

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 30 July 2019 commencing at 6:00 pm**

## **Present:**

The Worshipful the Mayor  
Deputy Mayor

Councillor G F Blackwell  
Councillor A S Reece

## **and Councillors:**

R A Bird, G J Bocking, C L J Carter, C M Cody, K J Cromwell, M Dean, R D East, J H Evetts, P A Godwin, M A Gore, D W Gray, D J Harwood, A Hollaway, M L Jordan, E J MacTiernan, J R Mason, H C McLain, P D McLain, H S Munro, J W Murphy, P W Ockelton, C Reid, J K Smith, P E Smith, R J G Smith, V D Smith, C Softley, R J Stanley, S A T Stevens, P D Surman, M G Sztymiak, S Thomson, R J E Vines and M J Williams

## **CL.22 APOLOGIES FOR ABSENCE**

22.1 Apologies for absence were received from Councillors L A Gerrard and P N Workman.

## **CL.23 DECLARATIONS OF INTEREST**

23.1 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.

23.2 The following declarations were made:

<b>Councillor</b>	<b>Application No./Item</b>	<b>Nature of Interest (where disclosed)</b>	<b>Declared Action in respect of Disclosure</b>
R A Bird	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
K J Cromwell	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.

M A Gore	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Councillor owns a share in land that may benefit from a proposed policy within the Plan.	Would not speak or vote and would leave the meeting for the consideration of the item.
A Hollaway	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Close family members own land adjacent to proposed development but neither the Councillor, nor any family members, own any land which is proposed for development.	Had received a dispensation to speak and vote on this item.
P W Ockelton	Item 12a – Spring Gardens/Oldbury Road Regeneration.	Is a member of a local, national and international charity that has land holdings that could be affected by the development process.	Would not speak or vote and would leave the meeting for the consideration of the item.
V D Smith	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Is a Gloucestershire County Councillor.	Had received a dispensation to speak and vote on this item.
P D Surman	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Is a close friend of a landowner who has land allocated within the Pre-Submission Tewkesbury Borough Plan.	Would not speak or vote and would leave the meeting for the consideration of the item.
R J E Vines	Item 7 – Pre-Submission Tewkesbury Borough Plan.	Councillor jointly owns land which is allocated within the Pre-Submission Tewkesbury Borough Plan.  Is a Gloucestershire County Councillor.	Would not speak or vote and would leave the meeting for the consideration of the item.

**CL.24 MINUTES**

- 24.1 The Minutes of the meetings held on 21 and 28 May 2019, copies of which had been circulated, were approved as correct records and signed by the Mayor.

**CL.25 ANNOUNCEMENTS**

- 25.1 The evacuation procedure was advised to those present.

**CL.26 ITEMS FROM MEMBERS OF THE PUBLIC**

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

**CL.27 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

- 27.1 There were no Member questions on this occasion.

**CL.28 PRE-SUBMISSION TEWKESBURY BOROUGH PLAN**

- 28.1 The report of the Head of Development Services, circulated at Pages No. 18-24, attached the report of the Tewkesbury Borough Plan Working Group and the Pre-Submission Tewkesbury Borough Plan for approval. Members were asked to consider the Working Group report, and Officer advice; determine whether or not site SHU4 should be included within the Pre-Submission Tewkesbury Borough Plan; to approve the version for submission to the Secretary of State for independent examination; and to delegate authority to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to the publication of the Plan and its submission for independent examination.
- 28.2 The Head of Development Services explained that the Tewkesbury Borough Plan was the Borough's second tier plan which sat beneath the adopted Joint Core Strategy. It was being prepared to compliment the Joint Core Strategy and to provide more detailed and locally specific policies to guide development and propose non-strategic allocations for housing and employment growth. The Borough Plan provided an appropriate planning policy framework to ensure Council policy on development was effectively implemented alongside ensuring that reasonable aspirations could be achieved whilst giving protection to its communities and built and natural environment against harmful development. The Plan contained a range of policies in relation to housing; economy and tourism; the Green Belt; town centres and retail; the creation of quality places; the natural environment; communities; health and recreation; and transport and accessibility. It contained a suite of policies along with a number of plans to identify allocations of land for particular uses. The Pre-Submission Tewkesbury Borough Plan had been progressed following extensive work by Members and Officers and was the version the Council intended to submit to the Secretary of State for independent examination following a minimum consultation period of six weeks.
- 28.3 The Member Working Group report, attached to the Officer report at Appendix 1, sought Council approval for the publication of the Pre-Submission version of the Borough Plan. As detailed within the Officer report, there was Officer support for the recommendations of the Working Group report with the exception of the proposed inclusion of site SHU4: land south of Badgeworth Lane, Shurdington and the consequent changes to the Green Belt boundary. This was because the site was located within the Green Belt and the National Planning Policy Framework stated

