

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Overview and Scrutiny Committee held at the
Council Offices, Gloucester Road, Tewkesbury on Tuesday, 22 November 2022
commencing at 4:30 pm**

Present:

Chair

Councillor J W Murphy

and Councillors:

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

also present:

Councillor D W Gray

OS.53 ANNOUNCEMENTS

- 53.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

OS.54 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 54.1 Apologies for absence had been received from Councillors K Berliner (Vice-Chair),
H S Munro and C Softley. There were no substitutes for the meeting.

OS.55 DECLARATIONS OF INTEREST

- 55.1 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.

- 55.2 There were no declarations made on this occasion.

OS.56 MINUTES

- 56.1 The Minutes of the meeting held on 11 October 2022, copies of which had been
circulated, were approved as a correct record and signed by the Chair.

OS.57 EXECUTIVE COMMITTEE FORWARD PLAN

- 57.1 Attention was drawn to the Executive Committee Forward Plan, circulated at Pages
No. 13-18. Members were asked to determine whether there were any questions
for the relevant Lead Members and what support the Overview and Scrutiny
Committee could give to the work contained within the plan.

- 57.2 The Head of Corporate Services advised that the Review of Capability Policy would
now be taken to the meeting on 4 January 2023 having been considered by the
Overview and Scrutiny Committee at two workshops and included later on the
Agenda for today's meeting. A report on the first floor refurbishment project would

also be taken to that meeting following consideration at Transform Working Group last week where it had been well-received. A Member sought clarification as to what the first floor refurbishment project involved and the Head of Finance and Asset Management advised that this was building upon the work which was started in 2013 and was about updating the working environment and providing the facilities required to reflect modern working practices. The Member queried how much this was likely to cost in view of the current economic climate and the Head of Finance and Asset Management explained that there were a whole host of aspects to the project. The amount of desk space had been rationalised prior to COVID and it was now necessary to put measures in place to meet the requirements of hybrid working; a lot of Teams calls currently took place in the open office area which meant it could be difficult to hear and could cause confidentiality issues. It was intended to make provision for collaborative and innovative working spaces which could be used flexibly by services at different times of the year. Part of the project would also be about providing better staff facilities as the current staff lounge and kitchen areas were very dated and not well-used. Furthermore, there would be an opportunity to add some colour to what was currently a fairly blank canvass and to promote the Council's vision and values as well as using display screens to communicate information to staff. He stressed it was not intended to do a major refit, rather it would be a number of smaller elements coming together as a project. It was a matter of balancing the needs of Officers, in terms of an improved working environment, against the background of the rising cost of living; however, Officers were satisfied that the proposals would provide the changes needed and would be value for money in terms of the expenditure incurred.

- 57.3 A Member noted that the Parking Strategy Review had been moved to the pending items section of the Forward Plan – he had asked on several occasions for an update on how and when this would be progressed and was concerned that his questions remained unanswered. The Head of Finance and Asset Management advised that he was in a position to be able to write the draft strategy in December. There was a question outstanding in relation to whether parking fees needed to be reconsidered and it may be necessary to reform the Working Group to discuss this further. If the Working Group was comfortable that fees did not need to be changed it would be a fairly straightforward process which did not require full consultation due to the relatively minor changes proposed which would not constitute changing the Parking Order. On that basis, he intended to bring the draft Parking Strategy to Overview and Scrutiny Committee in January with a view to implementing on 1 April 2023; however, if Members did wish to change the parking charges, that would increase the amount of work that would need to be done and those timescales were likely to change. A Member asked how feedback would be sought from the Working Group and the Head of Finance and Asset Management undertook to send an email to gauge opinion and, depending on the results, it may be necessary to call a further meeting of the Working Group.
- 57.4 A Member indicated that approval of the new licensing structure and associated use of funds was also in the pending items section of the Forward Plan and he asked when that was likely to come forward. The Environmental Health Manager confirmed that a report had been submitted to the Corporate Leadership Team and would be discussed with the Chief Executive on Thursday; providing there was agreement from the Corporate Leadership Team, he assumed a report would be taken to the next available Executive Committee with a view to implementing the structure by early next year.
- 57.5 A Member drew attention to the report on joining Project Solace which was due to be taken to the Executive Committee meeting in January and she raised concern that the mark had previously been missed in terms of who the Police were targeting so she sought assurance that youth would be taken into consideration. She indicated that this was an area of interest for her, particularly as antisocial behaviour was increasing in her Ward, partially due to the situation with new housing. The

