

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 16 January 2019 commencing at
2:00 pm**

Present:

Vice Chair in the Chair

Councillor J R Mason

and Councillors:

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

also present:

Councillor P W Awford

EX.51 ANNOUNCEMENTS

- 51.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 51.2 The Chair welcomed the Chair of the Overview and Scrutiny Committee to the meeting and advised that he was in attendance for Item 7 on the Agenda – Performance Management Report – Quarter Two 2018/19.

EX.52 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 52.1 Apologies for absence were received from Councillors R A Bird (Chair) and R Furolo. There were no substitutions for the meeting.

EX.53 DECLARATIONS OF INTEREST

- 53.1 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.
- 53.2 There were no declarations of interest made on this occasion.

EX.54 MINUTES

- 54.1 The Minutes of the meeting held on 21 November 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.55 ITEMS FROM MEMBERS OF THE PUBLIC

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

EX.56 EXECUTIVE COMMITTEE FORWARD PLAN

- 56.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 12-14. Members were asked to consider the Plan.
- 56.2 Accordingly, it was

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

EX.57 PERFORMANCE MANAGEMENT REPORT - QUARTER TWO 2018/19

- 57.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 15-62, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the 2018/19 quarter two performance management information.
- 57.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached at Appendix 1 to the report, to the Council Plan Performance Tracker, attached to the report at Appendix 2, and to the financial performance information circulated at Appendices 3-5.
- 57.3 The Chair of the Overview and Scrutiny Committee explained that the Committee had noted the summary of key actions undertaken within the period which were mainly centred around assets and consultations in relation to planning-related issues. Those were summarised in Paragraph 2.3 of the report and included asset related projects such as additional commercial property investment; appointment of Mace Group Ltd as development advisors for the Spring Gardens project; the official launch of the Growth Hub; the fundamental completion of the Public Service Centre refurbishment; and the commencement of works to the Lower Lode depot. In terms of consultations those included, the Ashchurch concept masterplan; the Tewkesbury Town Centre Supplementary Planning Document; and the Tewkesbury Borough Plan. Overview and Scrutiny Committee Members had also noted the draft commercial strategy which had since been approved. The implementation of the strategy, and its related projects, would be vitally important in helping to bridge the financial challenges the Council faced. At the time of reporting, none of the actions contained in the Council Plan were showing concern and the Committee awaited the next performance report with interest, especially as a number of actions had key milestones which would be arising shortly. At previous Overview and Scrutiny Committee meetings the feasibility of dates had been discussed and the Chair understood that Officers were reviewing that issue moving forward. Particular questions on the performance tracker had included how the work of Mace Group Ltd could be extended to look beyond the Spring Gardens project with a wider Tewkesbury town scope; the effect of the opening of the Growth Hub on the parking at the Public Services Centre; the slippage of timescales in relation to the increase of the heritage offer at the Battlefield site; whether the action relating to the Tourist Information Centre would be delivered by April 2019; and when the Place Strategy workshop would take place given the initial intention had been to hold it in November 2018. In respect of performance indicators, the Members had sought assurance that actions were being taken to improve the performance of the Revenues and Benefits team and had been encouraged to hear that the majority of long-term sickness absence cases had returned to work and that there should be improvement in those figures, particularly in the final quarter of the year. The Chair of the Overview and Scrutiny Committee also indicated that there had been a debate on the monitoring of the planning service and concern expressed about performance. The Overview and Scrutiny Committee had been advised that the Head of Development Services

would be undertaking a piece of work to review the number of Planning Committee decisions which were taken against Officer advice to establish if there were any training needs. From his own perspective, the Chair had concerns about the Council's five-year housing land supply and the recent Appeal Inspector's decision on the matter.

- 57.4 During the discussion which ensued, a Member thanked Officers for organising an additional A40 consultation meeting in Innsworth – she felt it had been extremely worthwhile and appreciated by residents. Referring to the work that Mace Group Ltd was doing on the Spring Gardens and Oldbury Road regeneration project, a Member questioned whether they were aware of the recent government announcement that millions of pounds would be made available to improve town centres and High Streets. In response, the Deputy Chief Executive explained that Mace Group Ltd was aware of the funding and was looking into how the Council's project could fit into a funding bid. There was a need to establish whether the money was for 'desperate' town centres that needed to be reinvigorated or for the enhancement of town centres like Tewkesbury. In addition, the Head of Finance and Asset Management confirmed that, even though the scope of Mace Group Ltd work had been widened, its focus would continue to be Spring Gardens and Oldbury Road and that would form the main recommendation in its report.