that exceptional circumstances were required to justify the removal of sites from the Green Belt through the plan-making process, furthermore, there was a requirement for the local planning authority to demonstrate that it had fully examined all other reasonable options for meeting its identified need. It was the opinion of the Working Group that SHU4 should be allocated, along with the other sites in Shurdington, to provide an appropriate level of growth at a sustainable location that was otherwise highly constrained by Green Belt; the Working Group considered this to constitute exceptional circumstances for removing land from the Green Belt. However, as set out at Section 2 of the Officer report, Officers did not consider that exceptional circumstances were present to justify the allocation of the site because the identified needs for development in service villages, as set out at Joint Core Strategy policy SP2, could be met and were exceeded without the allocation of SHU4. Policy SP2 stated that 'the service villages will accommodate in the order of 880 new homes' so, without SHU4, when added to existing commitments, the other allocations in the Plan would cumulatively provide 1,043 homes in service villages. It was for that reason Officers considered that the SHU4 allocation could not be justified as being required to meet the identified need for development as set out by the National Planning Policy Framework. Furthermore, Environmental Health Officers had advised against the allocation of SHU4 due to potential noise and dust associated with the existing aggregate business which was located adjacent to the site as well as the strong objections from the Parish Councils, local residents and other interest groups.

- 28.4 The recommendation from the Working Group that the Plan be approved as attached at Appendix A and including SHU4, was proposed and seconded. An amendment was proposed that SHU4 be removed from the Plan prior to submission and left in the Green Belt with the rest of the Plan being approved as proposed.
- 28.5 The Mayor invited questions on the amendment. A Member questioned where the Council stood in terms of the MAFF site which had previously been included in the Borough Plan for housing. In response, the Head of Development Services explained that the MAFF site was included under the Tewkesbury Town Regeneration Policies (RET9) on Page No. 124. The policy also referred to Healings Mill and Spring Gardens and indicated that the MAFF site was suitable for higher density residential uses, including housing and a care home, but that possible alternative uses, including public car parking, may be considered where they contributed positively towards the wider town centre regeneration strategy. Referring to the inclusion of Healings Mill for housing, the Member noted that 50-60% of the site had been under flood water in 2007 and he questioned whether Officers were aware of that. In response, the Planning Policy Manager indicated that the redevelopment of the site would have to come forward with flood mitigation measures and would have to pass the flood risk exception test as identified in the National Planning Policy Framework. The Member noted that the results of the consultation on the preferred options Borough Plan had not yet been considered by Members. He was conscious that the opinions expressed, and Officer responses, should be taken into account and that could only be done when it was known what they were. He questioned what Officers views were on that. In response, the Planning Policy Manager explained that the responses received were on the Council's website and had been considered by the Working Group when putting the Pre-Submission version together. A detailed process had been followed with changes being made to the Plan as appropriate; all comments had been considered even if they had not resulted in changes.
- 28.6 A Member noted that residents of Bishop's Cleeve had seen a lot of development in recent years and infrastructure in the area was an issue. She requested assurances as to the infrastructure planned for Bishop's Cleeve and why the allotments in the area had been allocated for housing in this new version of the Borough Plan rather than reserved for community use. In response, the Planning Policy Manager explained that the site had not been available in the last version of the Plan but it

was within the settlement boundary, as such, investigations had been made to see if it was suitable for inclusion and it had been found to be an infill site which would provide additional housing. As the Pre-Submission Borough Plan would be subject to consultation there would be an opportunity for people to provide their comments should they have any. Referring to the use of the term 'major development' in the Plan, a Member questioned what this meant. In response, the Planning Policy Manager confirmed that this was a development management definition which referred to developments of ten and over – this could be clarified within the text through the delegation for minor amendments. The Member also questioned what the exceptional circumstances were for the other two sites in Shurdington being included when Officers were of the view that SHU4 should not. In response, the Planning Policy Manager explained that the Green Belt was subject to strict tests and the difference in Shurdington was that, as the village was surrounded by Green Belt, any growth required some release. The Green Belt had been assessed so Officers could understand the contribution it made, and the harm that may result if it was released; the other two sites were assessed to cause low/moderate harm whereas SHU4 would cause moderate/high harm. It was understood that Shurdington was a sustainable area for development, as such some Green Belt would need to be removed, but Officers also had to consider the harm caused by its removal.

