

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	4 January 2023
Subject:	Council Plan Performance Tracker 2022/23 (Qtr2)
Report of:	Chair of Overview and Scrutiny Committee
Head of Service/Director:	Head of Corporate Services
Lead Member:	Leader of the Council
Number of Appendices:	One

Executive Summary:

At Overview and Scrutiny Committee held on 22 November 2022, consideration was given to the quarter two performance management information for 2022/23. The observations made by the Committee can be found below in section 2.1. The supporting documents presented at the Committee can be found in Appendix 1.

Recommendation:

To receive and respond to the findings of the Overview and Scrutiny Committee's review of the 2022/23 quarter two performance management information.

Financial Implications:

Though the report does not directly impact upon these implications, Finance and Resources is one of the Council's six priorities within the Council Plan. Financial performance monitoring also provides all stakeholders with a good oversight on the Council's financial position.

Legal Implications:

None directly associated with this report.

Environmental and Sustainability Implications:

Though the report does not directly impact upon these implications, Sustainable Environment is one of the Council's six priorities within the Council Plan.

Resource Implications (including impact on equalities):

None directly associated with this report.

Safeguarding Implications:

None directly associated with this report.

Impact on the Customer:

Though the report does not directly impact upon our customers, Customer First is one of the Council's six priorities within the Council Plan. Performance monitoring also provides our customers and residents with a good oversight on the progress being made in delivering the Council Plan priorities, objectives and actions.

1.0 INTRODUCTION

- 1.1** A new Council Plan (2020-24) was approved by Council on 28 January 2020. The approved plan included four existing priorities - finance and resources, economic growth, housing and communities and customer first - plus the approval of two new priorities - garden communities and sustainable environment. Supporting the priorities is a set of objectives and actions. Progress in delivering the objectives and actions are reported through a Council Plan Performance Tracker (Appendix 1). The tracker is a combined document which also includes a set of Key Performance Indicators (KPIs). As in previous years, to ensure the plan remains a 'live' document, all actions are reviewed annually and, where appropriate, they are refreshed. The refreshed plan was adopted by Council on 26 July 2022.
- 1.2** As we continue to recover from the pandemic, for 2022/23 we have incorporated the remaining actions from our Covid-19 Corporate Recovery Plan into the Council Plan so that our focus for 2022/23 falls under one key strategic document. This will mean the report only contains one performance tracker for 2022/23. Key financial information is also reported so Members have a rounded view of overall performance.

2.0 Questions raised at Overview and Scrutiny Committee held on 22 November 2022

2.1

Questions raised by Overview and Scrutiny Committee	Response from officers
Performance tracker- priority: Finance and Resources	
P45 – Objective 3 – Action b) Approve a new planned maintenance programme – A Member asked why this had been delayed.	The Head of Finance and Asset Management explained this had been delayed as other work had taken precedence over the last year. He provided assurance that there was a maintenance programme in place and the delay had not impacted upon that. However, the programme did need to be updated to reflect changes, mainly in relation to funding, and Officers were keen to do that as soon as possible.
Performance tracker priority: Housing and Communities	
P55 – Objective 1 – Action a) Work with partners to undertake the required review of the Joint Strategic Plan – A Member noted that a not insignificant sum of money had been spent to commission work with Deloitte to progress the review and he asked whether the consultants were providing value for money	The Head of Development Services explained that, by having Deloitte on board, they were able to look at what was happening in the industry. One major change was the length of the examination process - the Planning Inspectorate was currently citing that examinations were taking 12 months from when they were submitted. Officers were trying to learn lessons from the previous Joint Core Strategy (JCS) and being realistic about the timetable so as not to mislead the public. She

