

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 6 March 2019 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

K J Berry, G F Blackwell, M Dean, R Furolo, M A Gore, J Greening and E J MacTiernan

also present:

Councillors P W Awford

EX.77 ANNOUNCEMENTS

- 77.1 The evacuation procedure, as noted on the Agenda, was taken as read.
- 77.2 The Chair welcomed Councillor P W Awford to the meeting and indicated that he was in attendance, as Chair of the Overview and Scrutiny Committee, to introduce Item 9 on the Agenda – Grass Cutting Improvement Plan.

EX.78 DECLARATIONS OF INTEREST

- 78.1 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.
- 78.2 There were no declarations of interest made on this occasion.

EX.79 MINUTES

- 79.1 The Minutes of the meeting held on 6 February 2019, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.80 ITEMS FROM MEMBERS OF THE PUBLIC

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

EX.81 EXECUTIVE COMMITTEE FORWARD PLAN

- 81.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 9-16. Members were asked to consider the Plan.
- 81.2 Accordingly, it was

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

EX.82 COUNCIL PLAN YEAR 4 (2016-20)

- 82.1 The report of the Head of Corporate Services, circulated at Pages No. 17-34, attached a refresh of the Council Plan 2016-20. Members were asked to consider the document and recommend it to Council for adoption, subject to any amendments the Committee may wish to make.
- 82.2 The Leader of the Council explained that this was the fourth and final year of the current Council Plan and the document before Members was an updated version for consideration. There had been no major amendments. The Head of Corporate Services added that there had been several significant achievements over the period of the Council Plan and the Plan had been refreshed to ensure it remained relevant. The four priority themes had been reaffirmed: finances and resources; promoting and supporting economic growth; growing and supporting communities; and customer-focussed services, and each of those was supported by a series of key objectives and actions which had been amended to reflect the up-to-date position i.e. 'further expansion of the Public Services Centre' had been amended to 'maximise partnership working within the Public Services Centre'.
- 82.3 Members felt the updated Council Plan accurately reflected the Council's position over the last four years. One Member noted some amendments which needed to be made as follows:
- Foreword – amend seventh paragraph '...- you will see these issues ~~these~~ feature as priorities...'
 - Foreword – amend final paragraph to reword first sentence which currently reads 'You will also see (on pages 11 and 12) that we *have made lots of achievements* under each of our priorities throughout the last year...'
 - Our achievements 2018-2019 – Growing and supporting communities – amend sentence on Community Infrastructure Levy to say when it was implemented as well as adopted.
 - Photo Index – amend reference to 'Staverton Airport' to 'Gloucestershire Airport'.
- 82.4 Accordingly, it was

RESOLVED:

That the Council Plan refresh be **RECOMMENDED TO COUNCIL** for **ADOPTION**, subject to the following amendments:

- Foreword – amend seventh paragraph '...- you will see these issues ~~these~~ feature as priorities...'
- Foreword – amend final paragraph to reword first sentence which currently reads 'You will also see (on pages 11 and 12) that we *have made lots of achievements* under each of our priorities throughout the last year...'
- Our achievements 2018-2019 – Growing and supporting communities – amend sentence on Community Infrastructure Levy to say when it was implemented as well as adopted.
- Photo Index – amend reference to 'Staverton Airport' to 'Gloucestershire Airport'.

EX.83 DISCRETIONARY RATE RELIEF POLICY

83.1 The report of the Head of Corporate Services, circulated at Pages No. 35-50, sought approval for a revised Discretionary Rate Relief Policy which set out proposals for awarding discretionary rate relief to business ratepayers. It also took into account additional discretionary powers which had been brought forward by the Localism Act 2011 and updated the financial implications to Tewkesbury Borough Council of awarding discretionary rate relief. Members were asked to adopt the policy as attached to the report at Appendix 1.

83.2 Accordingly, it was

RESOLVED: That the Discretionary Rate Relief Policy, as attached to the report at Appendix 1, be **ADOPTED**.

EX.84 GRASS CUTTING IMPROVEMENT PLAN

84.1 The report of the Head of Community Services, circulated at Pages No. 51-72, attached the report of the Grass Cutting Improvement Plan Working Group, as adopted by the Overview and Scrutiny Committee, and the Executive Committee was asked to consider and approve that report and its recommendations.

