

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 31 August 2016 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R J E Vines
Councillor D J Waters

and Councillors:

R E Allen, Mrs K J Berry, Mrs G F Blackwell (Substitute for R A Bird), D M M Davies, M Dean,
Mrs E J MacTiernan and M J Williams (Substitute for J R Mason)

also present:

Councillors Mrs J Greening

EX.22 ANNOUNCEMENTS

- 22.1 The evacuation procedure, as set out on the Agenda, was taken as read.
- 22.2 The Chair welcomed Councillor Julie Greening to the meeting and advised that she was in attendance as an observer.

EX.23 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 23.1 Apologies for absence had been received from Councillors R A Bird and J R Mason. Councillors Mrs G F Blackwell and M J Williams would be acting as substitutes for the meeting.

EX.24 DECLARATIONS OF INTEREST

- 24.1 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.
- 24.2 There were no declarations of interest made on this occasion.

EX.25 MINUTES

- 25.1 The Minutes of the meeting held on 13 July 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.26 ITEMS FROM MEMBERS OF THE PUBLIC

- 26.1 There were no items from members of the public on this occasion.

EX.27 EXECUTIVE COMMITTEE FORWARD PLAN

- 27.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-

12. Members were asked to consider the Plan.

27.2 Accordingly, it was

RESOLVED: That the Committee's Forward Plan be **NOTED**.

EX.28 FINANCIAL UPDATE - QUARTER ONE PERFORMANCE

- 28.1 The report of the Finance and Asset Management Group Manager, circulated at Pages No. 13-20, attached the first quarterly monitoring report of the Council's financial performance for the financial year 2016/17. Members were asked to scrutinise the information provided.
- 28.2 The Finance and Asset Management Group Manager explained that, in February 2016, the Council had set a tight budget for 2016/17 in respect of income but he was pleased to be able to report a surplus at the end of quarter 1. Attention was drawn to Paragraph 2.2 of the report which provided an overall view of the position. Approximately £62,000 had been saved on employees – this was mostly due to vacant posts, however, quite a few of those had now been filled; £19,645 had been saved in premises costs which was due to successful business rates appeals on the Council's own premises. Currently income was showing a £38,244 surplus which was good given the high targets that had been set at the beginning of the year. The majority had been generated through planning, although trade waste and licensing had also contributed.
- 28.3 Appendix 1 to the report showed the position for each budget which was assigned to a Group Manager and the current variances against those budgets; although the position appeared to be significantly underspent, it had to be recognised that savings needed to be achieved from the base budget in terms of salaries and procurement savings; both were held as corporate budget codes and accumulated throughout the year so were not deducted until the end of the financial year. Also detailed under the corporate budget was the retained income from the business rates scheme; this showed a deficit of £32,000. Whilst the position was shown as being down against target at the end of quarter 1, it did represent a marked improvement on the position of the last two years. Members were asked to bear in mind that there remained a substantial number of appeals and claims which were yet to be decided by the Valuation Office Agency and, whilst provision had been made for the likely outcome of the appeals, it was possible that the final position would be in excess of the provision made. The 2016/17 budget position was reliant on strong income streams, control of expenditure and the delivery of a variety of savings plans.
- 28.4 Attention was drawn to Appendix 2 which set out the capital position; this was currently showing an underspend against the profiled budget of £90,000 which was principally due to underspends on funding housing grant requests as a result of not paying out as much in quarter 1 as originally estimated. In addition, the leisure centre showed as being overspent even though, overall, the project was £50,000 under budget. Currently a number of capital items purchased as part of the project were showing as capital even though it had been agreed at the commencement of the project that they would be funded from revenue resources; that refinancing would not take place until the year end which was when the true budget position would be shown.
- 28.5 Appendix 3 provided a summary of the current usage of available reserves but did not take account of reserves that had been committed and not yet paid. Whilst the quarter 1 position showed that there remained a significant balance on the

reserves, the expectation was that the remaining balance would be spent in the future. Currently the spend on reserves was at £149,112 so there was £6,749,800 remaining for the rest of the year.

