

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 3 January 2018 commencing at
2:00 pm**

Present:

Chair	Councillor D J Waters
Vice Chair	Councillor R A Bird

and Councillors:

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

also present:

Councillors P W Awford and T A Spencer

EX.69 ANNOUNCEMENTS

- 69.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 69.2 The Chair welcomed Councillors Awford and Spencer to the meeting. He advised that Councillor Awford was in attendance as Chair of the Overview and Scrutiny Committee to introduce Item 7, Performance Management Report – Quarter Two 2017/18, and Councillor Spencer was in attendance as the local Member to observe Item 9, Twyning Neighbourhood Plan Referendum. In addition, the Chair introduced Katie Jenkins from the Department for Business Energy and Industrial Strategy who was shadowing the Chief Executive for the day.

EX.70 DECLARATIONS OF INTEREST

- 70.1 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.
- 70.2 There were no declarations of interest made on this occasion.

EX.71 MINUTES

- 71.1 The Minutes of the meeting held on 22 November 2017, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.72 ITEMS FROM MEMBERS OF THE PUBLIC

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

EX.73 EXECUTIVE COMMITTEE FORWARD PLAN

73.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 10-12. Members were asked to consider the Plan.

73.2 Accordingly, it was

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

EX.74 PERFORMANCE MANAGEMENT REPORT - QUARTER TWO 2017/18

74.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 13-50, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the 2017/18 quarter two performance management information.

74.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached at Appendix 1 to the report, and to the Council Plan Performance Tracker, attached to the report at Appendix 2.

74.3 The Overview and Scrutiny Committee Chair explained that the Committee had noted the performance management report which included key activities achieved in the quarter. These were highlighted in Paragraph 2.3 of the Executive Committee report and included additional property investment; commencement of the refurbishment project; an excellent peer review outcome for the Housing Team; and, since the Overview and Scrutiny Committee, approval of the Joint Core Strategy. The Committee had also noted those Council Plan actions that were not progressing in accordance with the timetable and they were summarised in Paragraph 2.4 of the report including the regeneration of the Spring Gardens site; working in partnership to redevelop Healings Mill; and a slight delay to the target date for the completion of the refurbishment project. It was recognised by Members that, overall, delivery of the Council Plan was on track but, inevitably, some actions may not progress as smoothly as expected. The Committee had looked through the performance tracker page by page to gain assurance on the accuracy of reporting and to obtain more detailed information where appropriate. The questions raised by the Committee were attached at Appendix 1 to the report and, in particular, it was recognised that the Property Team had acquired three new properties as part of the Council's property investment portfolio; assurance was sought that a review of the trade waste service would be moving forward as, to date, timescales had not been achieved; clarification was provided as to the role of the Council in relation to the development of the Healings Mill site and Members were advised that the new target date of January 2018 was when a broad outline and brief of the site would be developed; the performance in processing minor planning applications had been challenged – this had been reported positively but Members struggled to see how a 90% target could be achieved based on an outturn of 66.04% and 68.29% for quarters one and two; assurance had been provided that there would be no further slippage in the target date or completion of the refurbishment project; and it had been recognised that the Environmental Health and Planning Services needed to be fit for purpose - a revised target date of April 2018 would ensure enough time was available to look at these services. In addition, concern had been expressed by Members as to the level of sickness absence and the Committee had been advised that a review of the Absence Management Policy was a pending item in the Committee's work programme and was likely to be undertaken in February.

74.4 In addition, the Overview and Scrutiny Committee Chair advised that there would

possibly be a detailed Scrutiny Review on the serious water main leak that had occurred recently and he invited the Chief Executive to provide some information on this. The Chief Executive advised that on 15/16 December there had been a serious water main burst in Tewkesbury. This had raised a number of issues over things that had gone well/less well but, in addition, it had been the second large supply disruption within six months. He had discussed the matter with the Overview and Scrutiny Committee Chair and the Leader and Deputy Leader of the Council and it had been agreed that Overview and Scrutiny Committee would be asked if it wished to undertake a review in public to look at the reasons for the interruption in supply and the way in which the disruptions had been handled by all of the agencies involved. He had spoken to Severn Trent which was supportive of the review. He had also written to the Chief Constable and the Chief Fire Officer from whom responses were awaited. The way in which the review would be carried out was for the Overview and Scrutiny Committee to decide but, in the first instance, the matter would be raised at the next meeting to see if it was something the Committee wished to take forward.