- 57.5 Accordingly, it was

RESOLVED: That the Overview and Scrutiny Committee's comments on the Performance Management Report for Quarter Two of 2018/19 be **NOTED**.

EX.58 MEDIUM TERM FINANCIAL STRATEGY

- 58.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 63-87, attached the Medium Term Financial Strategy for the period 2019/20-2023/24 which Members were asked to recommend to Council for adoption.
- 58.2 Members were reminded that the Medium Term Financial Strategy set out the Council's estimates of its commitment expenditure and identified the spending pressures and the budget savings needed to achieve the recommended Council Tax levels for each of the five years of the plan. The Medium-Term Financial Strategy did not constitute a formal budget for the period, as such, the indicative annual assumptions included would be subject to a full review and decision-making process as part of the Council's budget and Council Tax setting.
- 58.3 Attention was drawn to the Medium Term Financial Strategy, attached to the report at Appendix 1, and Members were advised that it included information about the national context; the local government finance settlement; the New Homes Bonus strategy; retained business rates; growth pressures; the deficit and deficit reduction programme; and the potential Council Tax strategy for recommendation to Council.
- 58.4 Members felt the Medium Term Financial Strategy was comprehensive and, accordingly, it was

RESOLVED: That the Medium Term Financial Strategy 2019/20-2023/24 be **RECOMMENDED TO COUNCIL** for **ADOPTION**.

EX.59 TREASURY AND CAPITAL MANAGEMENT

59.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 88-122, set out a number of strategies that the Council needed to adopt on an annual basis: the Capital Strategy 2019/20; the Investment Strategy 2019/20; the Minimum Revenue Provision Statement 2019/20; the Treasury Management Strategy 2019/20; and the Flexible Use of Capital Receipts Policy 2019/20. Members were asked to recommend the strategies to the Council for adoption.

59.2 The Head of Finance and Asset Management explained that the Council was required to adopt a range of strategies and policies before the start of the financial year which would provide clarity on the Council's financial management for the forthcoming year. From 2019/20 there were two new requirements: the Capital Strategy and the Investment Strategy. The first was required by the Chartered Institute of Public Finance and Accountancy (CIPFA) prudential code and the second by the Ministry of Housing, Communities and Local Government - both were a response to the commercial activities which were being undertaken by Councils in recent years and aimed to provide more transparency to residents. The new strategies would complement the existing requirements and together formed a suite of treasury and capital management strategies.

59.3 It was

RESOLVED: That the Capital Strategy 2019/20; the Investment Strategy 2019/20; the Minimum Revenue Provision Statement 2019/20; the Treasury Management Strategy 2019/20; and the Flexible Use of Capital Receipts Policy 2019/20 be **RECOMMENDED TO COUNCIL** for **ADOPTION**.

EX.60 HOUSING STRATEGY MONITORING REPORT

60.1 The report of the Head of Community Services, circulated at Pages No. 123-150, attached the Housing Strategy action plan for 2019/20 which Members were asked to consider and support. The action plan formulated the actions which would continue to meet the priorities in the strategy for the period April 2019 to March 2020 as well as a summary of the key activities which had been achieved in the second year of the strategy; the proposed activities for year three were contained within Appendix 1 to the report.

60.2 Members were advised that the Housing Strategy was moving into year three of five and had been refreshed in line with new guidelines and legislation. The Housing Strategy incorporated renewal as well as the Homelessness and Prevention of Homelessness Strategy and the Tenancy Strategy. The key priorities of the strategy remained as previously: increasing the housing supply; preventing homelessness; meeting the housing needs of specific groups; and improving the health and wellbeing of local people. The Housing Strategy had been developed by an Overview and Scrutiny Working Group and had been adopted by Council in January 2017. The annual action plans were agreed by the Executive Committee with regular reporting to the Overview and Scrutiny Committee for review of achievements and future challenges.

