

10 February 2020

Committee	Council
Date	Tuesday, 18 February 2020
Time of Meeting	6:00 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COUNCIL ARE REQUESTED TO ATTEND

Agenda

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 26 June 2012 of the Tewkesbury Borough Council Code of Conduct, effective from 1 July 2012, as set out in Minute No. CL.34, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

3. MINUTES

To approve the Minutes of the meeting held on 28 January 2020.



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4. ANNOUNCEMENTS

 When the continuous alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the visitors' car park at the front of the building and await further instructions (during office hours staff should proceed to their usual assembly point; outside of office hours proceed to the visitors' car park). Please do not re-enter the building unless instructed to do so.

Item

In the event of a fire any person with a disability should be assisted in leaving the building.

2. To receive any announcements from the Chair of the Meeting and/or the Chief Executive.

5. ITEMS FROM MEMBERS OF THE PUBLIC

a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.

(The deadline for public participation submissions for this meeting is 12 February 2020).

b) To receive any petitions submitted under the Council's Petitions Scheme.

6. MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

To receive any questions submitted under Rule of Procedure 13. Any items received will be circulated on 18 February 2020.

(Any questions must be submitted in writing to Democratic Services by, not later than, 10.00am on the working day immediately preceding the date of the meeting).

7. RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

The Council is asked to consider and determine recommendations of a policy nature arising from the Executive Committee as follows:-

(a) Budget 2020/21

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At its meeting on 5 February 2020 the Executive Committee considered the 2020/21 budget and **RECOMMENDED TO COUNCIL** that:

- 1. A net budget of £8,956,607 be APPROVED.
- 2. A Band D Council Tax of £124.36, an increase of £5.00 per annum, be **APPROVED**.
- 3. The use of New Homes Bonus, as proposed in Paragraph 3.5 of the report, be **AGREED**.
- 4. The addition of £183,965 to the capital programme to fund new ICT requirements, as outlined in Paragraph 9.5 of the report, be **AGREED**.

(If a Councillor intends to move a Motion or Amendment in relation to the Council's annual budget, the text of the proposed Motion or Amendment must be submitted in writing to the Borough Solicitor by 9.00am on the working day preceding the day of the Council meeting).

8. NOTICE OF MOTION - QUESTIONS FROM COUNCILLORS

Councillor Ockelton will propose and Councillor Jordan will second:

That Council Procedure Rule No. 13.2 which currently reads:

'A Councillor at a Council meeting may ask a written question of the Leader of the Council or relevant Lead Member. All questions must relate to a matter which concerns the Council's powers or duties or affects the Borough.

The question must be submitted in writing to the Borough Solicitor by not later than 10.00am on the working day immediately preceding the date of the meeting.

The questions to be asked, and the replies to be given, will be printed and circulated to all Councillors at least 30 minutes before the start of the Council meeting. The Minutes of the meeting will incorporate the questions and answers and any supplementary questions and answers.

At the meeting, the Mayor will announce each question in turn.

The question and answer will be taken as read without discussion, but the questioner will be allowed to ask one supplementary question arising directly from the question or from the reply. A Councillor to whom a question has been put may, with the permission of the Mayor, ask someone else to answer it.'

be amended as follows:

'A Councillor at a Council meeting may ask a written question of the Leader of the Council or relevant Lead Member. All questions must relate to a matter which concerns the Council's powers or duties or affects the Borough.

The questions must be submitted in writing to the Borough Solicitor by no later than seven days clear working days prior to the date of the meeting.

The questions asked, and the replies to be given, will be emailed/printed and circulated to all Councillors at least twenty four hours before the start of the Council meeting. The Minutes of the meeting will incorporate the questions and answers and any supplementary questions and answers.

At the meeting, the Mayor will announce each question in turn.

The question and answer will be taken as read without discussion, but the questioner will be allowed to ask one supplementary question arising directly from the question or from the reply. A Councillor to whom a question has been put may, with the permission of the Mayor, ask someone else to answer it.'