Environmental Health Manager advised that it would cover the full range of antisocial behaviour components the Council was currently dealing with. He pointed out that there had been significant changes to the community safety service over the last couple of years and there was now an active Community Safety Partnership with the Police and the local authorities in the county which worked with voluntary groups such as Young Gloucestershire and housing associations etc. - this would all feed into Project Solace in terms of priorities and intelligence gathering within key areas. He confirmed that, if approved, the project would provide a dedicated Police Community Support Officer for Tewkesbury Borough and full details would be included in the Executive Committee report. Another Member explained that he had previously raised the point that the Community Safety Partnership had historically included Members which he felt was necessary moving forward. The Environmental Health Manager explained that the Terms of Reference of the Community Safety Partnership were being reviewed so he would raise this with the Head of Community Services following the meeting. The Head of Corporate Services indicated that there was a pending item in relation to Community Safety Partnership within the Overview and Scrutiny Committee Work Programme which was around evaluating whether it was delivering against its Terms of Reference so he would speak to the Head of Community Services to establish when this could be brought forward.

- 57.6 Following the autumn statement, a Member queried whether the Executive Committee had requested to look at the options around a Referendum regarding increasing Council Tax up to 5%. In response, the Head of Finance and Asset Management advised that no request had been made by Executive Committee but part of the issue was the lack of clarity around the Chancellor's announcement last week. There had been a lot of discussion around the core principles for raising Council Tax by 3% - and those which also had social care responsibilities increasing it by a further two percent (a total increase of 5% for upper tier authorities) – but it had been silent in terms of what that meant for district authorities. Officers were working on the assumption that it would be £5 or 3% and, if that was the case, there would be no change for Tewkesbury Borough Council. If there was a will amongst Members to go above the Referendum limit, it would be necessary to look at the approach and gauge if it was likely to gain traction with the public. In response to a query regarding how much a Referendum would cost, the Head of Democratic Services indicated that a Parliamentary Election cost, as a minimum, in the region of £80-90,000.

- 57.7 It was

RESOLVED That the Executive Committee Forward Plan be **NOTED**.

OS.58 OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2022/23

- 58.1 Attention was drawn to the Overview and Scrutiny Committee Work Programme, circulated at Pages No. 19-26. Members were asked to consider the Work Programme.
- 58.2 The Head of Corporate Services advised that, as discussed at the last meeting, the Work Programme had been updated to reflect that, due to the Council Plan Performance Tracker – Quarter Two 2022/23 being brought forward to this meeting, the Depot Services Working Group Update and the Active Gloucestershire report on the progress of its 'We Can Move' project had both been moved from today's meeting to January. Members were advised that the Fit for the Future 2 Outcome Report which had previously been in pending items had now also been scheduled for the January meeting. In addition, the report regarding the trial of mobile surveillance equipment was now included on the Agenda for the meeting on 4 April 2023.

58.3 It was

RESOLVED That the Overview and Scrutiny Committee Work Programme 2022/23 be **NOTED**.