74.5 Referring to economic development, a Member questioned when the Council's vacant Tourism Officer post would be filled. In response, the Head of Development Services explained that this was being considered as part of the overall review of Development Services. It was anticipated that the outcomes of the review would be available for Members' consideration shortly. The Member emphasised the importance of tourism to Tewkesbury Borough and felt this needed to be addressed as a priority. The Head of Development Services agreed that tourism was of the utmost importance. She was acutely aware of the need to ensure the Council was responding to the tourism industry in the best and most effective way and this would be at the heart of any decisions made on how best to approach tourism in the future. In addition, the Deputy Chief Executive confirmed that all aspects needed to be considered before the post was filled on a 'like for like' basis. There was certainly not an intention to dilute the Council's tourism offer but there may be options to deliver it in a more effective way and this was what would be considered within the review and then, in due course, by Members.

74.6 In response to a Member query, the Overview and Scrutiny Chair commented that, in his view, the scrutiny of the performance information had been extremely thorough and Members had been content that the Council's performance overall was heading in the right direction. A Member referred to the Council's commercial property investments and questioned whether the government's announcements on how the rules on this might change would affect it. In response, the Deputy Chief Executive advised that, at this stage, the rules had not changed but it was understood that the Department for Communities and Local Government was exploring the issue and looking at how Councils across the country were approaching property investments. One of the key things was governance arrangements which was something Tewkesbury Borough Council was very good at; it had a Commercial Investment Board which comprised six Members and was tasked with looking at each investment carefully to understand what the investment was and why the Council was investing as well as ensuring that it was investing proportionately and that risks were being mitigated.

74.7 Accordingly, it was

RESOLVED: That the Overview and Scrutiny Committee's comments on the Performance Management Report for Quarter Two of 2017/18 be **NOTED**.

EX.75 HOUSING STRATEGY MONITORING REPORT

- 75.1 The report of the Head of Community Services, circulated at Pages No. 51-75, presented the action plan for 2018/19 which formulated the actions needed to continue to meet the priorities of the Housing Strategy. Members were asked to consider and support the Housing Strategy Action Plan for 2018/19.
- 75.2 The Deputy Chief Executive explained that the Housing Strategy 2017-21 had been developed by an Overview and Scrutiny Working Group and had been adopted in January 2017. The comprehensive Housing Strategy incorporated renewal as well as two distinct sub-strategies: the Homelessness and Prevention of Homelessness Strategy and the Tenancy Strategy. The strategy contained four key priorities to meet the needs of the Borough which were to increase the supply of housing; to prevent homelessness; to meet the needs of specific groups; and to improve the health and wellbeing of local people. The Homelessness Act 2002 and Local Government Act 2003 required all District Councils to develop a strategy that set out the Council's policies, commitments and programme for a wide range of housing matters. Following the development of the Council's Housing Strategy 2017-21, the Overview and Scrutiny Committee had requested that outcomes identified in the strategy action plan be monitored, that regular updates be presented to the Overview and Scrutiny Committee and that the annual action plan be refreshed and agreed by the Executive Committee on an annual basis. The report currently before Members was the annual refresh. Last year, the Council had achieved a good peer review outcome which meant the service could apply for bronze level status and this was also reflected in the action plan.
- 75.3 A Member drew attention to Page No. 53 – Paragraph 2.2.1 - of the report which explained that two actions regarding alternative construction methods to deliver affordable housing on Council-owned land had been removed following completion but at Page No. 66 it seemed the same action was being progressed. The Member questioned why this would have been removed as the Council had only just starting looking into it at this stage. In response, the Deputy Chief Executive confirmed that this was still being investigated and the action plan would be amended to make this clear. In terms of specific mentions of modular housing, the Deputy Chief Executive explained that this was a solution to a number of issues throughout the Housing Strategy action plan; however, it was not included as a specific action and this was something that could be added should Members so wish.
- 75.4 Referring to Page No. 59 – Identify long-term empty homes and use a range of enforcement and incentive options to bring vacant homes back into use; where possible evaluating and encouraging their use to benefit the Council's housing services – a Member questioned whether Severn Vale Housing Society would be helping with this. In response, the Committee was advised that the Housing team interrogated the Council Tax system for records of empty homes and those tended to be private sector housing so would not be the responsibility of Severn Vale Housing Society. It was a statutory responsibility of the Council to bring properties back into use and Officers were looking at a number of incentives to achieve this including loans for repairs. A Member indicated that there were large numbers of empty properties and a huge need for homes; he questioned whether any authorities were successfully addressing this problem and also where the Council would get the funding to make loans to owners for those properties. The Deputy Chief Executive advised that, as part of the homelessness reduction plan, there was a need to look at all options in terms of bringing empty properties back into use. There was no specific plan as such but Officers were looking to develop a project around bringing properties back into use and what incentives would be needed etc. If the way forward was the provision of financial contributions it would