9. COUNCIL TAX 2020/21

The Council is asked to formally set the Council Tax for 2020/21.

(A report will be circulated at the meeting)

10. CHANGES TO COMMITTEE MEMBERSHIP

In accordance with Rule of Procedure 2.1 the Borough Solicitor has exercised her delegated authority to approve the following changes to Committee Membership:

Councillor Ockelton has resigned from the Overview and Scrutiny Committee and has been replaced by Councillor Thomson.

Councillor Stevens has resigned from the Planning Committee and has been replaced by Councillor Gerrard.

11. SEPARATE BUSINESS

The Chairman will move the adoption of the following resolution:

That under Section 100(A)(4) Local Government Act 1972, the public be excluded for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act.

12. SEPARATE MINUTES

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To approve the separate Minutes of the meeting held on 28 January 2020.

Recording of Meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, please be aware that the proceedings of this meeting may be recorded and this may include recording of persons seated in the public gallery or speaking at the meeting. Please notify the Democratic Services Officer if you have any objections to this practice and the Mayor will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of Councillors, Officers, the public and press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

Head of Democratic Services

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 28 January 2020 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, L A Gerrard, 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, R J Stanley, S A T Stevens, P D Surman, M G Sztymiak, S Thomson, R J E Vines, M J Williams and P N Workman

CL.53 APOLOGIES FOR ABSENCE

53.1 Apologies for absence were received from Councillor C Softley.

CL.54 DECLARATIONS OF INTEREST

- 54.1 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.
- 54.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
P W Ockelton	Item 9(d) – Council Tax Reduction Scheme and Council Tax Discounts.	Declaration made in accordance with Section 106 of the Local Government Finance Act 1992.	Would not speak or vote and would leave the meeting for the consideration of this item.
S A T Stevens	Item 9(d) – Council Tax Reduction Scheme and Council Tax Discounts.	Declaration made in accordance with Section 106 of the Local Government Finance Act 1992.	Would not speak or vote and would leave the meeting for the consideration of this item.

54.3 There were no further declarations made on this occasion.

CL.55 MINUTES

55.1 The Minutes of the meeting held on 1 October 2019, and of the Extraordinary meeting held on 26 November 2019, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.56 ANNOUNCEMENTS

- 56.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 56.2 The Mayor welcomed the Independent Remuneration Panel members to the meeting for Item 7 Scheme of Member Allowances and indicated that a one minute silence would be held to commemorate Holocaust Memorial Day.

CL.57 ITEMS FROM MEMBERS OF THE PUBLIC

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

CL.58 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

58.1 The following questions had been received from Councillor Jordan to the Lead Member for Built Environment. The answers were given by the Lead Member for Built Environment, Councillor Gore, but were taken as read without discussion.

Question 1:

Following a protracted dispute between a traveller family and Gloucestershire County Council/Tewkesbury Borough Council, have Gloucestershire County Council and Tewkesbury Borough Council agreed on a strategy to solve this problem?

Answer 1:

The individual circumstances of this case are complex and had involved both Tewkesbury Borough Council and Gloucestershire County Council and a number of Parish Councils in the Borough which had been required to use their powers. Discussions had involved both the planning and housing advice service to seek suitable alternative solutions. The County Council was also doing what it could to ensure a place could be found for the family.

Question 2:

This issue, although complex, highlights the fact that the site allocation for travellers does not seem to be fit for purpose. What does Tewkesbury Borough Council propose doing to address that need?

Answer 2:

The adopted Joint Core Strategy set out the established needs for Gypsy and Traveller pitches in the Borough between 2016 and 2031. With planning permissions already granted since 2016, and the site allocations proposed in the emerging Tewkesbury Borough Plan, the full Joint Core Strategy needs for those who met the government's definition of a traveller had been satisfied, as required by the national Planning Policy for Traveller Sites. Nevertheless, demand for additional pitches from individuals/families may occur in the plan period, outside of the identified need in the Joint Core Strategy. However, the Joint Core Strategy provided a criteria-based policy under which additional sites may be considered, through the planning application process, providing they were in accordance with the plan's policies.