OS.59 GLOUCESTERSHIRE POLICE AND CRIME PANEL UPDATE

- 59.1 Attention was drawn to the report from the Council's representative on the Gloucestershire Police and Crime Panel, circulated at Pages No. 27-30, which gave an update on matters considered at the meeting held on 4 November 2022.
- 59.2 The Council's representative on the Gloucestershire Police and Crime Panel advised that Gloucestershire had applied for Government funding and had been successful in securing £2m for its Safer Streets programme – this was the highest award per capita of any of the 43 forces in England and Wales which reflected the efforts invested. There were a number of other bids pending so hopefully further funding would also be received. The Police and Crime Commissioner had discussed a number of ways the money would be spent including tackling anti-social behaviour and rural crime. A presentation had been delivered to the Panel in relation to the operation of the police complaints function within the Police and the Police and Crime Commissioner's Office. It was noted that a lot of calls received were not Police matters and required signposting people to the right locations. The Council's representative reminded Members of the PEEL (Police Effectiveness, Efficiency and Legitimacy) review which had been carried out in early 2021 and had assessed the Constabulary in 13 areas of policing with four of those being graded 'good', one 'adequate', six 'inadequate' and the remaining two being ungraded. At the time, he had reported that Gloucestershire had been subject to a new form of review which was a more granular system than the previous one which had consequences for how matters were recorded and reported. A new regime had subsequently been introduced by the Police to address the key issues around the recording of crimes and the operation of the control room in terms of how quickly calls were being answered. It was noted that the number of recorded crimes was increasing as people were able to get through more quickly so it was possible that the amount of crime may look to be increasing because it was being captured more effectively. He explained that, as with all public services, there was a lot of pressure on the Police budget and further details were awaited in relation to Government funding. He pointed out that two independent Members had joined the Panel – they were classed as independent as they did not represent local authorities in Gloucestershire – and they were a welcome addition in terms of the diversity and new perspectives they would bring.
- 59.3 A Member indicated that he had received complaints from members of the public who had called 101 to report anti-social behaviour but had not been able to get through; he had a direct number for the Police and was not able to get through on that either which meant that, by the time an incident had been reported and Police despatched, the offenders had left the scene. The Council's representative agreed this was an area for focus in terms of improving the speed calls were answered and he undertook to raise this again; however, he pointed out that the Police and Crime Commissioner had promised several hundred extra Officers across Gloucestershire which would give greater visibility and access to the Police and act as a deterrent to anti-social behaviour. He went on to explain that there was a national trend towards increased reporting of crime so the Police were aware of these types of concerns and he made particular reference to the facilities available to report crimes online. A Member advised that, from his experience of working in the retail industry, only 2% of crimes were reported due to the difficulties associated with that and he suggested that it would be useful to have access to a simple online form which people could

use to report incidents so that the Police could gain a better idea of the number of crimes being committed and their location. The Council's representative undertook to feed that comment back.

- 59.4 In response to a query regarding recruitment and staffing, the Council's representative explained that the Police and Crime Commissioner was lobbying Government about the recruitment profile, for instance, it was recognised that a stipulation that all Police Officers must have a degree meant that people with other valuable skills were being excluded. There was also a case that the Police needed to better reflect the local community and be able to communicate more effectively with them. The Police and Crime Commissioner had taken a lot of criticism for the promotion of Special Constables in order to meet targets but the reality was that Special Constables could bring a lot in terms of community interaction. In response to a further query regarding complaints of corruption within the Police, the Council's representative recognised that the disturbing cases of corrupt and misogynistic behaviour within the Metropolitan Police had attracted a lot of media attention, and had tragic consequences, but Gloucestershire Police was not one of the six Police Forces identified in the recent review about the problems with Police vetting. The Police and Crime Commissioner had made the point that vetting processes could not be compromised even if that meant that recruitment targets were missed. As a Panel Member, his view was that, due to the nature of the failings in the Police, and the societal changes in terms of the cost of living situation and the impact that would have on behaviour, things were likely to look worse before they looked better. Gloucestershire Police was generally in a better place – it was attracting government funding and was being honest about levels of policing and the Police and Crime Commissioner was holding the Police accountable – but the results of a further PEEL review were awaited. The Member indicated that she believed the vetting process within Gloucestershire was good but she would like some assurance that incidents of whistleblowing were appropriately dealt with and the Council's representative undertook to raise this.
- 59.5 A Member explained that, as a Councillor, he was regularly asked by residents to help with a range of issues which were the responsibility of various bodies including the Council and the Police and he suggested it would be beneficial to look at a one-stop shop where people could receive guidance as to who was most appropriate to deal with their specific matter as a lot of time was being wasted when people contacted the wrong authorities. The Council's representative confirmed that conversations were taking place around this and there had previously been discussions around the role the Police had to play as a result of the lack of capacity in the NHS/social services which meant that people called them for help. A lot of Police time was taken up dealing with matters which were nothing to do with illegality or criminality, for instance, missing persons. This topic was raised frequently and the Police and Crime Commissioner was well-aware that better working relationships, particularly with the NHS and social services, were key.
- 59.6 A Member asked if there was any update on the future of the Police horses and the Council's representative advised that he had not heard anything which suggested there was no change but he would check following the meeting.
- 59.7 A Member suggested it may be beneficial for the Police and Crime Commissioner to attend a future meeting of the Overview and Scrutiny Committee and the Council's representative indicated that he was sure he would be happy to do that. It was

