

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 17 April 2018 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor H A E Turbyfield
Councillor T A Spencer

and Councillors:

R E Allen, P W Awford, K J Berry, R A Bird, G F Blackwell, G J Bocking, K J Cromwell, D M M Davies, J E Day, R D East, A J Evans, J H Evetts, D T Foyle, R Furolo, P A Godwin, M A Gore, J Greening, R M Hatton, B C J Hesketh, S E Hillier-Richardson, A Hollaway, E J MacTiernan, J R Mason, H C McLain, P E Stokes, P D Surman, M G Sztymiak, R J E Vines, D J Waters and P N Workman

CL.87 APOLOGIES FOR ABSENCE

87.1 Apologies for absence were received from Councillors M Dean, R E Garnham, A S Reece, V D Smith and M J Williams.

CL.88 DECLARATIONS OF INTEREST

88.1 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.

88.2 There were no declarations of interest made on this occasion.

CL.89 MINUTES

89.1 The Minutes of the meeting held on 20 February 2018, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.90 ANNOUNCEMENTS

90.1 The evacuation procedure, as set out on the Agenda, was advised to those present.

CL.91 ITEMS FROM MEMBERS OF THE PUBLIC

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

CL.92 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

92.1 There were no Member questions on this occasion.

CL.93 APPOINTMENT OF CIVIC HEADS**Mayor**

93.1 Members were advised that, due to health concerns, the current Mayor-Elect had withdrawn from taking the position of Mayor and accordingly the Council was asked to appoint the Deputy Mayor-Elect for 2018/19, Councillor Ruth Hatton, as Mayor-Elect for the forthcoming Municipal Year. Upon being proposed and seconded, it was

RESOLVED That Councillor Ruth Hatton, be appointed Mayor-Elect for the ensuing Municipal Year.

Deputy Mayor

93.2 Upon being proposed and seconded, it was

RESOLVED That Councillor Gill Blackwell be appointed as Deputy Mayor-Elect for the ensuing Municipal Year.

CL.94 LEAD MEMBER PRESENTATION - LEAD MEMBER FOR BUILT ENVIRONMENT

94.1 The Mayor invited the Lead Member for Built Environment, Councillor Elaine MacTiernan, to make her presentation to the Council.

94.2 The presentation covered the following main points:

- Built Environment Portfolio – What Services Does it Cover? – a group of services mostly, but not exclusively, in Development Services – it also included a housing function (affordable housing) in Community Services. Services included: Planning – Development Management, Enforcement, Land Charges; Planning Policy – Joint Core Strategy (JCS), Tewkesbury Borough Plan (TBP) and Neighbourhood Development Plans (NDPs); Building Control – shared with Cheltenham Borough Council; and Strategic Affordable Housing – mostly through the JCS.
- Who's Who in the Team – Head of Development Services – Annette Roberts; Development Services Manager – Paul Skelton; Planning Policy Manager – Matthew Barker; Building Control Manager – Ian Smith (shared with Cheltenham Borough Council); and Economic and Community Development Manager (including Tourism) – Andy Sanders. Total number of 50 full-time equivalent staff.
- Built Environment Quiz –
 - How many planning applications does the Council receive each year? 1,300.
 - How much income does the Development Management team bring into the Council on average per annum? £1,300,000.
 - What percentage of determined applications are approved? 90%.
 - How many registered Neighbourhood Development Plan areas are there in the Borough? 14.
 - How many houses were completed in the Borough last year? 728.

