

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at Winchcombe School, Winchcombe on Tuesday, 19 May 2015 commencing at 6:00 pm and reconvened at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 26 May 2015 at 6.00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor M Dean
Councillor R A Bird

and Councillors:

R E Allen, P W Awford, Mrs G F Blackwell, K J Cromwell, D M M Davies, Mrs J E Day, R D East, J H Evetts, D T Foyle, R E Garnham, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, T A Spencer, P D Surman, H A E Turbyfield, R J E Vines, M J Williams and P N Workman

CL.1 APOLOGIES FOR ABSENCE

- 1.1 Apologies for absence were received from Councillors Mrs K J Berry, R Bishop, R Furolo, Mrs S E Hillier-Richardson, V D Smith, Mrs P E Stokes, M G Szymiak and D J Waters.

CL.2 ELECTION OF MAYOR

- 2.1 With the retiring Mayor, Councillor Mike Dean, in the chair, it was proposed by Councillor Jim Mason and seconded by Councillor Bob East, that Councillor Ron Allen be, and is hereby, elected Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 2.2 On the Motion being put to the meeting it was declared to be carried, whereupon the Mayor took the chair, signed the Declaration of Acceptance of Office and took the Oath of Allegiance to Her Majesty the Queen.
- 2.3 In thanking Members for the honour of electing him Mayor of the Borough of Tewkesbury, Councillor Allen indicated that he understood the year ahead was not likely to be an easy one with resources tight but he felt he would enjoy the challenge. He was of the view that the Council's focus should be to support the economic health of the Borough and its businesses and continue to offer advice and assistance to the vulnerable members of its community. He was sure the Council could meet these challenges and still maintain its high quality services.
- 2.4 The Mayor indicated that his Mayoress for the year would be his friend and colleague, Councillor Elaine MacTiernan, and his Chaplain would be Reverend Wendy Ruffle, Minister for Prior's Park. He felt sure that both would offer the support and guidance which would be needed to ensure a successful year in Office. The charities that he would be supporting during his Mayoral year were Lupus UK and the Trussell Trust - Tewkesbury and North Cotswold Foodbanks.

- 2.5 The Mayor paid particular tribute to his late wife Mary and indicated that her warm encouragement had made it possible for him to serve as a Councillor for so many years on both the Borough Council and the County Council. He also thanked the Governors of Winchcombe School for making the venue available for the evening's Mayor Making ceremony.
- 2.6 In concluding his speech, the Mayor thanked everyone for attending and hoped that they would have an enjoyable evening.

CL.3 RETIRING MAYOR - COUNCILLOR MIKE DEAN

- 3.1 Councillor John Evetts expressed the Council's thanks to Councillor Mike Dean for the way that he had represented the Borough throughout his year in Office. He indicated that Councillor Dean had had a particularly successful year of fundraising for his chosen charities and he knew he was very proud of the amount raised. He knew that Councillor Dean, along with his Mayoress Anne, had very much enjoyed the experiences that the year had offered and he felt they had been exceptional advocates for the Borough.
- 3.2 Councillor Dean thanked Councillor Evetts for his words and offered his congratulations and best wishes to the new Mayor and Mayoress for their year ahead.
- 3.3 Councillor Dean advised that there had been three elements to the role of Mayor, the first was civic, the second governmental and the third was charitable. In terms of the civic responsibilities for the year, Councillor Dean indicated that they had been most enjoyable and memorable in so many ways. There had been a number of trips to Imjin Barracks which had been fantastic experiences; there had also been a number of engagements which had been held in commemoration of WWI which had been extremely touching; and many other events all over the Borough. He advised that they had made many new friends in the other civics and had had much fun along the way. In terms of governmental, this referred to the chairing of the Council meetings. Councillor Dean indicated that this had been daunting, and sometimes terrifying, but he was happy to have made it through the experience, having also reached some important milestones along the way. In all elements of the charitable side of the role he and his Mayoress had tried to ensure they, and those involved, had had fun. Councillor Dean indicated that they were both extremely proud of the amount raised for their chosen charities and he particularly thanked his friend, Mr David Buckley, for his help and support in achieving the amount raised.
- 3.4 In concluding his speech, Councillor Dean offered his thanks to all of the Officers at the Council who had helped him throughout the year, and to his Chaplain, Reverend John Partington, for his support. However, he indicated that, above all, his thanks went to his Mayoress and wife, Anne, whose diligence and attention to detail had ensured their year was a successful one which they had both enjoyed immensely.
- 3.5 The Worshipful the Mayor, Councillor Ron Allen, presented Councillor Mike Dean with a Past Mayor's Badge to mark his successful year in Office.
- 3.6 The retiring Mayoress, Mrs Anne Dean, invested Councillor Mrs Elaine MacTiernan with the Mayoress' Badge of Office and Councillor MacTiernan presented Mrs Dean with a Past Mayoress' Badge.