It was recognised that, county-wide, there was likely to be an additional need for separate public/affordable pitch provision, and how any public provision would be delivered and maintained. This issue was being explored jointly with the six Gloucestershire local authorities and the County Council and the need for any sites would be considered through the ongoing review of the Joint Core Strategy.

58.2 The Mayor invited supplementary questions and the Member asked the following:

Question 1:

Do Tewkesbury Borough Council and Gloucestershire County Council have an action plan/timetable for the actions identified in question and answer 1 above?

Answer 1:

It is difficult to provide a timetable due to the need to work with other authorities but more detailed information can be circulated following the meeting.

Question 2:

With regard to answer 2 above, whilst I am aware of the table of need identified for sites in the Tewkesbury Borough plan, I am unaware of the actual sites identified; could the locations of the suggested sites be emailed to all Councillors.

Answer 2:

The locations of the sites will be emailed to all Members.

58.3 The following questions were received from Councillor Ockelton to the Lead Member for Built Environment. The answers were given by the Lead Member for Built Environment, Councillor Gore, but were taken as read without discussion.

Question 1:

Would the Lead Member for Built Environment please confirm the current January 2020 housing land supply for the authority and confirm the housing trajectory for the next two years?

Answer 1:

The five year housing land supply for the Borough was 4.33 years (for the period) 2019/20 to 2023/24). This was as set out in the latest Housing Land Supply Position Statement (August 2019).

This position statement also provided the housing trajectory for the next five years. This only includes those sites granted planning permission as of 1 April 2019 and did not include the emerging Borough Plan sites.

The five year supply position would be recalculated following completion of the housing monitoring for 2019/20 which would start from 1 April 2020.

Question 2:

What is our Plan B if the Borough Local Plan Examination Inspector asks us to find more sites for housing?

Answer 2:

If an Inspector considered that there was a need to allocate further housing sites then it was likely that the examination would be suspended and the Council would be requested to consider what sites might be suitable and available for allocation.

To do this we may draw on sites that had been submitted through the last consultation period as being available for allocation. We may also refer to the sites that had been submitted to our Assessment of Land Availability. Question 3:

Why was the A38/A40 Link Road, not pursued at the Innsworth appeal?

Answer 3:

No link road was proposed by the Appellant for the Innsworth scheme. Highways England and Gloucestershire County Council, as the respective highway authorities, assessed the proposals at application and appeal stage and at no point indicated that such a link road would be necessary to mitigate the impacts of the development.

Question 4:

As the Joint Core Strategy is an equal partnership, how has Gloucester City managed to come up with brownfield sites for almost 1,000 houses as part of the recently published Gloucester City Plan. Can the Leader of the Council, Lead Member for Built Environment or Chief Executive provide assurances that further strategic scale development WILL NOT be sought at Twigworth, Innsworth, Longford, Churchdown, Brockworth or Down Hatherley in terms of the duty to cooperate with Gloucester City Council which clearly have more than adequate brownfield sites?

Answer 4:

The adopted Joint Core Strategy already made allowance for Gloucester allocating housing sites within its City Plan. Therefore, the sites within the recent City Plan consultation were already accounted for within the Joint Core Strategy supply and were not additional homes. It was not the role of the Joint Core Strategy to allocate smaller, non-strategic sites within the city and was always intended for the City Plan.

In the Joint Core Strategy, Gloucester's supply consisted of sites already built since 2011, those that already had planning permission, an allowance for small-scale windfall sites and capacity for sites to be brought forward in the City Plan. Even with these sources of supply, Gloucester could still not meet its needs and therefore strategic allocations on the edge of city, within Tewkesbury Borough, were required.