- 28.6 During the brief discussion which ensued, a Member indicated that he had recently read a Local Government Association (LGA) briefing which recommended that Councils should review their insurance to include terrorism and he questioned whether the Council had included this in its costings. In response, the Finance and Asset Management Group Manager explained that the Council did have terrorism cover in place; however, it was currently going through a tender process for all of its insurances and had received advice on what was and was not sufficient.

- 28.7 Accordingly, it was

RESOLVED: That the financial performance information for the first quarter of 2016/17 be **NOTED**.

EX.29 CEMETERY PROVISION IN TEWKESBURY TOWN

- 29.1 The report of the Finance and Asset Management Group Manager, circulated at Pages No. 21-25, informed Members of the limited capacity at Tewkesbury Town Cemetery which it was estimated would be full within three years if no action was taken. Members were asked to agree a way forward which would also allow Officers to investigate the long term opportunities that would generate income for the benefit of the site including agreeing to the permanent suspension of presale burial plots; to agree that the provision of burials at Tewkesbury Cemetery be transferred to Bishop's Cleeve Cemetery as an alternative when Tewkesbury Cemetery was full; to delegate authority to the Finance and Asset Management Group Manager, in consultation with the Lead Member for Finance and Asset Management, to agree areas within Tewkesbury Cemetery for additional burials that had no impact on previous burials, tree roots and footpaths; and to agree future sundry items, such as a columbarium, where a business case was prudent and all necessary permissions were sought.
- 29.2 The Finance and Asset Management Group Manager explained that, under Section 214 of the Local Government Act 1972, the Council had the power, not an obligation, to provide cemeteries and crematoria. In Tewkesbury Borough many of the Parishes used the power rather than the Borough Council itself and the Council was the freeholder owner of only two of the cemeteries within the Borough; Bishop's Cleeve and Tewkesbury. In terms of deaths across the whole Borough there were around 850 per year and around 75% of those chose cremation rather than burial. In Tewkesbury and Bishop's Cleeve there had been approximately 40-50 burials in the last 12 months. Currently Bishop's Cleeve Cemetery had over 500 plots remaining for body burials which equated to over 20 years' worth of burials. In Tewkesbury cemetery there were 25 plots remaining on the current layout which gave a useful life of only one to two years; however, 109 plots had been pre-purchased and there were many double and triple graves which were yet to be utilised.
- 29.3 A number of options had been considered for the future but not all would be viable: the Association for Public Service Excellence (APSE) had been commissioned in July to investigate the need for a crematorium in the area. From the initial findings it appeared that there would not currently be a demand to support a crematorium based in Tewkesbury itself. The review had demonstrated that, to enable a

crematorium to be commercially viable, there had to be a throughput of around 650 to 700 cremations per year; there were currently 635 per year from Tewkesbury Borough and a number of those would continue to use Cheltenham and Gloucester crematorium; Officers had investigated the possibility of reburial on sections of Tewkesbury cemetery and had identified an area where a majority of exclusive burial rights and leases had exceeded 100 years and had expired, however, under Section 25 of the Burial Act 1857, burial authorities required a licence from the Secretary of State for reburial. This was unlikely to be granted given the junior Justice Minister's view that it was not critical to introduce a policy for reusing graves away from the London authorities; investigations had been made into the possibility of using other areas of the cemetery for burials such as between trees and along the edges of roads and pathways – this exercise had identified approximately 40 additional graves which would provide an additional two to three years of burials; Officers had considered the option of purchasing a new site for burials but land that was not susceptible to flooding or of historic interest was at a premium around Tewkesbury and the likely cost of plots would make it an unviable option; in terms of an additional cemetery, the investment did not seem to make financial or operational sense when alternative land availability would most likely be some distance from the current provision in Tewkesbury town and when there was still availability for burials in Bishop's Cleeve and scattering of ashes at Tewkesbury; and Officers had also looked at alternative internment options with a columbarium featuring highly as an appropriate option since it could be sited along fence lines and under trees and could be sold in ten year leases. However, work would need to be undertaken to investigate the suitability and demand for such an option. In response to a query, the Committee was advised that a columbarium was a free standing stone structure which included a number of compartments that housed urns of ashes. The door for each compartment was suitable for a memorial plaque and there was often also a receptacle for flowers. The compartments were usually large enough to intern two urns so it could significantly extend the life of the cemetery.