- 28.7 A Member indicated that he had seen the feedback from the consultation on the Preferred Options version of the Plan and had noted the comments made in respect of the lack of exceptional circumstances regarding the removal of Green Belt at Shurdington - he questioned whether there was any other feedback from the community. In response, the Planning Policy Manager indicated that the main topics raised were in respect of the Green Belt and that had been highlighted by the community, local interest groups and some developers. Other issues raised were the potential noise and dust pollution, traffic and the proximity to the existing school. A Member suggested that the employment land next to SHU4 would not cause an issue as the bunding could be extended and the noisy equipment was only in operation for eight weeks of the year so it would cause no major harm to the area. In addition, he indicated that there was a need for specific sites for travellers to be identified and he felt the Plan needed to go back to the Working Group for further consideration as it was fragmented and he could not support a piecemeal approach. Another Member questioned whether the amount of housing in Brockworth had been considered in respect of Shurdington Road as this would impact the whole area given that Shurdington Road was already nearing capacity. In response, the Head of Development Services confirmed that the housing allocations in the Plan had been assessed and had taken account of existing permissions. During the consultation, Officers had spoken to many different agencies and the sites allocated had been included in consultation with County Highways. Referring to Page No. 56, site COO1, a Member questioned whether the allocation of 50 dwellings was correct and was advised that this was the figure the site had been assessed as being suitable for. There had recently been an application submitted for 40 dwellings in the area which had caused some confusion. Referring to sites in Brockworth – land adjacent to Golf Club Lane and at Nerva Meadows – a Member questioned why the site on the periphery of Coopers Edge was not being allocated for shops/facilities for the local people in Coopers Edge. In response, the Planning Policy Manager advised that both sites had already received a resolution to permit proposals for residential development and their allocation within the Borough Plan was in line with those permissions. The Officer indicated that, whilst he did not disagree with the view that facilities would be helpful, this did not change the fact that residential development had already been permitted and there had been no proposals submitted for shops etc. on the site.

- 28.8 Referring to the transport connections, a Member expressed the view that, whilst the ideas of better cycling provision and increased bus and train routes were laudable, there needed to be more detail around how they connected to each other. In response, the Planning Policy Manager advised that there were policies in the transport section of the Plan and it was expected that all development would provide connectivity for cycles/pedestrians and that this should be an integral part of the design of the development. Connectivity outside of the site was more difficult to control and the Council would have to work with the County Council, as the Highways Authority, and the emerging Transport Plan on that. It was not the role of the Borough Plan to detail the connections and the projects to be delivered as that fell to the Local Transport Plan which sat alongside the Borough Plan and the Joint Core Strategy. Officers were currently working with Officers at the County Council on the Local Transport Plan as there would be a refresh of the existing Plan up to 2023 after which there would be a wider review. The existing Plan would take on board the proposals and policies in the Borough Plan and the Joint Core Strategy. In terms of the Housing Needs Survey, the need in the Borough Plan came directly from the Joint Core Strategy as that set out the Council's housing requirement. The Housing Needs Survey was important when considering the need for rural provision and for the Neighbourhood Development Plans – this was dealt with by the housing team. In respect of gypsies and travellers, there were three sites allocated and for travelling showpeople there was one site to help meet the needs in the Joint Core Strategy. A Member questioned whether Bishop's Cleeve had already met local housing needs identified in its housing needs survey. In response, the Planning Policy Manager advised that he was unable to comment on specific locations but he would speak to the housing team to get that information.
- 28.9 The Borough Solicitor reminded Members that the current debate was on the amendment that site SHU4 be omitted from the Plan. A Member indicated that he had been on the Tewkesbury Borough Plan Working Group for the past two years. The Plan had been through various iterations but was now at the final stage following a lot of hard work by Members and Officers. The issues had been thoroughly debated and a whole variety of questions had been concluded. He felt it would not be right to amend the Plan at this stage in accordance with individual interests which could run the risk of the Council not having a Plan at all and therefore being unable to prevent unregulated, speculative development. When the Council had approved the Preferred Options version of the Plan, those facts had been at the forefront of Members' minds and, since then, little had changed except the Council had less ability to demonstrate a housing supply. Shurdington had three sites available and the other two sites on their own did not meet the identified housing need of 141 which he felt met the test of exceptional circumstances for the allocation of SHU4 and its removal from the Green Belt. Another Member expressed concerns about the whole Plan; he felt it left Tewkesbury susceptible to flooding as it meant the area was surrounded by more and more housing. He was firmly of the view that there should be no building in flood zone 3 and that the Working Group should reconsider the Plan recognising the flooding concerns.
- 28.10 In summing up the amendment, the proposer drew attention to Page No. 22 – Paragraph 2.7 – which explained the situation regarding Shurdington and showed that there were no exceptional circumstances for the inclusion of site SHU4 or for taking it out of the Green Belt.