- Development Management Process – case officers consider the issues associated with the application. They weigh the application merits, benefits and policy position against the comments in support of, and opposed to, the development – they then make a recommendation and decision. Planners did not just follow process or interpret a procedure they had to use skill and experience to negotiate complex interrelated issues to get the maximum benefit for the community.
- Creating a Place from a Plan – the strategic allocations in the JCS were Twigworth/Innsworth, South Churchdown, Brockworth, North West Cheltenham, West Cheltenham and Ashchurch = 10,900 houses and 112 hectares of employment land.
- Requires Significant Investment in Infrastructure – the team is involved in preparing bids for funding: £4.53 million towards A40 improvements to help deliver strategic growth; £8.1 million towards a bridge to unlock capacity for development at Ashchurch; and capacity funding for Ashchurch and the JCS.
- Bringing these Sites Forward – Creating a Place – the portfolio is crucial to the delivery of growth; it is not just about making planning documents and processing planning applications but also about creating a place that everyone was proud to be part of making; it was about involving communities through consultation in developing the TBP and helping them with NDPs; and it was about the Community Development Team being the connection between the Council and Parishes helping to negotiate S106 Agreements and, in the future, Community Infrastructure Levy (CIL).
- Not Just about Ensuring Enough Homes for People but Land for Jobs Too – Innsworth and Twigworth = indicative housing up to 2031 - 2,295 / hectares of employment land up to 2031 – 9.1; South Churchdown = indicative housing up to 2031 – 1,100 / hectares of employment land up to 2031 – 17.4; North Brockworth = indicative housing up to 2031 – 1,500 / hectares of employment land up to 2031 – 3; North West Cheltenham = indicative housing up to 2031 – 4,285 / hectares of employment land up to 2031 – 23.4; Ashchurch = indicative housing up to 2031 – N/A / hectares of employment land up to 2031 – 14.3; Winneycroft = indicative housing up to 2031 - 620 / hectares of employment land up to 2031 – N/A; West Cheltenham = indicative housing up to 2031 – 1,100 / hectares of employment land up to 2031 – 45. Tewkesbury Borough will also identify around 40 hectares of employment land to meet needs.
- Affordable Housing 2017/18 – Head of Community Services – Pete Tonge; and Housing Services Manager – Paula Baker. The Council Plan target of delivering 150 affordable properties in Tewkesbury Borough was met in quarter three of 2017/18 with the total delivery due to approach 200 properties for the year – the target for 2018/19 had been increased to 180. 2017/18 had seen new affordable housing providers deliver and/or begin to manage properties in Tewkesbury Borough: Gloucester City Homes had sites in Highnam, Witcombe and some coming soon in Twyning; Two Rivers had properties in Churchdown and Wheatpieces, Tewkesbury; and Heylo Housing had acquired properties in Bishop's Cleeve and Cooper's Edge, Brockworth. Progress has been made for delivery of rural housing in Tewkesbury Borough with sites at Minsterworth and Norton on track to be delivered during 2018/19. Work through the Gloucestershire Rural Housing Partnership would continue to identify opportunities to develop affordable rural housing.

- Affordable Housing Quiz:
 - What is the average house price in the Borough? £275,000.
 - What is the average income in the Borough? £26,243.
 - What is the ratio of house price to income in Tewkesbury? 10.5.
- On That Basis – average income of £26,343 (gross), or approximately £19,700 (net), gives a monthly figure of £2,200 (gross) or approximately £1,700 (net) – average monthly rental in the Borough is £730 per month so 40% of income is spent on rent; added to the other bills people have to pay life becomes a struggle for many.
- Vision Statement – “Tewkesbury Borough...a place where a good quality of life is open to all” - can the Council make sure there is enough land for homes and jobs that allow all sectors of the community to have the opportunity to live and work in the Borough; can the Council increase its target for building affordable homes and make them truly affordable; and can the Council protect the built and natural environment along with the assets that made the Borough special.

94.3

The Mayor thanked the Lead Member for her informative presentation and invited Member questions. A number of Members expressed concern about the affordability of homes in the Borough. One felt the cost of land needed to be considered carefully; particularly when the Council was selling its own land, as often it was the fact that land was expensive that made affordable homes unviable. In addition, there was concern that the Council needed to find a way to promote low cost housing. In response, the Lead Member indicated that, unfortunately, the amount of land sold by the Council was fairly insignificant compared to that sold by private landowners and the Council had no control over the cost of that land. Another Member suggested that self-build could be a way for people to be able to afford their own homes and he felt this should be encouraged. In response, the Head of Development Services confirmed that the JCS policy asked for 40% affordable housing on all developments – this was often challenged by developers but nonetheless was what was asked for. Going forward it was intended to look at affordability issues through the review of the JCS and the production of the Borough Plan to try and bring affordable homes forward quicker. In terms of self-build, the Member was advised that the Council had approved a site for four homes between Greet and Tewkesbury and, in addition, there was a self-build register. The Council had also been considering the use of modular housing and a number of Officers and Members had visited factories which produced steel and wooden framed modular homes; these types of homes were faster and cheaper to build and it was felt this was likely to be the future of housebuilding, particularly in terms of affordable homes. A Member indicated that he shared the concerns of the Lead Member about the social housing and affordable rent systems which saw young people struggling with higher rents but not being eligible for housing allowance. He felt a happy medium needed to be found, possibly with the capping of rents so as not to cause hardship. In offering some clarification about rents, a representative from Severn Vale Housing Society explained that they were set using a ‘rent formula’; to build affordable housing capital grant support was needed through Homes England and that organisation determined what the first rent would be and whether the rents went up or down and when. This meant the only way a Housing Association could decide its own rents was by building affordable housing that did not fit the Homes England criteria; however, that had a higher cost so there was also a need to find a way of bringing the costs of building down.

