

OVERVIEW AND SCRUTINY COMMITTEE

AGENDA

Tuesday 3 March 2020, 4.00 pm

Council Chamber, Trinity Road, Cirencester

Cotswold District Council, Trinity Road, Cirencester, Gloucestershire, GL7 1PX Tel: 01285 623000 www.cotswold.gov.uk

(i) Questions Arising on the Agenda

If any Member has any questions regarding either (a) an update/progress report on a specific item contained in the Minutes of the previous Meeting or (b) a report contained within the Agenda, he/she is requested to give advance notice of such question to the Director/Officer originating the report or to an Officer of the Democratic Services Section so that a full response can be made available either prior to, or at, the Meeting. If no such advance notification is given, a full response to any question cannot be guaranteed at the Meeting.

With specific regard to the Minutes of previous Meetings, Members' attention is drawn to Council Procedure Rule 17.1 which provides that, once the Minutes have been signed, Members may ask questions to ascertain what progress has been made on a particular matter referred to in the Minutes, but may not make any other statement or generate discussion on the Minutes.

(ii) <u>Mobile Phones/Pagers</u>

All mobile phones/pagers should be **SWITCHED OFF OR SET TO SILENT MODE <u>BEFORE</u>** the start of the Meeting.

(iii) <u>Recording of Proceedings</u>

The public proceedings of Council, Cabinet, and Committee Meetings may be recorded, which includes filming as well as audio-recording. Photography is also permitted.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Committee Administrator know before the start of the Meeting.

Recording/filming should not be disruptive or distracting to the good order and conduct of the Meeting. To assist with this, an area of the Meeting venue will be designated from which proceedings can be recorded/filmed, and 'roaming' around the venue while recording is not permitted. The Chair will exclude anyone whose behaviour is disruptive.

Recording/filming should only be of Members and Council Officers, and not any members of the public (unless they are formally addressing the Meeting or unless specific permission has been given by those individuals).

For further information, please read the Notices displayed inside and outside the Meeting venue and/or speak with the Committee Administrator.

(iv) <u>Committee Administrator</u>

If any Member has any general questions about the Meeting or the associated agenda papers, or is unable to attend, he/she is asked to contact Democratic Services on 01285 623005.

Distribution:

All Members of the Overview and Scrutiny Committee (Councillors Stephen Andrews, Claire Bloomer, Gina Blomefield, Patrick Coleman, Andrew McClean, Dilys Neill, Richard Norris, Gary Selwyn)

Nigel Adams

Head of Paid Service

24 February 2020

OVERVIEW AND SCRUTINY COMMITTEE

3 MARCH 2020

AGENDA

(1) <u>Apologies</u>

(2) **Substitute Members** - To note details of any substitution arrangements in place for the Meeting.

Note:

The procedures in respect of substitution arrangements are principally set out in Council Procedure Rule 29. Particular attention is drawn to the fact that the Head of Democratic Services must be notified of any intended substitution **by 5.00 p.m. on the working day prior to the day of the Meeting.** Please note that neither a Member of the Cabinet, nor the Chair of the Council, may substitute.

(3) **Declarations of Interest**

- (1) To receive any declarations of interest from Members under:-
 - (i) the Code of Conduct for Members; and/or

(ii) Section 106 of the Local Government Finance Act 1992 (any Councillor who has Council Tax payments remaining unpaid for at least two months must declare an interest and not participate in any matter affecting the level of Council Tax or arrangements for administering the Council Tax).

(2) To receive any declarations of interest from Officers under the Code of Conduct for Officers.

(4) <u>Minutes</u> - To confirm the Minutes of the Meeting of the Committee held on 4 February 2020 (attached).