28.11 A recorded vote was requested and, upon receiving the appropriate level of support, voting was recorded as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
G J Bocking	R A Bird	D J Harwood	L A Gerrard
C L J Carter	G F Blackwell		M A Gore
C M Cody	K J Cromwell		P D Surman
M Dean	R D East		R J E Vines
J H Evetts	A Hollaway		P N Workman
P A Godwin	J R Mason		
D W Gray	A S Reece		
M L Jordan	J K Smith		
E J MacTiernan	V D Smith		
H C McLain			
P D McLain			
H S Munro			
J W Murphy			
P W Ockelton			
C Reid			
P E Smith			
R J G Smith			
C Softley			
R J Stanley			
S A T Stevens			
M G Sztymiak			
S Thomson			
M J Williams			

28.12 With 23 votes in favour, nine against and one abstention, this became the substantive motion. During the discussion which ensued, a Member indicated that he was conscious of the issues that caused most debate and the need to apply policies fairly and consistently while subjective terms such as 'major' and 'very small scale' made this difficult; he felt this particularly applied to RES4 – Page No. 69 – which sought to encourage new housing in rural settlements which was not covered

by other policies and where it discussed 'very small scale' he proposed what he considered to be a small and helpful addition to bullet point b) to read 'it does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the plan period **as a general rule no more than 5% growth or 10 dwellings, whichever is lesser, will be allowed;**'; this proposal was seconded. A Member of the Tewkesbury Borough Plan Working Group advised that the Group had debated the policy wordings at length and had agreed that it was better to be flexible to allow the policies to provide for all kinds of possibilities that could not be anticipated at this stage. It had been felt that a specific limit would be inequitable in a lot of cases therefore the addition of percentages did not make any sense. A number of Members agreed with the amendment as they felt it would enable affordable housing in areas where there would otherwise not be any due to the land prices which, in turn, would mean the villages had a community feel which they currently did not have. In offering some clarification, the Head of Development Services explained that the proposer of the amendment was stating that, allowing uncontrolled development, would disincentivise the rural exception sites for affordable housing. The general principle of the approach to provide limited growth in villages was supported by Officers and they had grappled with how to meet that objective whilst still protecting the built and natural environment. The proposal would not be unacceptable in planning terms but the Council would have to consider the implications of doing that as part of its growth. In response to a query about exception sites, the Planning Policy Manager explained that Policy RES6 allowed for development of affordable housing within/on the edge of settlements and that was the case regardless of the wording of RES4. Sites in accordance with RES6 could include some market housing for cross-subsidy but provided the opportunity to deliver affordable housing in areas that would not otherwise be allocated/permited. A Member noted a typographical error at Page No.73 – RES6, bullet point c) a space was required between the words 'site' and 'has'.

- 28.13 In summing up the amendment, the proposer hoped that Members could see the sense in the amendment as proposed as he felt the provision of affordable housing in the Borough was extremely important. Upon being put to the vote, the motion was carried and became the substantive motion.
- 28.14 A Member proposed, and it was seconded, that the whole Plan be sent back to the Working Group to look at the land supply issues, the service villages and the safeguarded land more closely. In response, the Head of Development Services indicated that Officers and the Working Group Members considered the Plan to be sound for submission to the Inspector for examination following the consultation. There were always conversations and debates to be had in relation to the planning processes but it was important that the Council had a Plan in place and it was felt that the current Plan before Members could be robustly defended at examination. The Borough Solicitor clarified that this was a new proposal and could be voted upon after the amended substantive motion which was the recommendation on the paper without the inclusion of SHU4 and with the amendment to RES4.
- 28.15 A Member proposed, and it was seconded, that WIN1 be removed from the Plan as there was no need for the site when the number allocated could be met through infill. The Planning Policy Manager advised that Winchcombe was constrained by the Area of Outstanding Natural Beauty which meant the growth expected had not occurred; through the Borough Plan, sustainable options for growth had been sought in the area of which this was one. The implications of not bringing sites forward would be that the local housing needs would not be satisfied. A Member felt it was not sensible to take sites out of the Plan on an ad-hoc basis and he felt the Working Group should be supported in the work it had undertaken. Another Member agreed with that view and felt the Council could not go on changing the Plan and that it should be agreed without delay. Upon being put to the vote, the amendment to remove WIN1 was lost.