<p>given there was still no timetable in place.</p>	<p>confirmed that it was still intended to go out for Regulation 18 consultation in spring 2023. In response to a query as to whether there was a date when the Joint Strategic Plan needed to be adopted by - the Head of Development Services explained that, when the JCS was adopted in December 2017, it was on the basis that the Inspector had recommended an immediate review be undertaken and Government guidance was very clear that the plan should be regularly reviewed and updated. The current plan covered the period up to 2031 but, because it had not been reviewed and updated, certain policies would become out of date in December 2022. A Member seminar was being held on 14 December where Officers would set out what this meant for the Council and she strongly recommended that Members attend that session.</p>
<p>P58 – Objective 3 – Action a) Work with partners, infrastructure providers and developers to progress the delivery of key sites – A Member asked if there was a timetable for appointment of Section 106 Officer.</p>	<p>The Head of Development Services advised that a request to fill had been approved and the advertisement would go out this week with interviews scheduled to take place before Christmas.</p> <p>A Member understood there was a considerable amount of Section 106 money in the pot and he asked why it was not being spent - this was community money as opposed to Borough Council money and Parish Councils had raised concern about what they perceived to be a somewhat clunky system which was not straightforward. The Head of Development Services confirmed there was approximately £9m in the S106 pot, £3m of which was commuted sums for approved affordable housing. In terms of delivering affordable housing, changes made a few years ago had meant that some large registered housing providers were allocated a five year funding pot which was quite a lot of money. Work was being undertaken with registered providers to see how they had been using this money. Section 106 money could also be spent on things such as community facilities, play areas etc. Community Development Officers worked with Parishes to establish what they felt was needed within their communities and, once this was included within Section 106 Agreements, the money had to be spent accordingly. The Head of Development Services indicated it was necessary to check that all Section 106 money was included on the system and more work would be required to ensure the money was being spent. If Members had any specific issues within their areas she would be happy to pick these up outside of the meeting.</p> <p>A Member questioned what happened if there was a problem locally that had not been identified until</p>

a housing development had been built and occupied and she suggested there should be an emergency fund which communities could apply to for that purpose. In response, the Head of Development Services explained that this was not permissible under planning legislation. She took on board the comment that requirements changed over time and this would need to be carefully considered when taking forward the Joint Strategic Plan to ensure nothing was missed.

A Member made reference to a particular issue in Brockworth whereby Section 106 money had been allocated but Officers were unable to assist with queries about the amount received, timescales etc. and he asked if the Borough Council would compensate for any loss should the money not be spent in accordance with the deadlines. In response, the Head of Development Services explained that there could be certain triggers for spending Section 106 money and, if it was not spent within that timeframe, the developer could claw this money back. She confirmed there was now a list of all Section 106 monies which had been input onto the computer system. She stressed that it was not a simple matter as one Section 106 Agreement could have up to 40 different conditions or specific elements which needed to be considered, some of which may not be financial, so a lot of work had been done to capture this. In terms of Brockworth specifically, she was not aware of any Section 106 money that was at risk of being sent back to developers. The Member asked if any triggers could have been missed due to turnover of Officers and the Head of Development Services indicated there was always some risk but she felt this was limited, particularly as Officers worked closely with Parish Councils who tended to have a good understanding of what was due to come forward.

A Member asked who was responsible for interpreting how Section 106 money could be spent; he indicated that Innsworth Community Hall was currently shut due to a leaking roof but he felt that should qualify for the pot of Section 106 money which was available for "improvements". The Head of Development Services advised that normal practice would be that, if the Section 106 Agreement was ambiguous, it would be down to Planning Officers and One Legal to interpret. She had not seen the specific Section 106 Agreement the Member had referenced so it would depend on the context but she undertook to look into it following the meeting.

Performance tracker KPI's priority: Housing and Communities

P65-67 – KPIs 18-23 – Determination of planning applications and investigation of enforcement categories A-D – A Member noted that, although there had been a downturn in the quarter, the position was improved compared to last year and she asked what was expected to happen in quarter three.

The Head of Development Services stressed that performance was being monitored with Officers on a fortnightly basis and it was anticipated there would be significant improvement in quarter three. The main goal was to ensure there was improvement for the year overall.