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

OS.60 COUNCIL PLAN PERFORMANCE TRACKER - QUARTER TWO 2022/23

- 60.1 The report of the Head of Corporate Services, circulated at Pages No. 31-90, attached the performance management information for quarter one of 2022/23. The Overview and Scrutiny Committee was asked to review and scrutinise the information and, where appropriate, identify any issues to refer to the Executive Committee for clarification or further action to be taken.
- 60.2 Members were informed that this was the second quarterly monitoring report for 2022/23 and represented the latest information in terms of the status of the actions set out in the Council Plan which was refreshed and adopted by Council on 26 July 2022. Progress against delivering the objectives and actions for each of the six Council Plan priorities was reported through the performance tracker, attached at Appendix 1 to the report, which was a combined document that also included a set of Key Performance Indicators (KPIs). The remaining actions from the COVID-19 Corporate Recovery Plan had been incorporated into the Council Plan Performance Tracker so there would be one strategic document going forward. Key financial information was also reported alongside the tracker documents with a revenue budget statement attached at Appendix 2 to the report, a capital monitoring statement attached at Appendix 3 to the report and a reserves position summary attached at Appendix 4 to the report.
- 60.3 Key actions for the quarter were highlighted at Paragraph 2.3 of the report and included all units within the Council's commercial property portfolio being let and occupied; the appointment of Shared Intelligence to start work on the economic assessment which would form the basis of the new Economic Development and Tourism Strategy which had been subject to an Overview and Scrutiny Committee workshop on 15 November; preparation of an Empty Homes Strategy and an Electric Vehicle Charging Strategy which had both been well-received at Executive Committee last week; success of the solar canopy which had enhanced the Council's reputation and received extremely positive feedback on social media. Members were reminded that, due to the complex nature of the actions being delivered, it was inevitable that some would not progress as smoothly or as quickly as envisaged and the details of those actions were set out at Paragraph 2.4 of the report. These included actions around the Joint Strategic Plan; review of the corporate website which had been delayed due to difficulties with recruitment, although it was noted that interviews had taken place earlier in the day; three actions in relation to the Garden Town; and the review of the litter pickers scheme which had been deferred to 2023/24 following a review of the Business Transformation team priorities. In terms of KPIs, the status of each indicator was set out at Paragraph 3.2 of the report and KPIs where direction of travel was down, and/or not on target, were set out at Paragraph 3.3. of the report. Particular reference was made to KPIs 10 and 11 in relation to homelessness, and it was noted that the Housing and Homelessness Strategy Action Plan Monitoring Report was due to be considered at a later Agenda item, and KPIs 17-19 in respect of Planning which would be addressed in detail under the next Agenda item. Successful KPIs were highlighted at Paragraph 3.4 of the report and included KPIs 20-23 which related to improved planning enforcement investigation, with the majority of categories A-D reaching 100% performance during quarter two, and KPI 40 which showed that 53.82% of waste was reused, recycled or composted which was above the target of 52%.
- 60.4 During the debate which ensued, the following queries and comments were made in relation to the Council Plan 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 that this had been delayed as other work had taken precedence over the last 12 months. 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.

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 given there was still no timetable in place.

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 and being realistic about the timetable so as not to mislead the public. She 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, the Head of Development Services explained that, when the Joint Core Strategy 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.

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.

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.

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 that 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 should be happy to pick these up outside of the meeting.

A Member questioned what happened if there was a problem locally that had not been identified until 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.

Key Performance Indicators for 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 undetermined 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 Members to have an idea of the number of conditions outstanding.

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.

P71 – Objective 2 – Create a planning application tracker – A Member asked when this would be rolled out.

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.

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.

Key Performance Indicators for Priority: Customer First

P75 – KPI 35 – Food establishment hygiene ratings – A Member asked how many establishments had been visited.

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.

Priority: Garden Communities

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.

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 through between now and March but it was thought that deadline was achievable. The Member indicated that she could not understand what the Design Manual had to do with governance and the Head of Development Services explained that 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 instance, 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 Garden Town at a very high level which could also be used as part of the Joint Strategic Plan process when consulting formally upon it.

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 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.

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.

P78 – Objective 1 – Action g)
Conclude the assessment of the delivery vehicle for the Garden Town and submit the business case to the Department for Levelling Up, Housing and Communities –
A Member asked if the business case had been submitted to Government as the commentary said this would be done in autumn 2022.

The Tewkesbury Garden Town Programme Manager advised that it was still underway.

Priority: Sustainable Environment

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

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.

asked who had attended.