CL.4 APPOINTMENT OF DEPUTY MAYOR

- 4.1 It was proposed by Councillor Philip Surman, and seconded by Councillor Derek Davies, that Councillor Mrs Gill Blackwell be, and is hereby, appointed Deputy Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.
- 4.2 The Motion was put to the meeting and was carried.
- 4.3 Councillor Gill Blackwell expressed her thanks to her fellow Councillors for their

support and indicated that she felt honoured to be elected Deputy Mayor. She advised that her Consort would be her husband Mr Mike Blackwell.

4.4 Councillor Blackwell accepted the Deputy Mayor's Badge of Office from the Mayor and signed the Declaration of Acceptance of Office.

4.5 Flowers were presented to Mrs Anne Dean, Councillor Mrs Elaine MacTiernan and Councillor Mrs Gill Blackwell.

CL.5 ADJOURNMENT

5.1 Upon the Motion of the Mayor, the meeting of the Council stood adjourned until Tuesday, 26 May 2015 at 6.00pm.

CL.6 RESUMPTION

6.1 The meeting then resumed in the Council Chamber of the Tewkesbury Borough Council Offices, Gloucester Road, Tewkesbury on Tuesday 26 May 2015, when the attendance was as follows:

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor R E Allen
Councillor Mrs G F Blackwell

and Councillors:

P W Awford, Mrs K J Berry, R A Bird, R Bishop, G J Bocking, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, R D East, A J Evans, J H Evetts, D T Foyle, R Furolo, R E Garnham, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, V D Smith, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, H A E Turbyfield, R J E Vines, D J Waters, M J Williams and P N Workman

CL.7 DECLARATIONS OF INTEREST

7.1 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.

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

CL.8 MINUTES

8.1 The Minutes of the meeting held on 14 April 2015, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.9 ANNOUNCEMENTS

9.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

9.2 The Mayor advised that he had allowed a change in the order of Agenda Items so Item 9(2), Report of the Leader of the Council, would now be taken before Item 9(1), Membership of Committees.

9.3 At the invitation of the Mayor, the Leader of the Council thanked those members of staff that had been involved in running the election and count so successfully earlier in the month. He felt it was a credit to the Council that the process had

worked exceptionally well throughout.

CL.10 ITEMS FROM MEMBERS OF THE PUBLIC

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

CL.11 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

11.1 There were no Member questions on this occasion.

CL.12 ELECTION OF LEADER OF THE COUNCIL

12.1 Upon being proposed and seconded it was

RESOLVED That Councillor R J E Vines be elected as Leader of the Council, and therefore Chairman of the Executive Committee, for the ensuing Municipal Year.

12.2 Councillor Vines thanked the Council for its endorsement in his leadership and indicated that he would continue to do his best for the Borough during the year ahead.

CL.13 ELECTION OF DEPUTY LEADER OF THE COUNCIL

13.1 Upon being proposed and seconded it was

RESOLVED That Councillor D J Waters be elected as Deputy Leader of the Council, and therefore Vice-Chairman of the Executive Committee, for the ensuing Municipal Year.

CL.14 MEMBERSHIP OF COMMITTEES, LEAD MEMBERS AND APPOINTMENT TO OUTSIDE BODIES

Report of the Leader of the Council

14.1 The Leader of the Council indicated that, as part of the Constitution, he was required to report at the Annual Council meeting on the number of Lead Members and scope of their Portfolios for the coming year, the number of Specialist Members and the specialist areas to be covered, and any other matters in relation to the political management of the Council.

14.2 Accordingly, he proposed that the number of the Executive Committee be reduced from 10 Members to nine Members and that there be nine Portfolios with the Leader of the Council taking on a Corporate Portfolio with eight other Portfolios covering:

Customer Focus

Organisational Development

Finance and Asset Management

Built Environment

Clean and Green Environment

Community

Economic Development/Promotion

Health and Wellbeing

He also proposed that each Portfolio Holder should have a Support Member from the same Political Party who would attend the Portfolio Holder Briefings in order to

be fully informed of what was happening within the Portfolio. The Support Member would not represent the Portfolio Holder at meetings or deal with the press in relation to Portfolio matters.