94.4 Referring to the decline in apprenticeships in the building industry, a Member explained that, in some places, S106 Agreements insisted that construction companies employed local people and apprentices – this meant more local people were employed and badly needed apprentices were able to learn a trade. She felt this approach should be considered within Tewkesbury Borough. In terms of modular housing, a Member questioned how buildings of that type would be viewed by Planning Officers. In response, the Head of Development Services explained that each application was considered on its own merits regardless of the materials used to build it - first and foremost it was about context and design.

94.5 Accordingly, it was

RESOLVED That the Lead Member presentation be **NOTED**.

CL.95 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

Public Space Protection Order - Dog Fouling

95.1 At its meeting on 14 March 2018, the Executive Committee had considered the implementation of a Public Spaces Protection Order under S.59 of the Anti-Social Behaviour, Crime and Policing Act 2014 as well as the introduction of Fixed Penalty Notice fines for all controls contained in the Order. The Executive Committee had recommended that a Public Spaces Protection Order be implemented under S.59 of the Anti-Social Behaviour, Crime and Policing Act 2014; and that Fixed Penalty Notice fines of £100 be introduced for all controls contained in the Public Spaces Protection Order.

95.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 17-26.

95.3 The recommendation from the Executive Committee was proposed by the Chair of the Committee and seconded by the Lead Member for Clean and Green Environment.

95.4 During the discussion which ensued, clarification was requested on whether dog fouling would be the subject of the Order when it took place in the countryside and, in response, the Head of Community Services confirmed that the Order would apply to all public open land in the Borough. Another Member questioned how this would work when it was a field with a public right of way across it and whether the Order would apply only to the path. The Head of Community Services indicated that he would have to investigate the issue and respond following the meeting. In terms of enforcement, and the training of staff, the Head of Community Services explained that a number of Officers were currently trained in issuing Fixed Penalty Notices and were already doing that for other offences. It was intended that this would be rolled out to other Officers who were not currently trained. In response to a query regarding safety, the Head of Community Services explained that Officers were able to carry out dynamic risk assessments before approaching members of the public to ensure it was safe to do so. There would be a number of different campaigns throughout the year - e.g. flytipping, litter, dog fouling - and the Council's resources would be particularly focussed on those areas at that time; Officers would, of course, still be able to address other issues at those times should the need arise. Members of the public were also encouraged to report particular issues/culprits if they were aware of them.

95.5 One Member expressed particular concern about the number of complaints he received with regard to dog bins being full; he questioned how the Council could fine people for not clearing up after their dogs when often they had nowhere to put the waste. In response, a number of Members suggested that people should be encouraged to report bins that were full and they would then be emptied. In addition, it should be remembered that litter bins could also be used for dog waste. The Head of Community Services confirmed that there would be an educational campaign following the implementation of the Order and this would include the fact that it was an offence not to have the means to clear up after a dog, as well as not to actually clear up the waste, and also that litter bins could be used for dog waste.

95.6 Accordingly, it was

RESOLVED

1. That a Public Spaces Protection Order be implemented under S.59 of the Anti-Social Behaviour, Crime and Policing Act 2014, as set out at Appendix A to the report.
2. That Fixed Penalty Notice fines of £100 be introduced for all controls contained in the Public Spaces Protection Order.

CL.96 TWYNING NEIGHBOURHOOD DEVELOPMENT PLAN

96.1 The report of the Planning Policy Manager, circulated at Pages No. 27-98, explained that the Twyning Neighbourhood Development Plan had been the subject of a referendum in the local area and the Council was now asked to resolve that the Plan be made part of the Development Plan for Tewkesbury Borough; and to delegate to the Head of Development Services, in agreement with the Parish Council acting as the Qualifying Body, the correction of any minor errors such as spelling, grammar, typographical errors that did not affect the substantive content of the Plan.

96.2 The Lead Member for Built Environment indicated that this was a good Plan that had received the required majority in favour at referendum and she proposed that the recommendations, as set out in the report, be approved. Upon being seconded and voted upon, it was

RESOLVED

1. That the Twyning Neighbourhood Development Plan be made part of the Development Plan for Tewkesbury Borough.
2. That authority be delegated to Head of Development Services, in agreement with the Parish Council acting as the Qualifying Body, to correct any minor errors such as spelling, grammar, typographical or formatting errors that do not affect the substantive content of the plan.