The Joint Core Strategy Review would need to consider again the needs of Gloucester beyond the current plan period (to 2031). In developing the plan, all reasonable alternatives had to be considered to determine the most sustainable approach to meet these needs. At this early stage of plan-making Officers were not in a position to state where that future development would be located or indeed rule out any particular areas.

58.4 The Mayor invited supplementary questions and the Member asked the following:

Question 1:

Can a detailed trajectory, a full list of housing sites, the number of properties and timescale for delivery be emailed to all Members?

Answer 1:

The five-year housing land supply is available on the website and can be emailed to all Members following the meeting.

Question 2:

Will Officers go back to Highways England and Gloucestershire County Council and insist that the vital A38/A40 link road was reinstated in its Road Investment Strategy (RIS 2)?

Answer 2:

The planning applications had been granted on appeal without the link road and neither Highways England nor Gloucestershire Highways had insisted on its inclusion. Given the planning status of the sites, it would be difficult to provide the link now so at this stage Officers could not promise it could be reinstated.

Question 3:

According to the Minutes of the Council meeting in October 2016, Gloucester City Council's capacity needed to be explored and it was felt that work needed to be done on that before the plan came back to the Council, this information had not come back to Council for its consideration – why not?

Answer 3:

Issues relating to Gloucester City Council's supply had been discussed throughout the life of the Joint Core Strategy and debated at the examination in public. Officers could not comment on the detail of the particular Minutes at this time but the sites had always been intended for the Gloucester City Plan not the Joint Core Strategy.

CL.59 SCHEME OF MEMBER ALLOWANCES

- 59.1 The report of the Head of Democratic Services, circulated at Pages No. 13-26, asked Members to determine a Scheme of Allowances to take effect on 1 April 2020 until 31 March 2021 having regard to the recommendations of the Independent Remuneration Panel set out in its report at Appendix 1 Pages No. 17-18.
- 59.2 The Mayor invited the Chair of the Panel to address the Council. The Chair thanked the Council for inviting the Panel to introduce its report. He explained that, over the years, the Panel (with one new member having joined in the autumn) had met with a large number of Councillors and over the forthcoming year intended to speak to as many new Members as possible. He felt this was extremely important in helping them to understand the hard work and level of commitment shown by Members to both their local communities and the Council. The Panel had looked at the allowances nationally, across the County and at local level. In recent years, the Panel had increased Special Responsibility Allowances as well as introducing a new allowance for Support Members. Previously, the Panel had indicated that it could not suggest an increase in the Basic Allowance given that it was already consistently one of the highest in the country; however, the Panel understood that this was effectively a cut in real terms and felt that this continued approach was no longer sustainable. It was for that reason that a £150 per year increase in the Basic Allowance was recommended.
- 59.3 The Leader of the Council thanked the Panel for its hard work and proposed the recommendations as set out in the Panel's report at Appendix 1 to the report. The recommendation was seconded.
- 59.4 During the discussion which ensued, Members questioned whether there was a need for the Panel to review the allowances on an annual basis or whether it could be extended to two/three years and what the cost of the Panel meeting on an annual basis was. In response, the Panel Chair explained that the allowances did not have to be reviewed on an annual basis, indeed the Panel could recommend a scheme for a four-year period; however, the Panel felt it was able to offer better advice on an annual basis rather than over the longer term which would be based on a certain amount of speculation. In terms of costs, the Panel received a small retainer, paid on an annual basis, to ensure it was available for work on allowances at any time, this meant the costs would be the same no matter how frequently the

scheme was reviewed. In terms of the increase recommended, the Chair of the Panel indicated that, given the Council was in the top quartile of Basic Allowances paid in the country, it would be easy to recommend a freeze in allowances but actually, as the allowances had been the same for the last five years, in real terms Councillors had seen a cut – the recommended increase was very small given the inflation over that five-year period.