- 14.3 The Leader indicated that there were a number of Working Groups, Boards and Panels that needed to be established under the new Council but in light of the composition of the Council he proposed that authority be delegated to the Borough Solicitor, in consultation with the Leader and Deputy Leader, to review the constitution/composition of the following and establish them if required:

Community Infrastructure Levy Working Group
 Planning Policy Reference Panel
 Leisure Facility Member Reference Group
 Member Development Working Group
 Flood Risk Management Group
 Grants Working Group
 Junction 9 Area Member Reference Panel
 Transform Working Group
 Joint Staff Consultative Group
 The Horsford Trust
 Chief Executive Appraisal Panel
 Tree Panel

- 14.4 Members agreed and, accordingly, it was

RESOLVED That the Leader's report be **NOTED** and authority delegated to the Borough Solicitor, in consultation with the Leader and Deputy Leader, to review the constitution/composition of the Groups set out in Minute No. 14.3 above and establish them if required.

Membership of Committees 2015/16

- 14.5 Upon being proposed and seconded it was

RESOLVED That the following Committee Memberships be **AGREED**:

Executive

R E Allen
 Mrs K J Berry
 R A Bird
 D M M Davies
 M Dean
 Mrs E J MacTiernan
 J R Mason
 R J E Vines
 D J Waters

Licensing

Mrs K J Berry
 Mrs G F Blackwell
 G J Bocking
 Mrs J E Day
 A J Evans
 R Furolo
 R E Garnham
 Mrs P A Godwin
 Mrs J Greening
 Mrs R M Hatton
 Mrs A Hollaway
 A S Reece
 H A E Turbyfield
 M J Williams
 P N Workman

Planning

R E Allen
R A Bird
Mrs G F Blackwell
D M M Davies
M Dean
R D East
J H Evetts
D T Foyle
Mrs M A Gore
Mrs J Greening
Mrs A Hollaway
Mrs E J MacTiernan
J R Mason
A S Reece
T A Spencer
Mrs P E Stokes
P D Surman
R J E Vines
P N Workman

Standards

M Dean
Mrs S E Hillier-Richardson
T A Spencer
P D Surman
M G Sztymiak
H A E Turbyfield
M J Williams

AD HOC COMMITTEES

**Employee Appeals
(any 5 from 8)**

Mrs K J Berry
Mrs G F Blackwell
Mrs J E Day
R E Garnham
Mrs M A Gore
Mrs E J MacTiernan
J R Mason
P D Surman

**Housing Allocations and
Homelessness Review (any
5 from 9)**

Mrs G F Blackwell
Mrs J E Day
R Furolo
Mrs P A Godwin
Mrs R M Hatton
Mrs E J MacTiernan
J R Mason
Mrs P E Stokes
M J Williams

Overview and Scrutiny

P W Awford
Mrs G F Blackwell
G J Bocking
K J Cromwell
Mrs J E Day
R D East
D T Foyle
Mrs R M Hatton
Mrs H C McLain
T A Spencer
Mrs P E Stokes
P D Surman
M G Sztymiak
H A E Turbyfield
M J Williams

Audit

K J Cromwell
A J Evans
R Furolo
Mrs P A Godwin
B C J Hesketh
Mrs S E Hillier-Richardson
Mrs H C McLain

**Employee
Appointments (5)**

R E Allen
M Dean
R E Garnham
Mrs E J MacTiernan
M G Sztymiak

Outside Bodies 2015/16, Gloucestershire Police and Crime Panel, Shared Legal Services Joint Monitoring and Liaison Group, Shared Building Control Joint Monitoring and Liaison Group and Severn Vale Housing Society

14.6 Upon being proposed and seconded, it was

RESOLVED

1. That the following Outside Body Representation be **AGREED:**

2gether NHS Foundation Trust (<i>observer</i>)	R E Allen
A48 Meeting	D M M Davies
Ambulance Trust (<i>observer</i>)	R E Allen
Cleeve Common Board of Conservators	R D East
Community Safety Partnership	Lead Member (<i>Community</i>) Mrs E J MacTiernan
Cotswolds AONB Conservation Board	M Dean
District Councils Network	Leader of the Council
G First/LEP (plus 1 reserve)	Lead Member (<i>Economic Development/Promotion</i>) Mrs E J MacTiernan
Gloucester and District Citizens' Advice Bureau	A J Evans
Gloucestershire Airport Consultative Committee	M J Williams
Gloucestershire County Cycle Forum	A J Evans
Gloucestershire Hospitals NHS Foundation Trust (<i>observer</i>)	Mrs J E Day
Gloucestershire Joint Waste Committee	Lead Member (<i>Clean & Green Environment</i>) Leader of the Council
Gloucestershire Playing Fields Association	D T Foyle
Gloucestershire Waste Partnership	Lead Member (<i>Clean & Green Environment</i>)