CL.97 SEVERN VALE HOUSING MERGER

97.1 The report of the Chief Executive, circulated at Pages No. 99-109, set out the implications of Severn Vale Housing Society's proposal to merge with two other housing providers and recommended a way forward for the Council. Members were asked to formally approve the merger with the Bromford/Merlin Group, subject to the approval of the merger by the Severn Vale Housing Society Board, and the satisfactory completion, prior to the merger being completed, of an agreement(s) in respect of all matters of retained interest to the Council; to formally advise Severn Vale Housing Society that, on completion of the matters referred to (or upon the coming into effect of the Social Housing (Influence of Local Authorities) (England) Regulations 2017), the Council will agree to give up its shareholder role and Board representation nomination rights; and to delegate authority to the Chief Executive, in consultation with the Leader, Deputy Leader

and Lead Members for Built Environment and Health and Wellbeing, to complete all necessary documentation and agreements to implement the resolutions.

97.2 The Chief Executive advised that Members had previously received a presentation from Severn Vale Housing Society and Bromford Housing in respect of the merger. In summary, the Severn Vale Housing Society Board had looked at all of the options and had felt that collaboration with another housing provider would improve both its strategic capacity and neighbourhoods for the people of the Borough; having looked at potential partners it was proposed to move forward with Bromford and Merlin under the Bromford 'banner'. The report also addressed the issues concerning the relationship between Tewkesbury Borough Council and Severn Vale Housing Society in respect of the loss of the Council's representative on the Board. The new organisation had indicated that it was committed to developing more affordable housing in the Borough, and also working with JCS partners, which was great news. The issues regarding the stock transfer were quite technical in nature as it was a complicated legal agreement but this would be comprehensively addressed before any agreements were signed.

97.3 Upon being proposed and seconded, it was

RESOLVED

1. That the Council formally approves the merger of Severn Vale Housing Society with Bromford/Merlin Group subject to:
 - a) the approval of the merger by the Severn Vale Housing Society Board; and
 - b) the satisfactory completion, prior to the merger being completed, of an agreement(s) in respect of all matters of retained interest to the Council.
2. That Severn Vale Housing Society formally be advised that, on completion of the matters referred to in recommendation 1 (or upon the coming into effect of the Social Housing (Influence of Local Authorities) (England) Regulations 2017), the Council will agree to give up its shareholder role and Board representation nomination rights.
3. That authority be delegated to the Chief Executive, in consultation with the Leader, Deputy Leader and Lead Members for Built Environment and Health and Wellbeing, to complete all necessary documentation and agreements to implement the above-mentioned resolutions.

97.4 The Mayor thanked the representatives from Severn Vale Housing Society for attending the meeting and for the comprehensive briefing provided to Members.

CL.98 LEADER OF THE COUNCIL - STATE OF THE BOROUGH PRESENTATION

98.1 The Mayor invited the Leader of the Council, Councillor Dave Waters, to make his 'State of the Borough' presentation to the Council.

98.2 The presentation covered the following main points:

- Introduction – 2017/18 had been a successful year and had marked the end of the second year of the Council Plan; the next couple of years would continue to be exciting although the challenge remained to deliver services that cost less but provided the same level of support for customers; Tewkesbury Borough was an ambitious Council which punched above its weight and would carry on driving its transform programme to ensure it continued to have efficient and effective services and it would continue to

be a Council to be proud of.