- 60.3 During the discussion which ensued, a Member questioned whether modular housing was still something that was under consideration or whether it had fallen out of favour. In response, a Member indicated that Bromford Housing was putting on an exhibition in Winchcombe that afternoon to show its plans for modular housing on an old garage site so it was definitely an option which was being considered. The Head of Community Services agreed that it was still an aspiration to deliver modular housing and the Council was working with housing providers to find suitable sites, although some difficulties had been found in terms of meeting space standards. The Lead Member for Built Environment confirmed that there were a large amount of commuted sums available for affordable housing and Officers were working hard on ways to spend it; it was anticipated that the ideas would be ready to report to the Executive Committee in the first quarter of 2019/20.
- 60.4 In terms of a site in Staverton which had been earmarked for modular housing, the Head of Community Services explained that the Council was still working with Rooftop Housing Association on the project; this was currently in the conceptual stages but it was of note that Rooftop had already delivered a significant amount of modular housing in Worcestershire. In terms of social housing, there were issues around emergency and temporary accommodation but the Council was working closely with the Bromford Housing Group on delivery in the Borough. Officers were currently working up an options appraisal for additional properties to help meet the emergency and temporary accommodation needs and it was intended that a report on that would be submitted to Executive Committee and Council in June/July 2019. A Member pointed out that the government had recently announced additional money for housing associations and she questioned whether the Bromford Housing Group had applied for the funds; she also questioned whether Tewkesbury Borough Council could be involved in how it was spent. In response, the Head of Community Services explained that he was not aware of the particular details but he undertook to investigate and advise the Member accordingly. Another Member expressed her thanks to the Housing Team for the way they were managing the new regulations; she had heard reports from a number of local residents who had received excellent advice from the team in recent months which she felt was a testament to the way the team worked.
- 60.5 In respect of the recent planning appeal, and the Inspector's view of the Council's five-year housing land supply, the Borough Solicitor indicated that she intended to send a briefing note to all Members shortly but, in the meantime, she was able to confirm that the Council did not agree with the Inspector's judgement of its housing land supply and would be challenging it with the Secretary of State and, if necessary, the Courts. She understood that this meant the Council would effectively be challenging a decision that had gone in its favour, as the Inspector had found in favour of the Council at the appeal, but Officers took the view that they could not leave the conclusion in respect of the lack of housing land supply unchallenged. In addition, the Planning Policy Manager pointed out that the opportunity for housing was also explored through the Joint Core Strategy and Borough Plan and types, tenure, size etc. were all considered through the development process.

60.6 Referring to Page No. 127, Paragraph 6.2 of the report, a Member understood that 11 applications were being processed for Houses in Multiple Occupation (HMOs) under the new legislation and she questioned how long the licensing process was taking and whether residents were living in them unlicensed in the meantime. In response, the Head of Community Services explained that there were 11 in the process of being licenced. The Council had taken the approach that they would not licence any properties without inspecting them first - this was not a requirement of the legislation but was felt to be the correct approach – with that in mind the process was taking longer than anticipated. In addition, the recent Community Services review had agreed a new post which would deal with these and that had not yet been recruited to. It was anticipated that all applications would have been processed within the next eight weeks. He advised that the residents who were living in the properties were still there; however, it should be borne in mind that this was a legislative change so there was no reason to believe that any of the properties would have suddenly become unsafe.

60.7 Accordingly, it was

RESOLVED: That the Housing Strategy Action Plan for 2019/20 be
SUPPORTED.

EX.61 STANTON CONSERVATION AREA CHARACTER APPRAISAL

61.1 The report of the Head of Development Services, circulated at Pages No. 151-197, attached the Stanton Conservation Area Character Appraisal which Members were asked to adopt.

61.2 The Planning Policy Manager explained that the Stanton Conservation Area had first been designated by Gloucestershire County Council on 4 June 1971. Responsibility had then passed to Tewkesbury Borough Council, as the local planning authority, on 1 April 1974. Whilst the Council had issued a basic character appraisal in 1979 there had been no further reviews of the designation since that time. Under the Planning (Listed Buildings and Conservation Areas) Act 1990, local planning authorities were expected to review their Conservation Areas from time to time and formulate and publish proposals for their preservation and enhancement. Stanton Parish Council had commissioned an appraisal of the Conservation Area in consultation with the Borough Council and a copy was attached to the report at Appendix 1. The report sought the adoption of the Appraisal as a material consideration in the determination of planning applications.