(5) **<u>Chair's Announcements</u>** (if any)

- (6) <u>Public Questions</u> Council Procedure Rule 10 Not more than fifteen minutes allowed for written questions to be put by Local Government electors within the Cotswold District on any matter in relation to which the Council has any power or duties or which affects the district, and which falls within the Terms of Reference of the Committee.
- (7) <u>Member Questions</u> Council Procedure Rule 11 Not more than fifteen minutes allowed for written questions to be put by Members on any matter in relation to which the Council has any power or duties or which affects the district, and which falls within the Terms of Reference of the Committee.
- (8) <u>**Called-In Decisions</u>** Overview and Scrutiny Procedure Rule 13 To consider any matter(s) referred to the Committee in relation to the calling-in of decisions.</u>

Note:

Call-in should only be used in exceptional circumstances where Members of an Overview and Scrutiny Committee have evidence to suggest that the Cabinet or individual Portfolio Holders do not take decisions in accordance with the principles set out in Article 13 of the Council's Constitution relating to Decision Making or within the Council's Budget and Policy Framework. Call-in does not apply to quasi-judicial decisions (such as development control and licensing) although the Committee can review the process by which such decisions are reached.

Items for Consideration and Decision

(9) Planning Enforcement Update

To provide an update on the performance of the Planning Enforcement Team in the 2019 calendar year.

(10) <u>Summary Finance/Service Performance Report – Quarter 3 2019/20</u> – (Report to follow)

To provide information on the Council's financial position including revenue outturn and budget variances; and capital expenditure, capital receipts and use of reserves.

(11) Draft Work Plan 2020/21

To consider the draft work plan for 2020/21.

(12) <u>Quarterly Digest (including County Matters</u> (circulated as a separate document with the agenda papers)

To consider any issues arising out of the Quarterly Digest for future debate and/or action by the Committee.

(13) **Other Business** - Such other business which, in the opinion of the Chair, is urgent.

(END)

COTSWOLD DISTRICT COUNCIL

OVERVIEW AND SCRUTINY COMMITTEE

4 FEBRUARY 2020

Present:

Councillor Stephen Andrews

Chair

Councillors -

Claire Bloomer Gina Bloomfield Patrick Coleman Andrew McClean Dilys Neill Richard Norris Gary Selwyn

Officers -

Chief Finance Officer Executive Director Commissioning Managing Director Head of Paid Service Group Manager Commissioning

Observers:

Councillor Joe Harris

OS.51 <u>SUBSTITUTION ARRANGEMENTS</u>

There were no substitute arrangements.

OS.52 DECLARATIONS OF INTEREST

(1) Member Declarations

There were no other declarations of interest under the Code of Conduct for Members or Section 106 of the Local Government Finance Act 1992.

(2) Officer Declarations

There were no declarations of interest from Officers.

OS.53 <u>MINUTES</u>

RESOLVED that subject to the following amendments, the Minutes of the meeting held on 3 December 2019 be approved as a correct record:

- (a) It was recorded that the meeting was held at Cirencester Baptist Church.
- (b) Minute No. 44 Neighbourhood Planning Update. A Neighbourhood Development Plan should include a question and answer and guide to local communities.

- (c) Minute No. 45 Improvements to the Section 106 Planning Agreement and Process. Clarification was sought on sub-paragraph (i) and (ii) in relation to negotiations on Section 106 agreements, the involvement of Members and being more thorough and imaginative.
- (d) Minute No. 46 Summary Finance/Service Performance Report 2019/20 Quarter Two. Sub-paragraph (i) relating to a review on how Members were presented with the Risk Register. Committee wanted to be reassured that detail would be included in future risk registers in order to understand the risks and challenges.
- (e) Minute No. 48 Quarterly Digest (including County Matters). The Gloucestershire Economic Growth Joint Committee had funding which the Council can bid for. It was considered that this may be a useful source of funding for projects in the more rural areas of the District, which could include infrastructure projects. The Cabinet Member for Planning Policy and the Forward Planning Manager had met with the Chair of the Committee and a series of meetings would take place ensuring that the Council is involved in future discussions.

Record of Voting - for 5, against 0, abstention 3, absent 0.

OS.54 CHAIR'S ANNOUNCEMENTS

The Chair confirmed that the briefing paper on the involvement of the Council's Crime and Disorder functions would be available to consider in March 2020. It would clarify the role of Committee with the Community Safety Partnership.

Following discussion the next meeting of Committee to be held on 3 March 2020 would be held at 4.00pm in the Council Chamber at Trinity Road. This would allow Members to attend Gloucestershire Health Overview and Scrutiny Committee.

OS.55 <u>PUBLIC QUESTIONS</u>

No questions had been received from the Public.

OS.56 MEMBER QUESTIONS

No questions had been received from Members.