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.

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 team; however, he believed the majority of remaining actions related to IT.

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.

The Head of Finance and Asset Management explained that 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 so it was still in its very early stages.

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.

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.

- 60.5 Turning to the financial information, the Head of Finance and Asset Management advised that the financial budget summary for quarter two showed a projected surplus of £138,305 which was a worsening of the projection at the end of quarter one; however, given the impact of rising levels of inflation and the inclusion of both the 2022 pay award and the first phase of the local review of the pay line within the figures, at this stage, the projection of an outturn surplus was encouraging.
- 60.6 The table at Paragraph 4.2 of the report highlighted the variances against budget. In terms of employees, there was a potential gross surplus of £320,219; however, there was a target within the Council's corporate expenditure to save £100,000 from employment costs across the authority, therefore, the net position was a surplus of £220,219 against target. This included the cost of the national pay award which was an additional £1,925 on every pay point at a cost of over £500,000 to the Council – the 2022/23 budget had assumed a pay offer of 2% so circa £200,000 had been allocated to meet the cost of a pay award leaving an excess cost of £300,000. Additionally, in September, the Council had agreed the first phase of a retention and recruitment programme with an estimated cost of £106,000 from 1 October 2022 - this was also included in the figures. With that in mind, it was surprising that the position remained positive and this was a reflection of the level of staff turnover within services during the first half of the year. Payments to third parties highlighted a projected overspend of £441,522 with the Ubico contract forecast to be overspent by £400,000 at year end, in large part due to the national pay award and the rising cost of fuel with diesel costs in excess of £133,000. The Council was also bearing additional running costs of the Swindon Road depot which was being offset by the £200,000 savings being made from the reduction in the gate fee at the Materials Recovery Facility (MRF). Income in many areas of Council activity was showing a positive position; however, some areas were projecting lower income than budget, most notably, Tewkesbury Leisure Centre was expected to be £66,000 lower than budget. Notwithstanding this, the Council was £70,000 up on expenditure for the year.
- 60.7 In terms of corporate expenditure, there was an estimated surplus of £391,979 for the financial year. Treasury activities were expected to deliver savings in borrowing costs as the Council had been able to divest itself of some of its previous borrowing need and the increased market rates had been good news for its investment activities with pooled funds experiencing returns significantly in excess of budget expectations. The Council's commercial property portfolio was currently predicting a deficit as a result of the temporary void at one office unit and the inducements offered to let the unit; however, all units within the portfolio had now been let. Business rates had generated an additional £150,000 income due to extra grants from the Government. The deficit on net service expenditure and the surplus on net corporate expenditure resulted in an overall surplus projection of £138,000 for the year but the Head of Finance and Asset Management stressed there was a long way to go with potentially more impact from inflation.
- 60.8 The capital budget position as at quarter two was attached at Appendix 3 to the report and showed that £1.3m had been spent to date with £599,000 spent on the solar canopy project and a vehicle being procured for street cleansing operations. Disabled Facilities Grants was showing an overspend as more grants had been paid but that would be met by increased grant being released by Gloucestershire County Council. Appendix 4 to the report provided a summary of current usage of available reserves and highlighted areas of commitment which had not yet been spent. It was unlikely that the £750,000 set aside in reserves to meet the impact of inflation within the current year would be needed but some was likely to be required for the following year's budget.
- 60.9 Having considered the information provided, it was
- RESOLVED** That the performance management information for quarter two of 2022/23 be **NOTED**.