- 59.5 A Member thanked the Panel for its report but expressed the view that, given the Council's uncertain financial future, along with the fact that the Council's Basic Allowance was already one of the highest in the Country, a raise of £150 per year would not amount to much extra in a Councillor's income but would make a difference to the Council's budget. If anything, he felt the roles of Leader and Deputy Leader should see an increase rather than all Members. Another Member indicated that he would not support an increase in any of the Council's allowances – he expressed the view that a 2% increase was not the correct thing to do in the current financial uncertainty which was a view shared by a number of other Members.
- 59.6 Upon being put to the vote, it was
 - **RESOLVED** That the Scheme of Member Allowances, with an increase in the Basic Allowance for all Members of £150 per year, as recommended at Appendix 1 to the report, be **ADOPTED** with effect from 1 April 2020 until 31 March 2021.

CL.60 APPOINTMENT OF CIVIC HEADS FOR THE MUNICIPAL YEAR

Mayor

60.1 Upon being proposed and seconded, it was

RESOLVED That Councillor Andrew Reece, be appointed Mayor for the ensuing Municipal Year.

Deputy Mayor

- 60.2 Upon being proposed and seconded, it was
 - **RESOLVED** That Councillor John Murphy be appointed as Deputy Mayor for the ensuing Municipal Year.

CL.61 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

Council Plan 2020-2024

- 61.1 At its meeting on 8 January 2020, the Executive Committee had considered the new Council Plan for 2020-2024 and recommended to Council that it be adopted subject to some of the more business-related photographs being replaced by photographs of tourism/environment related areas.
- 61.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 27-48 and Members were advised that the Council Plan document, attached to the current Agenda, included new photographs.
- 61.3 The Chair of the Executive Committee proposed the recommendation and thanked all Members for their involvement in the creation of the Plan which he felt neatly set out what the Council's priorities were for the period. The recommendation was seconded by the Vice-Chair.

- 61.4 A Member indicated that one of the opening photographs in the document was of the M5 motorway and she questioned whether that was how the Council wanted to promote the Borough; in response, the Head of Corporate Services indicated that he would take that comment away for consideration. Another Member questioned whether the garden town was in the right place given concerns about flooding and infrastructure. She hoped it would prove to be the first truly sustainable garden town but for that to happen the government needed to act with changes to planning laws etc.; she felt the Council should not be prevented from doing its best in that regard. She also expressed the view that, whilst the inclusion of sustainability in the document was a good start, and she thanked Officers for making the changes she has suggested, it must be clear that words were not enough and deeds had to follow. In supporting those comments, a Member advised that he felt the Council Plan did not go far enough in terms of the climate change emergency or sustainability - the clock was ticking and he felt the Council's commitment to making a difference needed to be stronger. The County Council had a ten-point plan which it was working towards and he felt Tewkesbury Borough Council needed to have a commitment like that to tackling climate change. In terms of Tewkesbury Garden Town, he was also exceptionally concerned about the flood risk which would be brought to the existing Tewkesbury Town.
- 61.5 The Leader of the Council indicated that the Council Plan set out the Council's priorities and specific reference had been made to flooding and climate change with one of the objectives being to work with the County Council in delivering its climate change agenda. It was a fact that the County Council had the authority and resources to take the lead on climate change, as such, the Council's priority to support that work was the correct way forward. It was also necessary to bear in mind that the Council Plan was a 'live' document that would be revised throughout the four-year period to take out achievements and bring in new objectives.
- 61.6 Accordingly, it was

RESOLVED That the Council Plan 2020-2024 be **ADOPTED**.

Medium Term Financial Strategy

- 61.7 At its meeting on 8 January 2020, the Executive Committee had considered the Medium Term Financial Strategy and recommended to Council that it be adopted.
- 61.8 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 49-71.
- 61.9 The Chair of the Executive Committee proposed the recommendation which was seconded by the Vice-Chair. The Chair advised that this was the latest version of the Medium Term Financial Strategy which the Council was required to have to protect it for the next five years. Currently, the document was a best guess as there were many areas of the Council's finances which were out of its control and the next 12-months would be a critical period.
- 61.10 Accordingly, it was

RESOLVED That the Medium Term Financial Strategy 2020/21-2024/25 be **ADOPTED**.