Leadership Gloucestershire (plus 1 reserve)	Leader of the Council Deputy Leader of the Council
Local Government Association	Leader of the Council <i>* should the Leader of the Council be unable to attend the Annual Local Government Association Conference in any year, authority will be delegated to the Chief Executive, in consultation with the Leader, to appoint a representative to attend.</i>
Lower Severn (2005) Internal Drainage Board	P W Awford
Parking and Traffic Regulations Outside London (PATROL) Adjudication Joint Committee	K J Cromwell J R Mason
Prior's Park Neighbourhood Project	Mrs J Greening
Riverside Partnership	Lead Member (<i>Built Environment</i>) Lead Member (<i>Economic Development/Promotion</i>) Lead Member (<i>Health and Wellbeing</i>) Mrs E J MacTiernan
Roses Theatre Trust	Mrs A Hollaway
Safe at Home Advisory Group (formerly known as Anchor Staying Put Advisory Group)	Mrs J E Day Mrs M A Gore
South West Councils	Leader of the Council R E Allen (Deputy)
South West Councils – Employers Panel	D M M Davies
Tewkesbury Road Safety Liaison Group	K J Cromwell M Dean
Tewkesbury District Twinning Association Management Committee	P W Awford

Tewkesbury Regeneration Partnership	Lead Member (<i>Built Environment</i>) Lead Member (<i>Economic Development/Promotion</i>) Lead Member (<i>Health and Wellbeing</i>)
Tewkesbury Swimming Bath Trust Management Committee	P W Awford R A Bird K J Cromwell Mrs J E Day R Furolo Mrs J Greening A S Reece V D Smith T A Spencer P N Workman
Winchcombe Sports Hall Management Committee	Mrs J E Day
Winchcombe Town Trust	J R Mason

2. That Councillor R E Garnham be appointed as the Council's representative on the Gloucestershire Police and Crime Panel and that Councillor R E Allen be appointed as the reserve Member.
3. That the Lead Member for Corporate Governance and Councillor D T Foyle be appointed as the Council's representatives on the Shared Legal Services Joint Monitoring and Liaison Group and that Councillors Mrs M A Gore and Mrs H C McLain be appointed as the substitutes.
4. That the Lead Member for Built Environment and Councillor R D East be appointed as the Council's representatives on the Shared Building Control Joint Monitoring and Liaison Group.
5. That the Lead Member for Health and Wellbeing and Councillor D J Waters be appointed as the Council's representatives on the Board of Severn Vale Housing Society for the term of the Council.

Chairmen and Vice-Chairmen, County Council Health and Care Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee

14.7 Members of each Committee took turns to elect a Chairman and Vice-Chairman and the Overview and Scrutiny Committee elected representatives to the County Council's Health and Care Scrutiny Committee and the Gloucestershire Economic Growth Scrutiny Committee. Accordingly it was

RESOLVED

1. That the Chairmen and Vice-Chairmen for each Committee be **AGREED** as follows:

Overview and Scrutiny Committee:

Chairman – Councillor P W Awford

Vice-Chairman – Councillor Mrs G F Blackwell

Audit Committee:

Chairman – Councillor R Furolo

Vice-Chairman – Councillor Mrs H C McLain

Planning Committee:

Chairman – Councillor J H Evetts

Vice-Chairman – Councillor R D East

Licensing Committee:

Chairman – Councillor R E Garnham

Vice-Chairman – Councillor Mrs J Greening

Standards Committee

Chairman – Councillor P D Surman

Vice-Chairman – Councillor M J Williams

2. That Councillor Mrs J E Day be the Council's nominated representative on the County Council's Health and Care Scrutiny Committee.
3. That Councillor P W Awford be the Council's nominated representative on the Gloucestershire Economic Growth Scrutiny Committee and that Councillor K J Cromwell be the reserve.

CL.15 MAYOR OF TEWKESBURY'S APPEAL FUND

15.1 It was proposed, seconded and

RESOLVED That Councillors P W Awford, J R Mason and D J Waters be appointed as Trustees of the Mayor of Tewkesbury's Appeal Fund for 2015/16.

CL.16 HONORARY ALDERMEN

16.1 It was proposed, seconded and

RESOLVED That an Extraordinary meeting of the Council be convened, on a date to be agreed, in order to confer the honour of Honorary Alderman upon former Councillors Brian Calway, Brian Jones, Allen Keyte, Tony Mackinnon, Margaret Ogden, Jude Perez, Audrey Ricks, Gordon Shurmer, Bill Whelan and Claire Wright.