84.2 The Chair of the Overview and Scrutiny Committee advised that the Grass Cutting Improvement Plan Working Group had been set up to look at how grass cutting took place within the Borough. The Group had had three very productive meetings in quick succession, chaired by Councillor Cromwell. The meetings had heard from Tewkesbury Borough Council Officers and partners in Ubico about how grass cutting was carried out in Tewkesbury – it had also heard how grass cutting and grounds maintenance was carried out at West Oxfordshire which had given the Group some ideas that helped in devising the recommendations to improve the service. The Working Group felt confident that improvements had been made and that the Council's Officers and Ubico were committed to making sure the problems faced in the previous year were minimised going forward. The Chair thanked the Members and Officers that had been involved with the Working Group for the considerable amount of effort they had put into making it a success.

84.3 The Head of Community Services drew attention to Page No. 61 of the report which set out the recommendations of the Working Group. He explained that some had already been actioned and others were underway. In terms of the specific actions he advised that:

1. Ubico had already undertaken an audit of all equipment to ensure it was fit for purpose and had identified the equipment that would need to be purchased by year-end. In addition, the rounds had been reorganised in a more logical way which meant better use of staffing/resources to ensure the workforce was being used to its full capacity.
2. Tablets were being purchased for electronic mapping.
3. A small piece of land, currently maintained by Tewkesbury Borough Council on behalf of Gloucestershire County Council, had been identified for cutting twice-yearly. This would be closely monitored to see what the impact was in respect of that cutting regime, as opposed to the current eight to ten times a year that the rest of the Borough was cut. This would then inform the likely impact of a possible reduction in the number of cuts on highways land in the future.

4. The grounds maintenance service for 2019/20 would continue to be provided on the same basis as the current year and delivery would be closely monitored to ensure it was fit for purpose.
5. It was felt that there was still work to be done with partners and therefore it was recommended that a Member Group be established from the start of the new Council term to continue the work which had begun.
6. Over the years, the Council had adopted extra land but the Ubico budget had not been uplifted at the same time. It was felt this needed to be reviewed periodically and, where appropriate, the grounds maintenance budget increased.

84.4 In addition, a number of Key Performance Indicators (KPIs) and standards had been adopted which would help the Council hold Ubico to account in terms of the grounds maintenance contract.

84.5 During the discussion which ensued, concern was expressed about the fact that Gloucestershire County Council only paid for two cuts of its land per year when Tewkesbury Borough Council actually cut the land eight to ten times. In response, the Head of Community Services confirmed that this was the reason that a piece of land had been identified for monitoring purposes; that discreet piece of land would be cut twice in the year and would be inspected regularly to see what the effects of less frequent cutting were. Legally the County Council was only required to cut highways land twice a year so that was all it was prepared to pay for. The Borough Council liked its area to look neat and tidy which was the reason it cut the grass more often; however, it did this at its own expense, so Members would need to consider whether it wished to continue that approach or whether it would prefer to only cut what the County Council would pay for. The Chair of the Overview and Scrutiny Committee explained that he had recently attended a seminar about the 'Dorset Model' which, following pressure from eco groups, had introduced a different way of grass cutting that meant less cutting and improved habitats for various species of insects, plants etc. In response to queries as to whether the County Council could get another contractor to cut the highways land, the Head of Community Services confirmed that it could but obviously then the grass would definitely only be cut twice a year which, whilst being in line with safety standards, may not be acceptable to the Borough Council in terms of the appearance of the Borough.

84.6 The Chief Executive explained that the frequency and cost of cutting highways land was something which had been flagged up by the Working Group but it had been decided that it should be addressed in the future following careful consideration and after the experiment with a piece of land to see how the grass grew when comparing two cuts to eight cuts. It was felt that this was an extremely sensible way forward to ensure the best outcome for the Borough and its residents. It was not unusual for the district Councils to have a different standard for its grass cutting than a County Council but, when making a decision on the way forward, Members would need to be mindful of value for money, likely complaints from residents, the ecological issues etc. In terms of ecology, a Member indicated that, in her area, the contractors tended to cut only the first couple of feet of a verge as this meant the wildlife and plants could flourish whilst still maintaining safety in terms of visibility splays etc. She felt that this could be something for the Borough Council to consider as it would also have the benefit of being cheaper with less cutting to do.