Treasury and Capital Management

- 61.11 At its meeting on 8 January 2020, the Executive Committee had considered a suite of reports in respect of Treasury and Capital Management and recommended to Council that the strategies and policies be adopted.
- 61.12 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 72-105.
- 61.13 The Chair of the Executive Committee proposed the recommendation which was seconded by the Vice-Chair.
- 61.14 A Member questioned why the 2021 debt was higher than in previous years. In response, the Head of Finance and Asset Management explained that, in October, a report had been considered by the Council which approved further expenditure on the Council's commercial property portfolio; this anticipated £15,000 spend in the current year and the rest the year after which was what the figure in the report related to. In terms of checks and balances on the spend of that funding, Members were advised that the Commercial Investment Strategy set out how the investments were made. Treasury advisors were used to undertake due diligence and make recommendations and the Commercial Investment Board was made up of six Members who supported the decision-making process.
- 61.15 Accordingly, it was

RESOLVED That the following strategies and policies be **ADOPTED**:

- Capital Investment Strategy 2020/21.
- Investment Strategy 2020/21.
- Minimum Revenue Provision Statement 2020/21.
- Treasury Management Strategy 2020/21.
- Flexible Use of Capital Receipts Policy 2020/21.

Council Tax Reduction Scheme and Council Tax Discounts

- 61.16 At its meeting on 8 January 2020, the Executive Committee had considered the Council Tax Reduction Scheme and Council Tax Discounts and recommended to Council that the default Council Tax Reduction Scheme be adopted to be effective from 1 April 2020 with a minor revision to the national working age regulations to allow for a de minimis tolerance for income changes; that authority be delegated to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to agree the uprating of the working age regulations incorporated into the local Council Tax Reduction Scheme in line with those announced by the Department for Work and Pensions; and that the following Council Tax discounts be effective from 1 April 2020:
 - The discount for unoccupied and substantially unfurnished properties was 25% for a maximum period of six months.
 - The discount for properties which are vacant and require major repair work to render them habitable is 25% for a maximum period of 12-months.
 - The discount for unoccupied furnished properties (second home) is zero.
 - An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and substantially unfurnished for more than two years.

- An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and substantially unfurnished for more than five years.
- 61.17 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 106-115.
- 61.18 The Chair of the Executive Committee proposed the recommendation which was seconded by the Vice-Chair.
- 61.19 Referring to Page No. 107, a Member welcomed the fact that claimants would not need to be continually reassessed; however, he questioned whether £10 was the maximum allowed or whether there was any flexibility. In response, the Revenues and Benefits Manager explained that the team had explored many options but the recommended way forward would make Tewkesbury Borough consistent across Gloucestershire.
- 61.20 Accordingly, it was
 - **RESOLVED** 1. That the default Council Tax Reduction Scheme be **ADOPTED** to be effective from 1 April 2020 with a minor revision to the national working age regulations to allow for a de minimis tolerance for income changes.
 - 2. That authority be delegated to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to agree the uprating of the working age regulations incorporated into the local Council Tax Reduction Scheme in line with those announced by the Department for Work and Pensions.
 - 3. That the following Council Tax discounts be **ADOPTED** to be effective from 1 April 2020:
 - The discount for unoccupied and substantially unfurnished properties is 25% for a maximum period of six months.
 - The discount for properties which are vacant and require major repair work to render them habitable is 25% for a maximum period of 12 months.
 - The discount for unoccupied furnished properties (second home) is zero.
 - An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and substantially unfurnished for more than two years.
 - An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and substantially unfurnished for more than five years.

