only Grange Field was referenced in the tracker and she asked what other biodiversity schemes were being deferred.</p>	<p>The Head of Development Services undertook to ask the Community and Economic Development Manager to circulate a list following the meeting.</p>

KPI 32 – Number of reported enviro-crimes  
– A Member raised concern that the number of reported enviro-crimes was particularly high and he questioned whether this could be attributed to an increase in reporting as he was aware there had been a drive to encourage that amongst members of the public, particularly in Brockworth.

The Head of Community Services advised that, unfortunately, the increase was not due to greater reporting and explained that there was considerable flytipping across the county which was significantly adding to officer workloads. Discussions were taking place with Gloucestershire County Council around a countywide awareness campaign and he confirmed that Tewkesbury Borough Council was still doing all it could to deter people in terms of issuing Fixed Penalty Notices, advertising etc; however, the courts had been closed due to COVID-19 which meant it had been unable to take any prosecutions and, although there were some pending, it was difficult to balance the increased workload of those carrying out the investigations. One of the conversations with the County Council had been around the booking system currently in place for the Household Recycling Centres and whether that had contributed to increased flytipping and officers would make a case for it being changed should that be shown to be correct. A Member indicated that she was amazed by how quickly any reported flytipping was being removed and she had found this very impressive. In response, the Head of Community Services advised that this was due to a combination of the new system in place and the fact that the bulky waste service had moved away from Ubico which had freed up more capacity to pick up flytipping.

Another Member went on raise concern that a lot of litter pickers were frustrated that they were unable to carry out litter picking on certain roads. He referred to a specific case in Brockworth where 12 fly tips had been left for several weeks on a particular section of the bypass, with litter spread all across the road and down the verges, but nothing could be done for at least another month whilst Tewkesbury Borough Council obtained the relevant permissions and he questioned whether anything could be done to speed up this process. In response, the Head of Community Services explained that the authority had a statutory duty to close certain roads in order for litter picking to be undertaken due to health and safety and, unfortunately, this did not happen overnight. There was a process to go through with the

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	<p>County Council which included going out to consultation and it was expensive; nevertheless, road closures were programmed in regularly for the locations which were known to be problematic. He stressed that volunteer litter pickers would not be insured without these road closures and the position would be taken away from anyone found to be litter picking without the necessary closures in place. The Head of Community Services indicated that he would speak to the County Council to see if there was a faster way to obtain a road closure and would report back to Members. Furthermore, should the Member want him to attend a community group meeting to explain why that particular road closure was taking so long, he would be more than happy to do so.</p>
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