of course be a decision for the Executive Committee to make. It was understood that Stroud District Council had an Empty Properties Officer who worked directly with landlords and would lead on projects; this may be the kind of approach the Council needed to consider. A Member expressed concern that the offer of loans to bring properties back into use could encourage landlords to let properties fall into disrepair and she felt it would be better to target empty properties that were already fit for purpose before those that were in need of refurbishment. She knew of a number of properties in her area that were brand new but had not been sold so had been empty for quite a long time, as well as one property that was fully refurbished and furnished but had lay empty for at least six months. The Deputy Chief Executive confirmed that a holistic approach was required and the Housing, Environmental Health and Revenues and Benefits teams were working closely to find the best way forward. The Revenues and Benefits Manager confirmed that there had been some announcements in the Chancellor's autumn statement which could help the position; those were being considered and would be brought to Members as and when appropriate.

- 75.5 A Member suggested the report would be more helpful if it included quantifiable numbers i.e. how many homes the Council needed to bring back into use. In response, the Deputy Chief Executive advised that the purpose of the report was for the Executive Committee to consider and approve the action plan which was, essentially, a list of projects that would come forward over time. In terms of specific numbers, the Committee was advised that there were around 270 long term empty properties (those vacant for six months or more) in the Borough and just fewer than 1,900 people on the housing waiting list. All of the empty properties had been visited so Officers had a good grasp of what and where they were as well as what would be needed to bring them back into use. In response to a query regarding the status of the properties, Members were advised that empty properties which were for sale would be viewed favourably by the Council as long as the owners could demonstrate they were being actively marketed. Part of the issue was about raising the standard of housing stock for residents of the Borough but also to provide properties for people that needed them. In terms of the idea of providing a loan to homeowners to enable them to refurbish a property to bring it back into use, this would involve a legal charge on the property and a condition that it would be rented to someone in housing need once it was repaired. The Deputy Chief Executive thanked Officers for their views and indicated that the project could be prioritised higher on the action plan, should Members so wish.
- 75.6 A Member indicated that there were a lot of actions in the plan and he questioned whether, in reality, it could be resourced. In response, the Chief Executive explained that an action plan should not be submitted to Members if the resources were not available to achieve the actions. The action plan ran until 2019 but, if Members felt the use of empty homes needed to be more of a priority, Officers could look at bringing it forward; however, this may mean something else had to take less of a priority. In comparative terms, 270 long term empty properties was not a huge number but it was understood that every little helped in terms of the provision of housing. Bringing empty homes back into use was one of the ways in which the supply of housing could be increased.
- 75.7 Accordingly, it was

RESOLVED: That the Housing Strategy Action Plan for 2018/19 be supported.

EX.76 TWYNING NEIGHBOURHOOD PLAN REFERENDUM

- 76.1 The report of the Planning Policy Officer, circulated at Pages No. 76-200, sought approval for the Twyning Neighbourhood Plan to proceed to a community referendum.
- 76.2 As could be seen within the report, Twyning Parish Council had confirmed that it fully supported the amendments made to its Plan by the independent examiner and asked that the Plan was submitted for a referendum. The Head of Development Services explained that the Council had a duty to advise and assist communities in the development of their Neighbourhood Plans and the Twyning Neighbourhood Development Plan was the fourth one within the Borough to get to the referendum stage. The Plan had been through the necessary consultation period, as well as an independent examination, and the report of the examiner was attached as an Appendix to the Committee report.
- 76.3 The local Member advised that the community had been working through the neighbourhood planning exercise for quite some time and he felt the Plan was now ready to go forward. He hoped Members would support its submission for a community referendum.
- 76.4 Accordingly, it was