CL.62 PROPOSED COMPULSORY PURCHASE ACTION TO SUPPORT DELIVERY OF THE PROPOSED WEST CHELTENHAM DEVELOPMENT SCHEME

62.1 The report of the Head of Development Services, circulated at Pages No. 116-123, detailed proposed compulsory purchase action to support the delivery of the proposed West Cheltenham Development Scheme which Members were asked to agree in principle.

- 62.2 The Head of Development Services explained that the adopted Joint Core Strategy had allocated land at West Cheltenham, Policy A7, for approximately 1,100 homes and 45 hectares of employment land to be focussed upon a cyber security hub. Significant progress had been made regarding the comprehensive development of the allocation, including a masterplan and acquiring Garden Community status etc., and the report therefore sought a resolution for a Compulsory Purchase Order to be used, if necessary, to support the delivery of that development. This would be an 'in principle' decision at this stage as the power was only to be used as a last resort.
- 62.3 The recommendation, as set out on page No. 117, was proposed and seconded and, accordingly, it was

RESOLVED

- That, in principle, for reasons set out in the report, the Council may need to use compulsory purchase powers to acquire the land within the area described in the report and shown edged red on the plan attached at Appendix 1 to:
 - a) secure delivery of the West Cheltenham development and its housing and job-creation objectives;
 - b) facilitate the development of the site in partnership with an appointed developer by assembling the land interests within a reasonable timeframe and at a reasonable cost; and
 - c) contribute to the promotion and improvement of the economic, social and environmental well-being of the Tewkesbury and Cheltenham Boroughs.
- 2. That the Deputy Chief Executive undertake any preparatory work required for the compulsory purchase order process in collaboration with Cheltenham Borough Council and noting that, as an outcome of this preparatory work, if it is necessary and appropriate, for one or more compulsory purchase orders to be made, that a further report will be taken to Council seeking approval to the making of an Order.

CL.63 SCHEDULE OF MEETINGS

- 63.1 The report of the Head of Democratic Services, circulated at Pages No. 124-127, set out the proposed Schedule of Meetings for 2020/21. Members were asked to adopt the Schedule as set out at Appendix 1 to the report.
- 63.2 The Leader of the Council proposed that the Schedule be adopted. Upon being seconded, it was
 - **RESOLVED** That the Schedule of Meetings for 2020/21, as set out at Appendix 1 to the report, be **ADOPTED**

CL.64 ROYAL GARDEN PARTY

64.1 It was

RESOLVED That Councillor Mary Jordan and guest accompany the Mayor and his guest as the Council's nominees at the Royal Garden Party in May 2020.

64.2 It was agreed that Councillor Paul Smith be nominated as a reserve to attend in the event that Councillor Jordan should be unable to make the date.

CL.65 NOTICES OF MOTION

Notice of Motion - Review of Delegated Planning Powers to Officers

- 65.1 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 considered at the current meeting.
- 65.2 In explaining her reasoning for presenting the Motion, the proposer indicated that she understood Officers would be bringing forward a review of the Statement of Community Involvement and the Planning Scheme of Delegation and, subject to receiving an assurance that this was the case, she was prepared to withdraw the Motion. The Head of Development Services confirmed that a review of the Statement of Community Involvement in plan-making and development control matters and the Planning Scheme of Delegation were in the Development Services service plan for 2020/21.
- 65.3 Accordingly, the Notice of Motion was **WITHDRAWN** by the proposer and seconder.