OS.57 CALLED-IN DECISIONS

No executive decisions had been the subject of Call-In since the Committee's previous Meeting.

OS.58 UPDATE ON CLIMATE CHANGE EMERGENCY

The Group Manager, Commissioning attended Committee to give an oral update on the work currently being undertaken on this issue, they were explained as follows:

 The new Climate Change Manager had started in his role although was unable to attend Committee as he was undertaking his induction programme. He would be meeting key Members and Officers to discuss the strategic objectives of the Council as the climate change agenda needed to be a top priority in key projects, such as the Waterloo car park.

- (ii) Funding had been requested for three studies baseline data, housing stock and car parking. These were currently out for tender, and would take time to deliver. The results of these studies would feed into the Local Plan.
- (iii) Specific projects on renewal technology were in progress and the procuring of electric charging points for specific sites was ongoing.
- (iv) Ubico had ordered two electric vehicles for 'fitters vans', these were vans which were out on the road, would ensure the waste vehicles are mended whilst out on rounds. This would mean that the Council would begin to receive data on how the electric vehicles are performing in reducing carbon. The vehicles would cover the whole district.
- (v) Additional projects which would be reviewed were the procurement strategy and internal energy usage, ensuring zero carbon products are procured wherever possible.
- (vi) The Officer explained that a strategy will be developed together with an action plan for Members to consider.

Members' questions were responded to as follows:

- (i) Engagement with Parish and Town Councils was being planned. The Cabinet Member for Town and Parish Council would be writing to all Parish and Town Councils to explain that their input into these issues was vital and the Council wanted a multi-agency approach to projects.
- (ii) It was considered that there was a need for every parking space within the Council's car parks to have a charging point, as the Government had recently moved the date forward to phasing out petrol and diesel vehicles to 2035.
- (iii) The appointment of the Climate Change Manager was welcome, but it was important to keep the momentum going, with information in the public domain of what the Council is doing, engaging local schools, both secondary and primary as these were crucial issues for the younger generation.
- (iv) The County Council had adopted a climate strategy and Officers were working closely with the County Council in relation to public transport and cycle paths, amongst other issues, in order to encourage people to find alternative modes of transport, particularly if short journeys were being taken in cars, as there was a need to gather data of how far people were travelling in cars within the District.
- (v) Consultation was taking place on the local transport plan, which was also being considered by the Joint Economic Growth Scrutiny Committee and there would be opportunities to comment on this plan.
- (vi) Utility companies would find it difficult to cope with demand, locally, if the electric charging points are increased. Companies would need to consider the technologies of how vehicles were powered and charged. One of the biggest challenges in the district would be on street parking and how owners would charge vehicles. The Government has set aside funding for on street

charging, which was an ever changing picture and would move at a quick pace.

- (vii) The Head of Paid service explained that Leadership Gloucestershire acknowledged that this was a County wide issue, look at spatial planning, public transport and the best way forward with rural areas having different needs to urban areas.
- (viii) The Chair requested Members have the information on the dates of completion of the strategy, as there was a need to understand the gaps as the results are received. He was concerned that the District Council had its own climate strategy and should not follow the agenda of the County Council, as there would be many specific issues relating to issues in the district. The Officer explained that the focus of the strategy would be on the needs of this Council and the district.

OS.59 DRAFT PUBLICA BUSINESS PLAN

The Managing Director and Executive Director - Commissioning introduced this report.

The Executive Director - Commissioning explained that this report was for shareholders of the partnership for consultation purposes and welcomed proposed amendments. It was a change of direction to the business plans previously presented as the new Managing Director had identified a range of issues which needed to be addressed. The document covered the next two years, which residents and businesses in the district can measure priorities. There were four key priorities in the plan:

- Support and deliver our partner Council's priorities
- Get commissioning right
- Improve customers' experience
- Becoming an employer of choice

The Council's new website had recently gone live, although there was still work to do. It would make it easier for people to get in touch with the Council wherever possible.

Each priority had a number of strategic actions, which would be more detailed in an action plan and new performance framework; therefore, Members would be able to hold Publica to account on the priorities.