RESOLVED: That the modifications made to the Twyning Neighbourhood Plan, as recommended by the Examiner, be **APPROVED** and it be formally **AGREED** that the Plan be progressed to Community Referendum, ascribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

EX.77 BUSINESS RATES UPDATE

- 77.1 The report of the Head of Corporate Services, circulated at Pages No. 201-210, sought to gain approval for the amendment of the Business Rates Policy for New Reliefs to ensure the Council was able to provide support to those businesses affected by the business rates revaluation. It also provided an update on the implementation of the other spring budget 2017 business rates changes and further changes announced in the autumn budget. Members were asked to adopt the revised policy for awarding reliefs to ratepayers facing significant increases in business rates bills following the 2017 revaluation; to adopt the Business Rates Relief Scheme for Pubs for 2018/19; to adopt the doubling of Rural Rate Relief for 2018/19; and to delegate authority to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to implement any further business rates reliefs which were introduced by the government.
- 77.2 The Head of Corporate Services explained that the report sought to provide an update on the implementation of the changes to business rates which had been announced in the spring budget as well as further changes announced in the autumn budget. He drew particular attention to Paragraph 2.2 of the report which confirmed three measures introduced by the government to provide support to businesses: small businesses relief; local discretionary relief schemes; and rate relief for pubs. Paragraphs 2.4-2.11 confirmed the actions taken to date but, in particular, Paragraph 2.6 set out proposed amendments to the Council's local discretionary relief scheme which were needed because the software system used could not deal with the complexity of the previously agreed scheme. He explained that the broad principles of the scheme would remain unchanged but there were two amendments proposed which would mean it could be implemented and that,

overall, more of the government grant would find its way to the businesses that needed it.

77.3 A Member questioned whether the Council's software system needed to be changed if it could not accommodate the complexity of the policy introduced. In response, the Revenues and Benefits Manager explained that, unfortunately, the parameters of the previous policy had not been tested in the system prior to being agreed by the Committee; however, the minor changes she was proposing had been tested and she was confident they could be delivered. Referring to Paragraph 2.9 of the report, a Member questioned whether providers of ultrafast broadband would receive 100% relief. In response, he was advised that this was pending legislation from central government but any business that met the necessary criteria could receive relief. It was understood that, currently, the intention was for the legislation to be backdated to April 2017 but, under Section 31, the Council would get that back on a pound for pound basis so there would be no cost to implement the reliefs.

77.4 Accordingly, it was

RESOLVED:

1. That the revised policy for awarding reliefs to ratepayers facing significant increases in business rates bills following the 2017 revaluation be **ADOPTED**.
2. That the Business Rates Relief Scheme for Pubs for 2018/19 be **ADOPTED**.
3. That the doubling of Rural Rate Relief for 2018/19 be **ADOPTED**.
4. That delegated authority be given to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to implement any further business rate reliefs introduced by government.

EX.78 COUNCIL TAX REDUCTION SCHEME 2018-19

78.1 The report of the Head of Corporate Services, circulated at Pages No. 211-214, set out the requirement for the Council to have in place a Council Tax Reduction Scheme to support residents who qualified for assistance in paying Council Tax. Members were asked to recommend to Council that the Council Tax Reduction Scheme for 2018/19 be adopted.

78.2 The Head of Corporate Services explained that, in 2013, the Council Tax Benefit which residents could apply for to assist with the payment of their Council Tax had been abolished. Local authorities had then been responsible for setting their own Council Tax Reduction Schemes for working age people; the scheme for pensioners was set by government and was not subject to funding cuts. In devising new schemes, most local authorities had adopted something that replicated the old Council Tax Benefit schemes and then applied a minimum payment for working age customers to make up the difference. The legislation expected the Council to review its scheme on an annual basis and this needed to be done by 31 January 2018. The recommendation was that the current scheme would remain in place for 2018/19 but would be reviewed thereafter. The Head of Corporate Services indicated that this was a possible item for a scrutiny review but would be discussed by the Overview and Scrutiny Committee in due course.

78.3 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the Council Tax Reduction Scheme for 2018-19 be **ADOPTED**.

EX.79 SEPARATE BUSINESS

79.1 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 12(A) of the Act.

EX.80 SEPARATE MINUTES

80.1 The separate Minutes of the meeting held on 22 November 2017, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 3:00 pm