OS.61 REVIEW OF PLANNING KEY PERFORMANCE INDICATORS

- 61.1 Attention was drawn to the report of the Head of Development Services, circulated at Pages No. 91-107, which informed Members of the proposed changes to the Planning Key Performance Indicators (KPIs).
- 61.2 The Head of Development Services advised that Members would be aware that a review of the Planning service had been undertaken last year and it was intended to hold a briefing for all Members in January to update them on progress. An action plan in response to the review had been approved by the Executive Committee in November 2021 and this had included a performance management stream which focused on ensuring there was effective monitoring in place. One of the overarching recommendations was to review the way planning performance was reported internally and to bring the approach in line with national reporting as it was recognised that the current reporting targets were in line with what was expected for a high-performing authority which was not an accurate reflection of the current service.
- 61.3 Members would be familiar with the current KPIs in relation to major, minor and 'other' applications; however, this was not in line with the criteria for reporting to the Department for Levelling Up, Housing and Communities (DLUHC). As such, it was proposed to change internal reporting to align with the national standards the authority was required to report i.e. two categories relating to major applications and non-major applications. The current threshold for speed of decisions was 60% for major development and 70% for non-major development – the Council was performing above those thresholds but improvement was still needed to become a high-performing planning authority. As such, it was proposed to introduce a stretch target over three years, as set out at Pages No. 97-98 of the report. The Government also required reporting on the quality of decisions which was not reported as a KPI currently so this was something which was proposed to be introduced going forward.
- 61.4 In explaining the thinking behind the new targets, the Head of Development Services advised that the Business Transformation team had done a lot of analysis of other authorities with a similar make-up to Tewkesbury Borough Council in terms of the nature of the Borough and the type of applications submitted. As mentioned, the current targets were what would be expected for a high performing authority and had increased year on year without being reviewed to check if they were appropriate - continually missing targets was very demotivating and demoralising for Officers. The stretch targets proposed reflected the current situation and encouraged incremental improvement in performance.
- 61.5 A Member understood the need for more realistic targets, particularly in light of the comparison of the speed and quality of planning decisions against other authorities as set out at Appendix 2 to the report. He expressed the view that it was necessary to get things in order before the planning application tracker was introduced. He continued to have problems contacting Planning Officers by telephone and he asked when communication was likely to improve; he recognised Officers were under pressure but the lack of contact made things worse and it was essential that members of the public were able to find out what was happening with their planning applications. He pointed out that this was the third review of the service since he had become a Councillor and he had been asking the same questions since that time so he questioned what the fundamental issues were within the department. In response, the Head of Development Services acknowledged there were issues with communications and provided assurance that measures were actively being put in place now the Business Transformation team was engaged. She would be able to talk more about the different aspects at the Member seminar in January so she encouraged attendance at that session. The Member asked whether communication was monitored and was advised that

calls, and whether Officers were answering phones, was monitored internally; however, it was not suggested this be included as a KPI at this stage. The Corporate Services Manager confirmed that the Business Transformation team resources had been prioritised to support the planning review and a call monitoring portal had been identified as a potential solution to ensure transparency on calls received.

- 61.6 With regard to the need to report on the quality of decisions, a Member raised concern that this inferred that decisions being made by the Planning Committee were not sound – as a Member of that Committee he stood by the majority of the decisions which were made, particularly in relation to major applications, and he felt that non-quality decisions were often made by Planning Inspectors. As such, he suggested this needed to be phrased differently to be clear it was not the Planning Committee making wrong decisions. Another Member assumed the quality of decisions was ensuring there were robust reasons for making decisions and having confidence in those decisions so there was no comeback from Inspectors. He drew attention to Page No. 97 of the report and questioned whether the aim of becoming a top performing Council by 2024/25, and the stretch targets associated with that, were too aspirational. Whilst she felt it was a valid point, the Head of Development Services indicated that it was important to have ambition and the targets would be kept under review so they could be changed if things did not progress as planned. Another Member welcomed the idea of realistic targets and he felt that a 3% increase for 2022/23 was viable but challenging unless there was something systematically wrong which could be corrected. He asked what the direction of travel was currently and was advised that things were heading in the right direction and Officers were committed to improving on last year's performance figures; whilst there had been a dip in performance during the quarter, it had been made clear to Officers this needed to be rectified. The Member indicated it would be helpful to see the rate of improvement compared to past years' and the Head of Development Services undertook to ensure this was included in the next performance management report. In response to a query as to what measures were in place to prevent a yo-yo effect whereby performance against one target improved whilst another went down, the Head of Development Services explained that this had been the case recently due to the backlog of historical applications which had taken longer than expected to resolve; however, extra support had been provided for Officers to clear that backlog to a level considered reasonable for a planning authority and, once that had been done, more consistency was expected. A Member asked if working from home had impacted on performance, either positively or negatively, and the Head of Development Services confirmed there were no issues with Officers working in a hybrid way.
- 61.7 It was
- RESOLVED** That the proposed changes to the Planning Key Performance Indicators (KPIs) as set out at Paragraphs 5-9 of the report, be **NOTED**.