Members' questions were responded to as follows:

- (i) Members were impressed with the report which was straightforward, encouraging and the directness made it easy to understand and once all comments had been received and the report finalised, it would be published on the Publica website.
- (ii) The approach to commissioning was queried in relation to contracting out services, a short paper had been written explaining the relationship and direction of travel for commissioning between Publica and the Council.
- (iii) It was highlighted that there were no targets in the report and how these could be measured for performance. It was explained that when the format for the report was being discussed it was agreed to move away from a

format which included too much data and financial information in. This information will be included in the action plan.

- (iv) The Leader explained that the report had been broken down into priorities and written in plain English, as one of the criticisms of previous reports had been that they were complicated, detailed and heavy to read.
- (v) The Managing Director explained that he wanted Publica to be an employer people wanted to work for, beyond a simple process of jobs and applications. The plan was not particularly precise on how to achieve this, although it was considered that a programme such as Investors in People focused on what it means to be an employee of an organisation such as Publica, with appraisals taking place.
- (vi) The current situation on recruitment was queried as Committees had received reports for a number of years that it was difficult to recruit to posts and when doing so, should potential employees be given a choice of pension. The Executive Director – Commissioning explained that there was some information in the performance report on recruitment. Key posts were being filled, the recent process to fill the post of Climate Change Manager had fifty applications. The information is provided to Members on a quarterly basis.
- (vii) Salesforce was working in Customer Services and members wondered what a difference it was making to reducing costs.

Officers explained that eventually the contact centre will answer more enquiries at the first point of contact and only the more difficult enquiries would be passed to the back office. Levels 1 and 2 had been implemented on salesforce and when levels 3 and 4 were implemented this would give the greatest opportunity for savings, as it would then be a comprehensive casework management system at all levels. This would give a better understanding of the case work and what the public and residents were asking. It would be a big change and Officers were talking to colleagues at the County Council as they have been working on a similar journey. Salesforce has had significant investment and it needs to work for Officers and Members, eventually each resident having their own account they can log into.

- (viii) A comprehensive piece of work was currently being undertaken on the identity of the Council and staff inductions should include political awareness. The Leader offered Members of the Committee the opportunity to spend a day on the front line, answering the phones, which would be a useful exercise.
- (ix) The Leader explained that he had signed off a final copy of the Peer review report and it would be circulated as soon as it is returned to the Council.
- (x) It was explained that the group managers had been working collectively and had put a business case together to increase the number of business managers by 1 post from 15 to 16. This was being scoped and would be implemented as soon as possible, as there was a risk that group managers and business managers were overloaded with work.

- (xi) The transformation fund was questioned; there was a substantial amount of money in the fund which was earmarked for the implementation of Salesforce.
- (xii) The Managing Director explained that the previous post holder was aware of the report as the first draft was a collaborative exercise.
- (xiii) It was considered there was a need for staff to receive political awareness training, having an understanding of how to work with and talk to Members. Officers are talking to the LGIU to do some internal training for existing staff.
- (xiv) The Chair queried the timeline and when this work would be delivered. The Managing Director explained that the Business plan was due to go to Council in March, by end of April there would be an action plan, April/May would see delivery plans.

RESOLVED that:

- (a) the report be noted;
- (b) the feedback provided by Committee on the Draft Publica Business Plan 2020-22 be considered before a final version Plan is agreed by the Board for presentation to the Cabinet.

Record of Voting - for 7, against 0, abstention 0, absent 1.

The meeting adjourned at 12.00 and re-commenced at 12.10

OS.60 <u>MEDIUM TERM FINANCIAL STRATEGY AND BUDGET 2020/21-2028/29 –</u> <u>POST CONSULTATION</u>

The Chief Finance Officer introduced this report explaining that comments from Committee would be forwarded to Cabinet. Announcements from the Government had already been made, some were still awaited. £95,000 had been received for the New Homes Bonus. Negotiations had been taking place with Gloucestershire County Council regarding the Local Government Pension Scheme as there was an option to provide the payment in a lump sum, which would mean the Council would be paying less and save in the budget.