CL.17 NOTICE OF MOTION - CAR PARKING IN TEWKESBURY

17.1 The Worshipful the Mayor referred to the Notice of Motion set out on the Agenda and indicated that, in accordance with the Rules of Procedure, it was necessary for the Council firstly to decide whether it wished to debate and determine the Motion at this evening's meeting, or whether it wished to refer the Motion, without debate, to a Committee for consideration with authority either to make a decision on the matter or to bring a recommendation back to Council. Upon being put to the vote it was agreed that the Motion would be determined at the current meeting.

- 17.2 Councillor M G Sztymiak proposed and Councillor P N Workman seconded that:
 'This Council acknowledges the importance of car parking in Tewkesbury and the adverse impact a shortage of car parking can have on the vitality of the town's businesses. The Council also recognises the significant contribution made by small businesses and retailers to the local economy and seeks to support local commerce.
 The new car parking price structure introduced in April this year is intended to help local trade by encouraging shoppers and visitors to stay longer in the town than the previous charging policy by offering better value parking over one hour.
 This Council accepts that the town centre car parks are the most convenient for the majority of shoppers. It also accepts that the new car parking charges should mean increased use of the car parks which would affect the capacity of the car parks to support extra and longer visits.
 The Council therefore resolves not to sell the Oldbury Road car park for a minimum of 12 months but to keep it as a car park so that the impact of the new charging structure on the capacity of the town's parking can be assessed'.
- 17.3 In speaking to the Motion, Councillor Sztymiak expressed the view that the Council should remember that part of the reason for wanting to sell the Oldbury Road car park was the fact that it was underutilised. However, since that decision was taken a new Car Parking Strategy had been introduced which sought to encourage people to stay longer in the Town by revising the charges which now meant that it was more attractive and better value for money for visitors to stay longer than an hour. For this reason, he felt it was essential that the Council waited for 12 months before selling the car park as this would allow an assessment of the effect of the new parking charges and strategy on the Town and its car parks. The car park was a valuable public asset which was vital to businesses and the organisations that operated in the Town. In seconding the Motion, Councillor Workman advised that the future of the Oldbury Road car park was one of the biggest decisions to affect the Council in recent years. He felt that the Car Parking Strategy would have the effect that the Council was hoping for; in encouraging visitors to remain longer in the Town, and therefore the Council would be foolish to sell the asset.
- 17.4 In response, a Member indicated that the Parking Strategy did acknowledge the importance of parking in Tewkesbury. However, Oldbury Road car park had not been included for consideration within that Strategy. In addition, the car park had now been sold subject to contract and any delay in the sale would result in penalties for the Council. In addition, he expressed the view that he was in favour of the proposed development and as such he was against the Motion. He felt there was sufficient parking capacity within the Town and that the sale should proceed. Another Member questioned whether the Council had a start date for development from the purchaser of the car park site. In response, she was advised that the Council had not yet been advised of a start date but it was understood that a planning application was imminent and it would certainly be hoped that the development would commence shortly after planning consent was received. One Member questioned whether the proposer would withdraw his Motion given that the Council would incur financial penalties if there was a delay but the proposer of the Motion declined.
- 17.5 In summing up, the proposer of the Motion indicated that there were alternative uses for the car park but there was no evidence that they would bring benefits to the Town. He argued in strong terms that the additional car parking space that was offered by Oldbury Road car park was absolutely necessary as if people could not find anywhere to park on their first visit they would not return. With this in mind, he was of the view that those that voted against his Motion would not be helping the prosperity of the Town.

17.6 Upon being put to the vote the Motion was lost and it was

RESOLVED That the following Motion not be agreed:

'This Council acknowledges the importance of car parking in Tewkesbury and the adverse impact a shortage of car parking can have on the vitality of the town's businesses. The Council also recognises the significant contribution made by small businesses and retailers to the local economy and seeks to support local commerce.

The new car parking price structure introduced in April this year is intended to help local trade by encouraging shoppers and visitors to stay longer in the town than the previous charging policy by offering better value parking over one hour.

This Council accepts that the town centre car parks are the most convenient for the majority of shoppers. It also accepts that the new car parking charges should mean increased use of the car parks which would affect the capacity of the car parks to support extra and longer visits.

The Council therefore resolves not to sell the Oldbury Road car park for a minimum of 12 months but to keep it as a car park so that the impact of the new charging structure on the capacity of the town's parking can be assessed'.

CL.18 SEPARATE BUSINESS

18.1 The Chairman 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.19 SEPARATE MINUTES

19.1 The separate Minutes of the meeting held on 14 April 2015, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

The meeting closed at 7:00 pm