OS.62 HOUSING AND HOMELESSNESS STRATEGY ACTION PLAN MONITORING REPORT

- 62.1 The report of the Housing Services Manager, circulated at Pages No. 108-135, provided Members with an update on progress made against the Housing and Homelessness Strategy Action Plan. Members were asked to consider the report.
- 62.2 The Housing Services Manager advised that the Housing and Homelessness Strategy had been approved by Council in April 2022 where it had been agreed that monitoring of delivery would be undertaken by the Overview and Scrutiny Committee. This report gave an update on the progress made to date against the

action plan which had been agreed by the Executive Committee. It was noted that the strategy had been compiled prior to the issues in Ukraine and the impact of inflation so Officers had moved things around within the action plan to prioritise actions around improvements for tenants, for instance, working with partners to secure better build standards with committed funds and changing tenure type from affordable rent to social rent. It was noted there had also been a change to the approach in delivery of rented affordable housing with social rent being prioritised through the new evidence base of local housing need; this would have a significant impact on affordability for tenants. The second priority related to the development of an Empty Property Strategy which had been approved by the Executive Committee earlier this month. In relation to this, a housing stock condition survey was being undertaken across the county and, once that had been carried out in Tewkesbury Borough, the results would be incorporated into the strategy to improve the housing stock. Bromford had recently done a survey of its own stock and that data could be matched with the information on the housing register to inform those findings. Priority three related to meeting the housing needs of homeless households and others with specific needs. Part of this would involve engaging with people with a lived experience of homelessness and other disadvantage to inform how Officers worked with customers and understand the reasons why they might not make the right choices. In terms of work on care leavers, the Council was committed to assisting with the corporate parenting model and was leading on the protocol on behalf of the Housing teams across the county to help them move on from care settings into accommodation.

- 62.3 A Member asked for clarification as to the difference between affordable and social rent and was informed these were different tenure types; by definition, affordable rents were 80% of the market rent capped at housing benefit levels so some still could not afford them whereas social rent was the cheapest tenure type available. The Member asked how many empty homes there were in the borough and for more information about the proposal to incentivise people to downsize in terms of how that would be achieved. The Housing Services Manager explained that, as at October 2021, there were 510 empty homes in the borough and a breakdown was provided within the Empty Property Strategy along with information about how long they had been empty etc. In terms of incentives to downsize this was not easy but there were things which could be done via Gloucestershire Homesearcher such as promoting people so they had a better chance of being rehoused if they were willing to move to a smaller property and working with partners such as Bromford to overcome barriers to moving. A Member noted that, five or six years ago, there had been a call to identify potential sites for affordable housing development using Section 106 money but nothing had come to fruition. The Head of Finance and Asset Management advised that no specific projects had been taken forward but Officers were happy to receive any ideas for sites to deliver affordable housing. A meeting was being held with Bromford in December to discuss whether it was possible to get a number of sites moving. In response to a query regarding whether the Empty Property Strategy related to affordable housing as well as private housing, the Housing Services Manager confirmed that, in terms of the social housing stock, partners should be on board and doing things to incentivise bringing these back to use already so private rent and owners would be the focus of the strategy and it was intended to get to a place where enforcement action was taken to bring those empty properties back into use. The Member asked if Councillors should notify Officers of any empty properties they were aware of and the Environmental Health Manager advised that part of the strategy involved updating the Council's website so there was a facility for reporting; however, in the interim Members could email him directly if there was a property they were concerned about. It was a three year strategy until 2026 and the first part of the process would be to engage with property owners; if that was unsuccessful, enforcement powers such as Compulsory Purchase Orders could be used. Another Member asked when the first homes might be returned to occupation and was advised that the

initial task would be to establish an empty property register where properties would be risk-rated based on location, detrimental impact and particular tenures required for affordable housing etc. Once this had been done, Officers would start to engage with the owners and try to get the properties occupied, hopefully by summer 2023. A Member noted that Council Tax would increase if properties remained empty for prolonged periods so that would be an important factor in bringing them back to use. He asked whether the 510 empty homes which had been identified in October included flats above shops as some were not habitable, for instance, if they could only be accessed via the shop. The Housing Services Manager advised that he was unsure whether the 510 properties identified reflected every single property or just the ones which met the Council Tax criteria; some properties would be exempt if they were going through probate etc. He undertook to find out the details and ensure there was consistent reporting going forward. A Member asked if the empty homes register would be available for Members to view and was informed it would be once it was up and running, subject to the General Data Protection Regulation.