- 28.16 A Member proposed, and it was seconded, that the area of Healings Mill in the policy be amended so that the car park – which was in flood zone 3 – was not built upon. It was felt this would otherwise cause anxiety to residents in the area who feared the displaced water would affect them. In response, the Head of Development Services indicated that Healings Mill was important as it was recognised as a regeneration site; this did not mean the whole site would be developed, in fact that was very unlikely to be the case. It was felt that, overall, any development would offer significant improvements from a planning point of view as the site would be much more permeable and it was not anticipated the car park would be developed. Upon being put to the vote, the amendment was lost.
- 28.17 A Member proposed that, in light of the lack of housing land supply and deletions made against the Working Group's advice, Highnam be re-included as a service village to fulfil the shortfall and that development to the south-east and north-west of the village be considered. This amendment received no seconder.
- 28.18 It was proposed and seconded, that the allotment site at Bishop's Cleeve be removed from the Plan as it had been included after the last consultation which meant residents had not had the opportunity to comment on its allocation. The Planning Policy Manager acknowledged that Bishop's Cleeve had seen a lot of growth but indicated that the site in question was infilling between areas. In addition, it was within the settlement boundary and therefore the principle of development would already be acceptable and the site likely to come forward – Officer advice would be that it should be included and count towards the Borough's housing supply. A Member suggested the Council needed to consider the social impact on communities and the fact that it was infilling missed the point that residents were upset at the continual development in the area without the infrastructure to support it. The Head of Development Services indicated that it was important to understand that the Plan had taken two years to get a point where it was considered sound. Officers could fight for the Plan at examination, but a framework was needed to do that. The Council must not be at the mercy of developers and, without a Plan, Officers had very little opportunity to defend the Borough. The Plan could, and would, be reviewed in due course, as was the case currently with the Joint Core Strategy, but approval of the Borough Plan must be expedited so the Council did not continue to be in a vulnerable position. The strong advice of Officers was to take the Plan forward and submit it to the Secretary of State without delay. Upon being put to the vote, the amendment to remove the allotment site at Bishop's Cleeve was lost.
- 28.19 The substantive motion, to exclude site SHU4 and amend RES4, was put to the vote. A recorded vote was requested and, upon receiving the appropriate level of support, voting was recorded as follows:

<b>For</b>	<b>Against</b>	<b>Abstain</b>	<b>Absent</b>
R A Bird	C M Cody		L A Gerrard
G F Blackwell	D J Harwood		M A Gore
G J Bocking	H S Munro		P D Surman
C L J Carter	R J Stanley		R J E Vines
K J Cromwell	M G Sztymiak		P N Workman
M Dean			
R D East			

J H Evetts  
P A Godwin  
D W Gray  
A Hollaway  
M L Jordan  
E J MacTiernan  
J R Mason  
H C McLain  
P D McLain  
J W Murphy  
P W Ockelton  
A S Reece  
C Reid  
J K Smith  
P E Smith  
R J G Smith  
V D Smith  
C Softley  
S A T Stevens  
S Thomson  
M J Williams

28.20 Accordingly, it was

**RESOLVED**

1. That the Pre-Submission version of the Tewkesbury Borough Plan be **APPROVED** under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version to be submitted, following consultation, to the Secretary of State for independent examination subject to:
  - a) the exclusion of site SHU4; and
  - b) additional wording at RES4 to read: ‘b) it does not have an adverse cumulative impact on the settlement having regard to other developments permitted during the plan period ***as a general rule no more than 5% growth or 10 dwellings, whichever is lesser, will be allowed;***’

2. That authority be delegated to Head of Development Services, in consultation with the Lead Member for Built Environment, to make necessary minor amendments prior to:
  - i) publication of the Pre-Submission Tewkesbury Borough Plan; and
  - ii) submission of the Tewkesbury Borough Plan for independent examination.