- Finances and Resources - this year the Council had acquired a further three commercial property investments, which brought its total investment to £31.1 million (for five properties), and was generating a net return of £1.15 million - a further £12 million investment had been agreed in additional properties; the top floor of the Public Service Centre had been refurbished, of which one third had been let by Commscope - overall income received from Public Services Centre partners for rental purposes was £184,000. The Leader thanked the Officers, and the Transform Working Group, for its work in producing the Medium Term Financial Strategy which was a significant piece of work - he felt it demonstrated the good working relationship between Members and Officers. It should also be recognised there were significant asset-related projects which would be delivered across the lifetime of the Council Plan which included Spring Gardens and the MAFF site - through positive Member and Officer joint working he felt sure those projects would come to fruition.
- Economic Development – in June 2017 the Council had launched a new Economic Development and Tourism Strategy 2017-21 to support its ambition to be the primary growth engine of Gloucestershire - this showed the real value of Overview and Scrutiny Committee as it was an Overview and Scrutiny Working Group that had worked with Officers to develop the Strategy; £465,000 of funding had been secured to bring a Business Growth Hub into the Public Services Centre - this was an exciting project and Tewkesbury Borough Council would be the first local authority in the country to host a Growth Hub within its building - the hub would open in September; the Council had continued to work with neighbouring authorities and key stakeholders to promote the local and strategic national benefit of an improved Junction 9 and was also working with Gloucestershire County Council, and other partners, to secure funding to improve Junction 10 to benefit the delivery of key sites and wider accessibility. In addition, the Community Funding Officer had supported over 100 community groups throughout the year to apply for funding - this took the total funds granted to over £1 million since July 2015.
- Housing – after all the hard work of Officers and Members over a significant period of time, it was pleasing to see all three Councils adopt the Joint Core Strategy; the Council continued to provide support to Town and Parish Councils with the development of Neighbourhood Plans and 18 Parishes were preparing 14 plans of which three had been adopted. By quarter three the Council had exceeded its 2017/18 target of delivering 150 affordable homes. In addition, the first year of the Housing and Homelessness Strategy had now concluded and the Executive Committee had approved the year two action plan. The Leader also advised that the Housing Team was in line to receive a Bronze award following submission of an application for ‘Challenge One’ of the Gold Standard.
- Customer-Focused Services – the £2.3 million refurbishment of the Public Services Centre was underway - this was a real transformational project and would ensure the Council maximised the operational capability of the building to deliver services to meet the needs of its residents. The Council had a commitment to maintain and improve a culture of continuous service improvement - one of its key front line services was Development Services and there was an ambition to make this service as efficient, effective and economical as possible - an action plan to deliver that was being considered later on the Agenda. The main phase of the Revenue and Benefits restructure was complete with a new management structure in place and, early in 2018/19, a similar review was taking place in relation to

Community Services. The garden waste service had been a significant project running for the whole financial year and had delivered the transition of all customers moving to one renewal date along with the implementation of a sticker licence. To date, over 14,000 customers had subscribed with 72% doing so online which was a positive contribution to the Council's digital agenda. A range of the Council's self-serve online forms had been improved to give a better customer experience including: business grant applications, community support requests, job applications, food business applications and missed bin forms. This was supported with new payment channels for customers which sought to make it as easy as possible to make payments. The Council continued to support the Citizens' Advice Bureau with a grant of £53,000 and this had helped to support over 1,000 residents. 2017/18 had seen an increased recycling rate of 56% - an excellent improvement on 2016/17 which was 54% - and the Council had cracked down on enviro-crimes issuing more than 20 fixed penalty notices and making six successful prosecutions throughout the year. New policies had been approved such as the Public Spaces Protection Order (dog fouling) and Fixed Penalty Notices. The Leader thanked the Overview and Scrutiny Committee for its continued challenge of how the Council dealt with enviro-crimes which had resulted in the development of a refreshed enviro-crime action plan.

- Moving Forward – the Council had an exciting and challenging time ahead – with constant pressure to do more with less. The third year of the Council Plan continued to have big ambitions with many projects nearing fruition throughout the coming year e.g. completion of the Public Services Centre refurbishment, implementation of the Growth Hub and delivery of key strategies such as the JCS and the Economic Development and Tourism Strategy. Infrastructure, skills and housing delivery remained important issues for the Borough and the adoption of the JCS had been vital for shaping its future. Projects were now being prepared to ensure the Borough's infrastructure was meeting the needs and maximising the growth opportunities Tewkesbury Borough's strategic location provided. The Council remained committed to its ethos of 'better for customers, better for business' and a key element of this was its commitment to the digital agenda. Looking forward, key projects would come to the fore such as paperless billing for Council Tax and business rates, a corporate digital platform, interactive planning maps and roll out of Office 365.

98.3 The Mayor thanked the Lead Member for his informative presentation and it was

RESOLVED That the Leader's 'State of the Borough' presentation be **NOTED**.

CL.99 SEPARATE BUSINESS

99.1 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.

CL.100 SEPARATE RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

Review of Development Services

*(Exempt – Paragraph 2 of Part 1 of Schedule 12A of the Local Government Act 1972
– Information which is likely to reveal the identity of an individual)*

- 100.1 At its meeting on 14 March 2018, the Executive Committee had considered the outcomes of the review of Development Services and made a recommendation to Council regarding the service restructure proposals and associated action plan. Members considered the information provided and agreed the amended review document and restructure which had been submitted along with the associated action plan.

The meeting closed at 7:40 pm