A Member indicated that he was aware of a variation application for a strategic development in Innsworth submitted in 2020 which was still undermined due to conditions which had not been discharged and he questioned if it would be beneficial to include a target around response times for conditions. He also asked whether applications for variations to major developments were included in the figures. The Head of Development Services clarified they were not included in the formal figures which were reported to the Department for Levelling Up, Housing and Communities (DLUHC) but they were monitored as part of internal performance management. She indicated that she would be happy to discuss the variation application with the Member following the meeting. Some of the non-material amendments to conditions had not been progressed as quickly as she would have liked but she hoped this could be addressed now additional resources were in place. The Member felt it would be helpful for Councillors to have an idea of the number of conditions outstanding.

Performance tracker priority: Customer First

P70 – Objective 1 – Action f) Carry out a full review of the licensing service – A Member indicated that, as the Chair of the Licensing Committee, he wished to congratulate Officers for the phenomenal amount of work achieved in bringing the service up to the standard it should be. He noted that there was no mention of the restructuring of the team within this action and he felt that should be included in the report in order to give a full picture of what was being undertaken within the review.

The Environmental Health Manager thanked the Member for his comments and indicated that he would be happy to include the restructure within the commentary on this action going forward.

<p>P71 – Objective 2 – Create a planning application tracker – A Member asked when this would be rolled out.</p>	<p>The Corporate Services Manager advised that the planning application tracker was on course to be rolled out in January. In response to a query as to how it would be tested, Members were advised that the Business Transformation team was working with the Planning team to input data from the Uniform system. The tracker had recently been demonstrated at a forum for developers and agents where it had been well-received</p>
<p>Performance tracker KPI'S- priority: Customer First</p>	
<p>P75 – KPI 35 – Food establishment hygiene ratings – A Member asked how many establishments had been visited.</p>	<p>The Environmental Health Manager confirmed Officers were on track to meet the Food Standards Agency requirements for COVID recovery and he undertook to provide the specific figures following the meeting.</p>
<p>Performance tracker priority: Garden Communities</p>	
<p>P76 – Objective 1 – Action b) Prepare a Design Manual – A Member sought clarification as to what governance needed to be established in relation to the production of the Design Manual and if the revised target date of March 2023 was realistic.</p>	<p>The Tewkesbury Garden Town Programme Manager advised that the delay was due to the need to understand how to take the Garden Town principles forward and how the specific design detail for the Garden Town would dovetail with the Joint Strategic Plan. In terms of the date, there was a lot to work between now and March but it was thought the deadline was achievable. The Member indicated that she could not understand what the Design Manual had to do with governance. The Head of Development Services explained it was necessary to look carefully at the governance arrangements in terms of the respective roles and responsibilities of Officers in order to avoid any conflicts of interest. For example, in her capacity as Head of Development Services for the Planning Authority she would need to consider her engagement with promotion of the Garden Town etc. The Design Manual work was being done by the Garden Town team and was about ensuring that it had planning “teeth” and was aligned with taking forward a strategic framework for the whole programme which could also be used as part of the Joint Strategic Plan process when consulting formally upon it.</p> <p>A Member raised concern that the process had been very stop-start and his understanding was it should be continuous – the design of the Garden Town and how it would be implemented within planning had always been an issue so he questioned why it was something which was being done now. In response, the Tewkesbury Garden Town Programme Manager advised that it had been hoped the Joint Strategic Plan process would be more developed; however, the partner authorities had been unable to keep pace with</p>