## **CL.29      AUDIT AND GOVERNANCE COMMITTEE ANNUAL REPORT 2018/19**

29.1      The Chair of the Audit and Governance Committee for 2018/19 indicated that the report before Members, circulated at Pages No. 257-271, demonstrated that the role of the Committee was not only to look at finance which she felt was a common misconception. With that in mind, in order to raise the profile of the Committee, the name had been changed to include governance and the membership had been expanded from seven to nine. The Audit and Governance Committee received a variety of reports from different sources to give assurance that systems, procedures and policies were operating as they should be. Sources of assurance included the work of the Council's internal audit team, reports from the Council's external auditors, Gloucestershire Counter Fraud Unit and individual reports from Officers on governance related issues such as health and safety. During the year, the Committee had received a new risk register and she looked forward to Members getting 'under the skin' of those risks to gain assurance that they were being effectively managed. She explained that she was no longer the Chair of the Committee, but took the opportunity to update on a key outcome from the last meeting at which the Committee had been pleased to hear the external auditors had signed off the statement of accounts without any significant issues arising and were very complimentary of the work of the Council's finance team. The auditors had also been satisfied that the Council had proper arrangements for securing economy, efficiency and effectiveness in its use of resources as well as referring to the implementation of a savings programme being approved within the Medium Term Financial Strategy in line with a previous audit recommendation.

29.2      Accordingly, it was

**RESOLVED**      That the Audit and Governance Committee Annual Report 2018/19 be **APPROVED**.

## **CL.30      HONORARY ALDERMAN**

30.1      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 Allen, Awford, Berry, Davies, Day, Hillier-Richardson, Stokes and Waters.

## **CL.31      NOTICE OF MOTION - DECLARING A CLIMATE CHANGE EMERGENCY**

31.1      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 deferred.

- 31.2 A Member suggested that the motion be discussed by the Overview and Scrutiny Committee. He explained that climate change was at the forefront of everyone's minds so it was appropriate to discuss it properly at Overview and Scrutiny Committee to consider where the Council was and where it wanted to be. The Council was committed to a sustainable existence with garden communities being the epitome of sustainable living which he felt demonstrated that commitment. During the discussion which ensued, a number of Members suggested that, if the motion was deferred to the Overview and Scrutiny Committee, a special meeting should be called as a matter of urgency given the topic of motion and its importance. There was disappointment expressed by some that the decision was being put off to another meeting when it could easily have been considered at the current meeting. Tewkesbury Borough Council was already the last district in the County to have signed up to the motion and now it was still not confirming the importance of tackling climate change; it was felt that residents wanted to see action rather than more words. The Borough Solicitor confirmed that a special meeting of the Overview and Scrutiny Committee could be called to consider the motion and that the Council would need to agree whether the Overview and Scrutiny Committee could decide upon the matter or whether it should make a recommendation back to Council.
- 31.3 A Member suggested that the motion should have input from the relevant Lead Members and deferring it to a Committee would offer that opportunity. The Council had a long tradition of working cooperatively and he would like that to continue. The proposer of the motion was disappointed that the Council had decided not to consider the motion at the current meeting. She was of the view that the country was in the middle of a climate change emergency and she was unsure why Members could not see that putting the decision off was not appropriate. Tewkesbury Borough was the only Council in the county not to have considered this motion which aimed to try and ensure a decent future for all; Stroud District Council was already carbon neutral and she felt Tewkesbury Borough should be following that lead. With 168 Councils already taking action it was no longer time to think but instead time to act and she was ashamed that Tewkesbury Borough was not being part of that movement. Other Members agreed with this view and felt the Council ought to be taking action as a matter of urgency rather than putting the matter off to an unspecified time.
- 31.4 A Member questioned whether the proposer of the motion could attend the Overview and Scrutiny Committee which considered it and, in response, the Borough Solicitor confirmed that, in accordance with the Council's rules, she could attend and speak but would not be able to vote. It was proposed and seconded that the motion be deferred to Overview and Scrutiny Committee for consideration at the earliest opportunity - preferably within two weeks - and that a recommendation be made back to Council.
- 31.5 Upon being put to the vote, it was
- RESOLVED** That, at the earliest opportunity, the motion be **REFERRED TO OVERVIEW AND SCRUTINY COMMITTEE** for consideration and recommendation back to Council.

## **CL.32 SEPARATE BUSINESS**

- 32.1 The Mayor 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.33 SEPARATE RECOMMENDATIONS FROM EXECUTIVE COMMITTEE**

**Spring Gardens/Oldbury Road Regeneration**

*(Exempt – Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972  
– Information relating to the financial or business affairs of any particular person  
(including the authority holding that information))*

- 33.1 The Council considered the formal report from MACE Group Ltd and agreed the options to move forward for due diligence within the next phase of the scheme.

The meeting closed at 9:05 pm