61.3 The Stanton Conservation Area Character Appraisal recommended a number of proposed boundary changes which were shown at Map 2 in Appendix 1 to the report – those changes were aimed at providing a more logical boundary to Stanton Conservation Area as well as making the boundary unambiguous, and clearly identifiable on the ground, by following topographical features recorded on up-to-date ordnance survey digital mapping. The Appraisal further recommended five areas into which the Conservation Area designation should be expanded and one small area that should be deleted.

61.4 A Member noted that the Appraisal was an extremely interesting read with very attractive presentation and she offered her thanks to those responsible for putting it together. Another Member questioned how the extensions proposed would affect any proposals for exceptions sites in the area. In response, she was advised that any development would have to comply with the general policies around Conservation Areas, for example, being sympathetic and enhancing rather than detracting from it; it did not stop development but rather required extra scrutiny of designs etc.

61.5 Accordingly, it was

RESOLVED:

1. That the Stanton Conservation Area Character Appraisal, as set out in Appendix 1 to the report, be **ADOPTED**.
2. That the correction of minor errors such as spelling, grammar, typographical and formatting changes be **DELEGATED TO THE HEAD OF DEVELOPMENT SERVICES** as long as they do not affect the substantive content of the Conservation Area Appraisal.

EX.62 DOWN HATHERLEY, NORTON & TWIGWORTH NEIGHBOURHOOD PLAN REFERENDUM

62.1 The report of the Planning Policy Officer, circulated at Pages No. 198-285, attached the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan and asked Members to agree that it should progress to a community referendum as set down by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 (as amended).

62.2 The Planning Policy Manager advised that the Down Hatherley, Norton and Twigworth Neighbourhood Development Plan had been under development for a number of years but had been submitted for independent examination in August 2018. In September, the Inspector's report had been received which had recommended that, subject to their suggested modifications, the Plan should proceed to a community referendum. The Parish Councils involved, along with the Borough Council, agreed with the modifications suggested and the Plan was therefore before Members for approval. Members were advised that, following the examination, the Plan had been awarded the 'Building with Nature' accreditation; this was a really good thing for the Plan and it would be updated with that logo and reference made to it in the foreword before it was circulated for the referendum decision.

62.3 One of the local Members for the area advised that he had watched the progress of the Plan and he felt the Building with Nature achievement was to be applauded. He expressed his thanks to the group responsible for putting together such a good Neighbourhood Plan – he understood that it had taken a long time with many hours volunteered by those involved.

62.4 Accordingly, it was

RESOLVED:

That the Down Hatherley, Norton and Twigworth Neighbourhood Plan, modified according to the Examiner's recommended amendments, 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.63 RISK MANAGEMENT STRATEGY

- 63.1 The report of the Head of Corporate Services, circulated at Pages No. 286-309, attached the Risk Management Strategy and Corporate Risk Register. Members were asked to approve the Risk Management Strategy.
- 63.2 The Head of Corporate Services explained that Tewkesbury Borough Council had a risk management framework which set out the updated risk management strategy. Members were advised that risk management was an intrinsic element of good and effective management and should not be seen as a 'bolt on'. The strategy set out the risk management approach around identification, analysis, prioritisation and management of risk and it proposed capturing key corporate risks through a corporate risk register which was supported by individual risk registers for key projects. The strategy and the corporate risk register were attached to the report at Appendices 1 and 2. The Risk Management Strategy had been considered by the Audit Committee at its meeting on 12 December 2018 and was recommended to the Executive Committee for approval. The new corporate risk register would be considered by the Audit Committee on a quarterly basis to ensure the risks were being managed effectively and would be reviewed by the management team on a monthly basis as well as forming part of the regular Lead Member briefings.
- 63.3 A Member questioned how much of the legislation associated with the strategy was based in European law and, in response, the Borough Solicitor explained that, no matter what happened with the United Kingdom leaving the European Union, it would continue to be bound by current legislation until it decided otherwise. Accordingly, it was

RESOLVED: That the Risk Management Strategy be **APPROVED**.

EX.64 SEPARATE BUSINESS

- 64.1 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.65 SEPARATE MINUTES

- 65.1 The separate Minutes of the meeting held on 21 November 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 2:55 pm