	<p>Tewkesbury Borough Council's aspirations in terms of growth management. The Garden Town team was keen to articulate its aspirations around design, sustainability and quality and to ensure that, as a Council, it was very clear how this would be managed through the planning process and policy base. Legal advice had been taken on how to manage the two processes and the Council would want to stand firm against the development industry on the standards moving forward. The Member was concerned that, if the two processes were not aligned, developers would continue to build whatever they wanted and the Garden Town would be created without any control; Tewkesbury Borough should not suffer because of other partners. The Head of Development Services understood the concern and stressed that the Joint Strategic Plan partners were not to blame; it had taken time to work out the best way forward and they were now in a position to move ahead with the timeline for getting a strategic framework in place.</p> <p>A Member expressed the view that allocated employment land should be delivered quickly before it was lost to other development. In response, the Head of Development Services explained that the existing allocations in the Joint Core Strategy remained in place as the plan period went up to 2031. As Members were aware, there had been a delay to the Joint Strategic Plan and the timetable for that was being considered – one of the key issues was that examinations were taking a lot longer, potentially up to 12 months. She provided assurance that the employment allocations in the Joint Core Strategy would not be impacted by the delay and the sites would remain available to come forward.</p>
Performance tracker priority: Sustainable Environment	
<p>P80 – Objective 1 – Action b) Develop a communication plan and roll out carbon literacy training to ensure stakeholders are well informed and knowledgeable of the Council's progress towards its carbon reduction objectives – A Member noted the first training course had been well-received and he asked who had attended.</p>	<p>The Head of Finance and Asset Management advised that the third round of training was about to take place; around 60 members of staff had been trained to date with Heads of Services and Managers attending the first session before rolling out to wider staff. It was intended to provide training for Members following the elections in May.</p>

<p>P81 – Objective 2 – Action c) Carry out a review of our litter pickers scheme – A Member noted that the Business Transformation team had been allocated to other projects so this had been deferred until 2023/24 and he asked if the review could be done by other Officers prior to that.</p>	<p>The Environmental Health Manager advised that a lot of work had already been done in relation to this and Officers had met with the Business Transformation team to discuss the improvements required. Litter picker registration was currently a cumbersome process so the team had been intending to work on a digital solution; unfortunately, this element of the project would need to be delivered by the Business Transformation team as there was no expertise within the Environmental Health team. He would be happy to look at the remaining tasks to see if there was anything which could be done within the EH team.</p>
<p>P82 – Objective 2 – Action e) Commence planning and scoping study for implications of, and opportunities for, borough-wide decarbonisation – A Member understood that the motion which had been agreed by Council was in relation to making Tewkesbury Borough Council Offices carbon neutral by 2030 so, whilst he was pleased to see this action, he queried whether it would require a decision from Council.</p>	<p>The Head of Finance and Asset Management explained this action had arisen from the natural flow of the work being undertaken. The main focus was on the Council's own carbon production; however, some of that work was naturally starting to impact on communities. Officers were working with partners, such as Climate Leadership Gloucestershire, and were keen to understand what a wider strategy would look like. This would require additional resources but he was hopeful that it could be done as part of the year three carbon reduction action plan. It was intended to start scoping the work and to share this with the Climate Change and Flood Risk Management Group before it was brought to the wider Membership.</p>
<p>P83 – Objective 4 – Action a) Establish and publish a local list of non-designated heritage assets in the borough – A Member raised concern that there seemed to be a large block of heritage assets within his Ward which had been missed and he asked how Parish Councils could nominate buildings for inclusion on the list.</p>	<p>The Head of Development Services advised that a Heritage Officer had been employed on a temporary basis to support this work and she had contacted Parish Councils to set out how assets could be listed. If there were properties which Members or Parish Councils felt should be put forward, these should be assessed against the criteria in the Supplementary Planning Document. She confirmed that nominations could be accepted at any time and she undertook to ask the Conservation Officer to contact the Member following the meeting to discuss his particular concerns.</p>

3.0 CONSULTATION

3.1 None.

4.0 ASSOCIATED RISKS

4.1 There are no associated risks in relation to the report itself. A number of actions within the Council Plan are included within the Council's corporate risk register. For example, financial sustainability, climate change, delivery of the Garden Town.

5.0 MONITORING

5.1 Progress on delivery of Council Plan actions are monitored on a quarterly basis by Overview and Scrutiny Committee.

6.0 RELEVANT COUNCIL PLAN PRIORITIES/COUNCIL POLICIES/STRATEGIES

6.1 Council Plan 2020-2024 approved by Council on 26 July 2022.

Covid-19 Corporate Recovery Plan 2020 approved by Executive Committee 8 August 2020.

Background Papers: None.

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Appendices: 1 – Overview and Scrutiny Committee report of Q2 2022/2023 Council Plan.