- 62.4 A Member drew attention to Page No. 122 of the report and the aim in objective two around improving communication and raising resident awareness in the private sector of how to access financial help and obtain advice to make improvements to their properties and he asked what sort of things would be done. He noted that several residents in his area had issues with black mould etc. the dangers of which had been highlighted in the news recently. The Housing Services Manager confirmed that it was intended to use social media channels and the Borough News as well as targeting housing register applicants and making use of Community Officers who had access to various community groups to push the messages out.
- 62.5 In response to a query, the Housing Services Manager confirmed that the severe weather protocol was in place for rough sleepers which set out that three consecutive nights at zero degrees or below, or a single night at minus three degrees or below, would trigger a countywide response to ensure any rough sleepers were brought in.
- 62.6 A Member felt the Housing and Homelessness Strategy was a really good high-level document and he particularly welcomed the work being done with regard to care leavers. In terms of social housing, he raised concern that large numbers were not being occupied by local people, particularly young people, and he suggested they should be prioritised. In terms of objective two at Page No. 124 of the report which related to the need for specialist supported accommodation for older people, he indicated that it was very important to also look at supported accommodation for those with physical disabilities or impairments and he asked how this was being approached by the team. The Housing Services Manager explained that Tewkesbury Borough was so large that people did not want to move more than a couple of miles from where they worked so it was about making sure there were accessible properties on a range of housing sites – it was recognised there had been a trajectory of not being able to secure this with a number of applications being built without accessible properties; the housing needs assessment would be the evidence base required to address this going forward. Another Member also commended the emphasis on care leavers but indicated that there was nothing in the strategy in relation to the Armed Forces Covenant which she felt was important as homelessness was a significant problem amongst people leaving the forces. The Housing Services Manager confirmed that this was part of the Gloucestershire Homeseeker policy with people leaving the armed forces getting certain dispensations; whilst this was something already being done, he accepted that a statement to that effect could have been included in the strategy.
- 62.7 It was
- RESOLVED** That the progress made against the Housing and Homelessness Strategy Action Plan be **NOTED**.

OS.63 REVIEW OF CAPABILITY POLICY

- 63.1 The report of the Head of Corporate Services, circulated at Pages No. 136-170, asked Members to endorse the revised Supporting Performance Policy (previously the Capability Policy) and to recommend to the Executive Committee that it be approved.
- 63.2 The HR and OD Manager advised that two successful workshops had been held with the Overview and Scrutiny Committee to review the Capability Policy and a revised Supporting Performance Policy had been developed as attached to Appendix 3 to the report. She had been made aware of some typographical errors which she undertook to amend prior to the report being taken to the Executive Committee. The key elements of the new policy were that it set out an expectation of high performance from staff and placed emphasis on support, guidance and early intervention being most effective to turn performance around. The process had also been streamlined and gave clear steps to escalation where appropriate with flexibility for rapid progression if warranted. She thanked Members for their support in the development of the policy.
- 63.3 Accordingly, it was
- RESOLVED** That the Supporting Performance Policy be **ENDORSED** and it be **RECOMMENDED TO THE EXECUTIVE COMMITTEE** that it be **APPROVED**.

OS.64 CORPORATE PEER CHALLENGE ACTION PLAN

- 64.1 The report of the Head of Corporate Services, circulated at Pages No. 171-183, provided Members with an update on the implementation of the corporate peer challenge action plan. Members were asked to consider the report and to approve the suggestion at Paragraph 2.2 for the action plan to be closed off and removed from the Committee's Work Programme.
- 64.2 Members were reminded that the corporate peer challenge had taken place during March 2020 and, whilst the Local Government Association's report had been largely positive, some areas for improvement had been identified in the form of five key recommendations. The majority of areas were things which the Council had already been aware of such as financial sustainability, the Medium Term Financial Strategy, New Homes Bonus and the Garden Town. Most of the actions were complete or ongoing and it was felt there was no value in continuing to bring the action plan to the Committee when these were reported upon in other ways, e.g. via the performance tracker. As such, Members were asked to agree to close off the report.
- 64.3 Accordingly, it was
- RESOLVED**
1. That the progress made in relation to the implementation of the Local Government Association Corporate Peer Challenge Action Plan be **NOTED**.
 2. That it be **AGREED** that the action plan be closed-off and removed from the Committee's Work Programme.

The meeting closed at 7:22 pm