- 84.7 Referring to the information provided by the Head of Community Services that Ubico had identified equipment that would need to be purchased by year-end, a Member questioned whether this was within budget. In response, the Head of Finance and Asset Management explained that the purchase of equipment, as long as it was not small, would be approved through a capital allocation so a report to Executive Committee and Council would be required; within that, Ubico would have to explain what was needed, why and how much it would cost.

- 84.8 Accordingly, it was

RESOLVED: That the Grass Cutting Scrutiny Review Report, attached to the report at Appendix A, including recommendations 1-6 as set out in Paragraph 3.1 of the covering report, be
APPROVED.

EX.85 DEVELOPMENT OF A STRATEGIC PLANNING FRAMEWORK FOR GLOUCESTERSHIRE COUNTY TO 2050 AND BEYOND

- 85.1 The report of the Head of Development Services, circulated at Pages No. 73-79, sought to update Members on the progress to date in respect of the creation of a strategic planning framework for Gloucestershire to 2050 and beyond and to make recommendations on the way forward on the preparation of a non-statutory Statement of Common Ground. The report asked for approval of the principle of all Statement of Common Ground partners (the six local planning authorities, the County Council and the GFirst Local Enterprise Partnership (LEP)) cooperating to develop a strategic planning framework for the County on the basis of a Statement of Common Ground.

- 85.2 The Chief Executive explained that there was a proposal to work in partnership to develop a broad strategic framework for Gloucestershire; none of the proposals would take powers away from the Borough Council in terms of development management; however, it had been understood for a long time that it was sensible for partner authorities to work together to avoid potential conflict and, in broad terms, to speak with one voice across the County in respect of strategic planning issues. In addition to the requirements of the National Planning Policy Framework (NPPF), the Leader's Board for Gloucestershire considered that a Statement of Common Ground for the County would draw from existing and developing local plans and plan development processes to provide an agreed joined-up picture of growth within Gloucestershire; include the broad aspirations of partners for the promotion of growth within Gloucestershire; provide an agreed approach between all agencies to allow cooperation in delivery of plans and infrastructure; and improve strategic planning coordination, cooperation and communication to avoid potential conflict between plans and partners ensuring Gloucestershire could speak with one voice – this was important for government dialogue and associated funding bids. The project was at its early stages therefore the current report concerned only the principles of the project and further detail would need to be developed as the project progressed with additional reports being presented to individual local authorities and the GFirst LEP in due course. Final adoption of the Statement of Common Ground for Gloucestershire would need to be agreed by each constituent authority. In the first instance, the Leaders Board had felt it appropriate that all partner authorities signed up in principle to avoid a situation where a lot of work was undertaken only for one of the partners to decide it did not want to be involved.

- 85.3 A Member understood that it would take a while for the Statement of Common Ground to be agreed but she felt it should be clear that, at this stage, the Council was agreeing the principle of working in partnership and that the Statement of Common Ground, when it was prepared, would also be subject to approval by the Council. It was felt that this could be addressed by slightly rewording the resolution. In response to a query regarding the Council's position going forward, the Chief Executive explained that the Statement of Common Ground would be used as part of the planning process in that it supported plan examinations. In the future, the Council would have to have one in place and it was possible it would need to have a Statement across borders as well as with the other Joint Core Strategy (JCS) authorities. It would have a certain legal standing, so it should not be entered into lightly; however, if in future something happened, and the Council no longer agreed with it, it could withdraw. In terms of the Statement itself, it was supposed to include areas where agreement could not be gained as well as areas of common ground. The Statement replaced the 'duty to cooperate' and was not limited to local authorities; it could also be used with agencies like the Highways Agency.
- 85.4 In response to concerns about the process, the Leader of the Council explained that the Statement of Common Ground would look to the future rather than at the JCS as it was currently. It was a requirement of the NPPF, but the Statement itself was not necessarily binding on the Council and therefore it could withdraw if it felt it needed to; however, that may not be a sensible thing to do as it was evidence to go into the strategic plans and would influence the next stages of the Borough development. The Chief Executive explained that there was currently no document for Gloucestershire which set out its longer term aims in respect of spatial planning and it could also be a powerful document for central government in a similar way to the Local Industrial Strategy i.e. it was not a bidding document as such but it would be used unofficially for that purpose as well as offering one voice for the County.
- 85.5 Having considered the suggested amendment, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the Council agrees to work in partnership with the five other local planning authorities, Gloucestershire County Council and the GFirst LEP to develop a broad strategic planning framework for Gloucestershire, to 2050 and beyond, via the preparation, for approval by Council, of a 'Statement of Common Ground'.