Members' questions were responded to as follows:

- (i) Savings could be delivered due to the Local Government Pension Scheme payments being paid in a lump sum, although there was a need to do more in 2021/22 to profile the savings.
- (ii) Work was currently being carried out to identify requirements of the Communications team.
- (iii) There were savings in fuel and labour costs, in relation to testing and servicing the Ubico fleet on site. It was explained that when the fleet was new they were under warranty, as they get older the costs of maintaining vehicles each year rises. The cost in the budget is over 10 a year period.
- (iv) Property services had to value property assets each year and resources to carry out this work were currently being considered.

- (v) Business Rates Officers had submitted the return to Government at the end of January. The bottom line of the net retained business rates 2020/21 was £3,241.520, a reduction of £46,327.
- (vi) The Council Tax fund in 2020/21 was being forecast in deficit, due in part to housing development not coming on line as predicted; valuation on buildings not being at a level expected; flats and houses being demolished, therefore the Council was not receiving the amount of Council Tax forecast. The rate was estimated before the start of the financial year, on a band D equivalent, the total amount coming into the Council was lower than expected, although it was pointed out that residents in the district are good at paying their Council Tax.
- (vii) Concern was expressed over the money coming in and going out, and the cash position, wondering how much cash was there to invest in the short term. The collection fund showed physical cash which the Council had received for the year.
- (viii) The Council was allowed to increase Council Tax by £5.
- (ix) An item identified in the capital programme of £1.2m reflected in the ten year plan. The Officer explained that the figure was an indicative figure and consideration needed to be given before actually committing to using this money.
- (x) The Capital Strategy, Investment Strategy and Treasury Management Strategy were discussed. An amount of money had been allocated in the capital programme for the Commercialisation Strategy.
- (xi) The Council expected car parks to provide a return. The Officer explained that the business case for the Waterloo car park had not yet been presented. It was confirmed that the free parking after three does not currently operate throughout the district, this would be clarified in the report to Cabinet and Council.
- (xii) Figures for capital grants such as disability facilities grant would change as there was a provision within the revenue budget to support the Commercialisation strategy.
- (xiii) An additional officer was in post, at the moment, to deal with fly tipping, the contract had been extended for a fixed term contract and a saving would be made on 2021/22.
- (xiv) The consultation responses on the budget were being forwarded to Cabinet, plus responses from Cirencester Town Council and Fairford Town Council and Weston Sub-Edge. There were mixed responses to the overall package from the public. Officers explained that Members could make comments individually prior to the Council meeting.
- (xv) The green bin collection charge was highlighted, although it was considered that most people agreed it should be paid by the people who use it.
- (xvi) The budget for Community Safety (Crime Reduction) had increased from £20,620 in 2019/20 to £68,150 in 2020/21, due to some one-off expenditure in 2020/21.

- (xvii) It was considered that the Chairs of Audit and Overview and Scrutiny Committees should meet with Officers to look at the timetable and the suite of documents presented to Committee.
- (xviii) Committee could make directed comments identifying areas of importance, risks associated with large scale borrowing and ensuring adequate assessment of the estimates of revenue. Officers explained that there would be no need to wait and there was some potential to do some autumn work to inform the draft budget consultation. There would be significant differences in the budget setting for future years, and a co-ordinated approach with Cabinet, Council, Audit and Overview and Scrutiny Committees could be undertaken.
- (xix) Gloucestershire County Council decide where it disposes of green waste. It was considered that if there was an extra cost of green waste, residents may consider starting bonfires to dispose of green waste.
- (xx) Officers continue to monitor the risk of Land Charges government scheme, as there was no current direction of travel from the Government. The details of this risk were in the Corporate Risk Register.
- (xxi) Investments in the district as a whole should meet needs and requirements, such as where social housing should go and where demand was for a particular project.

RESOLVED that the comments and feedback on the budget proposals 2020/21 and the Medium Term Financial Strategy be provided to the Cabinet and Council.

Record of Voting - for 7, against 0, abstention 0, absent 1.

OS.61 <u>OTHER BUSINESS</u>

There was no other business.

The Meeting commenced at 10.00 a.m. and closed at 1.35 p.m.