- 29.4 During the discussion which ensued, a Member proposed, and it was seconded, that an additional recommendation be agreed to ensure that the usage of Tewkesbury cemetery was kept under review and that opportunities for further cemetery provision continued to be sought as the opportunity arose. Another Member questioned whether the Council asked for provision for burial ground through developers and whether the graves that were reserved at Tewkesbury Cemetery had been reviewed to see if they were still required. In response, the Finance and Asset Management Group Manager indicated that it was intended that a request for burial facilities be added to the Community Infrastructure Levy list and Section 106 Agreements would also look at that issue. In terms of a review of the burial plots, he confirmed that this had been undertaken relatively recently but he would be happy to undertake a further review in the near future. In terms of crematoria, he explained that Officers had been in discussion with Cheltenham Borough Council about a partnership for its crematorium project and it had been agreed that there may be some potential opportunities which could be explored.

- 29.5 Accordingly, it was

RESOLVED:

1. That it be **AGREED** that the presale of burial plots in Tewkesbury Cemetery be permanently suspended.

2. That it be **AGREED** that the provision of burials at Tewkesbury Cemetery be transferred to Bishop's Cleeve Cemetery as an alternative when Tewkesbury Cemetery is full.
3. That authority be delegated to the Finance and Asset Management Group Manager, in consultation with the Lead Member for Finance and Asset Management, to:
 - a. agree areas within Tewkesbury Cemetery for additional burials that have no impact on previous burials, tree roots or footpaths;
 - b. agree future sundry items, such as columbariums, where a business case is prudent and all necessary permissions are sought; and
 - c. keep the usage of Tewkesbury Cemetery under review and seek opportunities for further cemetery provision in Tewkesbury as the opportunity arises.

EX.30 DESIGNATION OF NEIGHBOURHOOD PLAN AREAS: THE LEIGH AND STOKE ORCHARD & TREDINGTON

- 30.1 The report of the Development Services Group Manager, circulated at Pages No. 26-32, asked Members to approve the designation of two neighbourhood areas which covered the Parishes of The Leigh; and Stoke Orchard and Tredington (combined).
- 30.2 Members were reminded that the Council had a statutory duty to advise and assist communities in the preparation of neighbourhood development plans, also known as neighbourhood plans, and those responsibilities were set out within the Localism Act 2011. A neighbourhood development plan was a statutory community-led framework for guiding future development and growth of an area and related to the use and development of land and associated social, economic and environmental issues. A neighbourhood plan should establish general planning policies for the development and use of land in a designated neighbourhood area, i.e. where new homes and offices should be built and what they should look like, and could be as detailed or general as people wished. However, it still needed to meet the needs of the wider area which, for Tewkesbury Borough, would be set out within the Joint Core Strategy and the Borough Plan once adopted.
- 30.3 The applications received had been assessed against the requirements set out within the legislation and were considered to meet them such as to enable the designation of the neighbourhood areas. Once this had been established, as required by the legislation, the Council had published the applications for a period of not less than six weeks to invite representations on the proposals. There had been no representations made in respect of either application and, as such, it was recommended that the designation of a neighbourhood plan area covering The Leigh, and one covering Stoke Orchard and Tredington, be approved.
- 30.4 The Development Services Group Manager explained that, if approved, this would bring the total number of neighbourhood plan areas in the Borough to 18. Accordingly, it was

RESOLVED: That the designation of Neighbourhood Areas covering the Parishes of The Leigh and Stoke Orchard and Tredington (combined) be **APPROVED**.