EX.86 BOROUGH GROWTH RESERVE

- 86.1 The joint report of the Head of Finance and Asset Management and Head of Development Services, circulated at Pages No. 80-85, sought to ensure the Council was in a position to act to accelerate the progression of growth delivery to bring about benefits in community and infrastructure development as necessary. Members were asked to approve the allocation of £500,000 to form a new Borough Growth Reserve, subject to confirmation of windfall receipts from the 100% business rates retention pilot; to reallocate the £100,000 A40 Innsworth Gateway Reserve to the Borough Growth Reserve, subject to successful completion of the required business case and reimbursement of expenditure from grant funding; and that, any expenditure in excess of £50,000, or of abnormal risk, be undertaken by the Chief Executive in consultation with the relevant Member Panel.

- 86.2 The Head of Development Services explained that growth in the Joint Core Strategy (JCS) was fundamental to the Borough and bringing sites forward at pace was necessary. To secure growth and benefits on some sites required intervention and the report before the Committee set out one way in which Officers felt this could be addressed. The government was explicit in how the windfall from the 100% retention of business rates should be used: to promote financial stability and sustainability and, in particular, that some of the retained income should be invested to encourage further growth across an area – the proposed use of the monies to support the delivery of the strategic allocations and growth in homes and jobs would therefore meet that definition. The pilot was operating well and a windfall of £700,000 was expected as at the end of quarter two; however, the full year outturn would not be known until mid-May and, as business rates income could be volatile, it could not be guaranteed to remain at that level.
- 86.3 In response to a query regarding what the funding would be used for, the Deputy Chief Executive indicated that it was impossible to say exactly as it was a ‘facilitating pot’, for example, at some point there would be a need for money to be made available to fund ongoing work for the rail strategy at Ashchurch and, in order to attract investment to the area for that work, the Council would have to ensure the money was available to get to that point. The money could also be used as a rolling reserve to enable the Council to ‘lend’ money to a project to move it forward with the reserve being replenished when external funding was received. The Head of Development Services expressed the view that the Council was at a significant disadvantage without having a fund like this available. In addition, it showed the Council’s ambitions in terms of contributing to growth.
- 86.4 A Member questioned whether the Committee would be advised of the windfall receipt once it was confirmed and, in response, the Head of Finance and Asset Management advised that the final outturn figures would be reported to the Executive Committee as usual in June. In terms of the spending of the Reserve, the Chief Executive advised that any decisions for Executive Committee and/or Council would be brought forward as necessary but, within the Reserve, the spending decisions would be made by the Chief Executive in conjunction with the appropriate Member Panel, e.g. the J9 Area Member Reference Panel or the Planning Policy Reference Panel etc.
- 86.5 It was felt the report offered a prudent and sensible way forward and accordingly, it was

RESOLVED:

1. That, subject to confirmation of windfall receipts from the 100% Business Rates Retention Pilot, £500,000 be allocated to form a new Borough Growth Reserve.
2. That, subject to the successful completion of the required business case and reimbursement of expenditure from grant funding, £100,000 of the A40 Innsworth Gateway Reserve be reallocated to the Borough Growth Reserve.
3. That any expenditure in excess of £50,000, or of abnormal risk, is undertaken by the Chief Executive in consultation with the relevant Member Panel.

The meeting closed at 3:30 pm