<u>Chair</u>

(END)



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	OVERVIEW AND SCRUTINY COMMITTEE – 3 MARCH 2020
Report Number	AGENDA ITEM 9
Subject	PLANNING ENFORCEMENT UPDATE
Wards affected	ALL
Accountable member	Cllr. Clive Webster: Cabinet Member for Development Management, Landscape & Heritage
Accountable officer	Deborah Smith, Team Leader Development Management & Planning Enforcement Manager Tel: 01285 623531 Email: deborah.smith@publicagroup.uk
Summary/Purpose	Update on the performance of the Planning Enforcement Team in the 2019 calendar year. Identify potential barriers to continued delivery of a high quality planning enforcement service.
Annexes	None
Recommendation/s	 a) To note the report b) That the Council expedites the development of an appropriate suite of performance reports for Planning Enforcement c) Expedite improvements to the website to encourage customer engagement
Corporate priorities	Ensure that all services delivered by the Council are delivered to the highest standard
Key Decision	NO
Exempt	NO
Consultees/ Consultation	

1. BACKGROUND

Following a review of the Planning Enforcement Service in 2017, updates on staffing and performance are provided to the Overview & Scrutiny Committee on an annual basis.

2. MAIN POINTS

2.1. <u>Staffing</u>

- **2.1.1.** The Team structure:
 - Senior Enforcement Officer: Lisa Evans (full-time)
 - Senior Enforcement Officer: Kevan Hooper (4 days)
 - Case Officer, Enforcement: Ed Leeson (full-time)
 - Assistant Enforcement Officer: Alison Roberts (full-time 2 year fixed term contract)
- **2.1.2.** The Assistant Enforcement Officer post was amended from a permanent post to a fixed term post, which will be reviewed prior to the expiry of the term in September 2021.
- 2.2. <u>Performance</u>
- **2.2.1** For the 2019 calendar year:
 - New cases received: 424 (419 in 2018)
 - Cases closed: 308 (363 in 2018)
 - Current live cases: 322
- 2.3. <u>Short-term Initiatives</u>
- **2.4.** Publish a quarterly newsletter for Members, to include performance statistics and to highlight cases of interest or articles relevant to Planning Enforcement.
- **2.5.** Improve the visibility of Planning Enforcement on the Council's website and consider providing a more interactive experience to enable customers to better understand when there has been a breach of planning regulations.
- **2.6.** Discussions are ongoing with the ICT Team to establish a suite of reports to enable clearer and more accurate reporting on enforcement cases and to manage individual performance.
- 2.7. The Planning Enforcement function at CDC is one of the four 'modernisation projects' within the wider Development Management Service that is scheduled to take place this year, which will seek to provide improved customer information via the website and via the Customer Services Team, which should then result in increased capacity for Planning Enforcement Officers to deal with identified breaches of planning control.

3. FINANCIAL IMPLICATIONS

None

4. LEGAL IMPLICATIONS

None

5. RISK ASSESSMENT

- **5.1.** If the website isn't user friendly, additional work is created for back-office staff.
- **5.2.** In the absence of an appropriate mechanism by which to extract performance data from the Council's systems, management of work and individual performance cannot be accurately measured.

6. EQUALITIES IMPACT (IF REQUIRED)

N/A

- 7. CLIMATE CHANGE IMPLICATIONS (IF REQUIRED) N/A
- 8. ALTERNATIVE OPTIONS

None

9. BACKGROUND PAPERS

None

(11) DRAFT WORK PLAN 2020/21

COMMITTEE DATE	ITEMS
26 May 2020	Publica Update
	Quarterly Digest (including County Matters)
	Work Plan
1 September 2020	Summary Finance/Service Performance Report - Quarter 1 2020/21
	Publica Update
	Quarterly Digest (including County Matters)
1 December 2020	Medium Term Financial Strategy and Budget 2021/22-2029/30 -
	Consultation
	Summary Finance/Service Performance Report - Quarter 2 2020/21
	Publica Update
	Quarterly Digest (including County Matters)
4 5-1	
1 February 2021	Medium Term Financial Strategy and Budget 2021/22-2029/30 - Post- Consultation
	Consultation
23 February 2021	Summary Finance/Service Performance Report - Quarter 3 2020/21
	Publica Update
	Quarterly Digest (including County Matters)
Items to be	Crime and Disorder Briefing
allocated to future	South West Ambulance Foundation Trust
meetings	Task and Finish Group - Tetbury and Fairford Leisure Centres
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(END)