EX.31 STREET NAMING AND NUMBERING

- 31.1 The report of the Development Services Group Manager, circulated separately at Pages No.1-5, asked Members to consider a proposal for Tewkesbury and Cheltenham Boroughs to align their street naming and numbering charging system so that an income was received which covered the running costs of the service.
- 31.2 Members were advised that the street naming and numbering service had been operated for Tewkesbury Borough Council by the shared Cheltenham and Tewkesbury Building Control Service since its formation in November 2009. Prior to that the Tewkesbury Building Control Service had operated and maintained the system. Tewkesbury Borough was currently the only District Council in the County which did not make a charge for the discretionary aspects of the service and, therefore, if it began charging it would align more closely with other street naming and numbering services as well as providing a more understandable service for customers. It was felt sensible for a single charging system to be available across the County, however, currently the only practical option was to align Tewkesbury and Cheltenham (as that was a shared service) and to work with Stroud, Gloucester, Cotswold and the Forest of Dean Councils to develop a system which was aligned across all of the Districts, subject to compliance with the legal requirement that charging be based on a cost recovery basis.
- 31.3 Based on the 2015 figures for Tewkesbury, and using the current Cheltenham Borough Council charging levels, it was estimated that the potential income could reach £32,175 which would mean a surplus of £838.00 to be put back into the service once the costs, including Officer time, had been covered. Members felt that the proposal was a good idea, especially given the fact that the service could be self-financing, they did however express concern that this had not been done before. In response, the Development Services Group Manager explained that, when the original Section 101 Agreement had been put into place to set up the shared service, there had been a lot of legislative issues and this was why the charges had not been introduced immediately. Those issues had now been addressed and it was felt to be a good time to review the matter. Another Member questioned why it was anticipated that there would be problems aligning the charges across the County. In response, she was advised that each District had a different scale of fees and moves to align them previously had not been successful.
- 31.4 In terms of the implementation of the charges for Tewkesbury, Members were advised that the consultation period would run for approximately six to eight weeks; they could then be implemented. In terms of the requirement that the service be non-profit making, Members were advised that this was set down within the legislation. There were four categories for street naming and numbering which were used in Cheltenham and the same model would be used in Tewkesbury: changes to an existing postal address £35.00; new development not involving new street names £50.00 per plot/unit up to a maximum of £500.00; developments requiring new street name and numbering £100.00 per street plus £50.00 per plot up to a maximum of £500.00; and renaming of existing streets £100.00 per street. Officers were looking at increasing the profile of the service so as to improve its market share; this would of course be helpful for its resilience against competitors in the private sector. In response to a query regarding maintenance costs, Members were advised that this related to IT equipment and, if it was not budgeted for, the upgrades required would not be easily obtained. A Member referred to the maintenance of street furniture in his area but was advised that this would usually

be undertaken by County Highways. Another Member indicated that her Ward had fairly recently received some funding for new signs so she thought that there may be a small budget available within the Borough Council for this.

- 31.5 The Chief Executive advised that the Council was trying to make all of its activities as commercial as possible and building control was no exception. Cheltenham Borough Council was taking the same kind of approach to commercialism so both would be looking to maximise income as best as they could according to the rules. Having considered the report, and information provided, it was

RESOLVED:

1. That it be **AGREED** that charging for street naming and numbering in the Borough be introduced and that authority be delegated to the Deputy Chief Executive, in consultation with the Lead Member for Built Environment, to take all necessary steps to implement such charges.
2. That it be **RECOMMENDED TO COUNCIL**:
 - a. that, after giving the requisite notice under Section 180 and Schedule 14 Paragraph 25 of the Local Government Act 1972, the provisions of Sections 17, 18 and 19 of the Public Health Act 1925 shall apply throughout the Borough; and
 - b. that, once Sections 17, 18 and 19 of the Public Health Act 1925 have been adopted, Section 64 of the Towns Improvement Clauses Act 1847 shall cease to have effect so far as it relates to street naming (although it would still apply to matters of house numbering).

EX.32 SEPARATE BUSINESS

- 32.1 The Chair proposed, and it was

RESOLVED That, under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely discussion of exempt information as defined in Part 1 of Schedule 12A of the Act.

EX.33 SEPARATE MINUTES

- 33.1 The separate Minutes of the meeting held on 13 July 2016, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.34 SENIOR MANAGEMENT REVIEW

(Exempt –Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to any individual)

- 34.1 The Committee considered a report which detailed proposals resulting from a review of the senior management structure and made a recommendation to Council thereon.

The meeting closed at 3:25 pm