Notice of Motion - New Primary School in Bishop's Cleeve

- 65.4 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 considered at the current meeting.
- 65.5 The Motion, as set out on the Agenda, was proposed and seconded.
- 65.6 The proposer of the Motion explained that the intention was to try and address issues with primary school provision in Bishop's Cleeve which had arisen as a consequence of development in the area. The Member understood that education was a County Council responsibility but she felt that Tewkesbury Borough Council had a responsibility to help the County Council achieve the best for residents of the Borough. Bishop's Cleeve had grown significantly in size in recent years with a lot of the new development being in the north of the village. There were three existing primary schools in the south and east all within 0.5 miles of each other; there was also a secondary school in the south. This meant that in the north there were no schools at all. The County Council had increased capacity in the existing primary schools but there had been an error in the calculations for school numbers which meant the area actually required another primary school for the amount of

development. There were concerns that the same error could also have been made in other areas of the Borough which would need to be considered. The County Council had undertaken an options appraisal and this favoured a site known as land at Kayte Lane but this was also in the south side of the village which meant children as young as four years old would have no choice but to walk two miles to school every day. It was felt strongly that schools should be located within walking distance of new development and it was hoped that Tewkesbury Borough Council, working closely with the County Council, could achieve the best outcome for residents. The seconder of the Motion agreed with the comments made and felt that, whilst this was an urgent consideration for Bishop's Cleeve, it was something that could potentially affect many other communities across the Borough. He also explained that the County Council's own policy stated that schools should be in the heart of development which the suggested site clearly was not. In addition, the proposed site was an existing playing field and he felt this should remain a field. Air pollution and the climate emergency faced surely meant that children should be able to walk to school rather than having to be driven when it was really not necessary.

- 65.7 In a bid to gain cross-party support, the proposer and seconder indicated that they wished to withdrawn paragraph 2 of their Motion: "Investigate as a matter of urgency the suitability of sites in the area for local school provision".
- 65.8 A Member felt the issue was one that was Boroughwide rather than just in Bishop's Cleeve and, as such, he proposed an amendment to paragraph 1 that "the Council confirm its continued support for the provision of adequate school places across Tewkesbury Borough, noting the County Council's own policy that any such primary schools should be within walking distance of most of the new developments". The seconder of the original Motion expressed concern that this lost the sense of urgency which the Motion was intended to purvey in terms of the school provision in Bishop's Cleeve and questioned whether the amendment could include a line that "priority be given to the most urgent settlements".
- 65.9 It was suggested that a short adjournment would help ensure all parties were happy with the wording of the Motion.
- 65.10 The meeting resumed at 7.35pm with the same membership present.
- 65.11 The proposer and seconder of the original Motion, again in a bid to gain cross-party support, accepted the proposed amendment which became the substantive Motion for debate.
- 65.12 A Member welcomed the Motion and was pleased an agreement had been reached. He understood this was a specific issue in Bishop's Cleeve but one which could affect the whole Borough. He also felt it was important to note that representatives at both the Borough Council and County Council were committed to seeing the provision of primary school education was appropriate for the needs of the community. Another Member agreed with this view and felt the Motion brought genuine value to what Tewkesbury Borough Council could do to affect school provision given that it was ultimately a County Council responsibility. He felt it should be noted that the School Place Planning Strategy made reference to the closure/amalgamation of small village/rural schools and he felt the Council needed to be mindful of this as there may be a need to establish sustainable transport from outside of the immediate walking area.

65.13 Accordingly, it was

RESOLVED That the amended Notice of Motion be **AGREED** as follows:

- 1. The Council confirms its continued support for the provision of adequate school places across Tewkesbury Borough, noting the County Council's own policy that any such primary schools should be within walking distance of most of the new developments.
- 2. That the Council works with the County Council, and any other interested party, to find a solution that works for everyone.

CL.66 SEPARATE BUSINESS

- 66.1 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.67 SEPARATE MINUTES

67.1 The separate Minutes of the meeting held on 1 October 2019, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.68 JOINT WASTE PARTNERSHIP - STAFFING AND CURRENT POSITION

(Exempt – Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to any individual)

68.1 Members considered and approved the new staffing structure in connection with the Council's Joint Waste arrangements.

The meeting closed at 7:50 pm

Agenda Item 7a

TEWKESBURY BOROUGH COUNCIL

Report to:	Executive Committee
Date of Meeting:	5 February 2020
Subject:	Budget 2020/21
Report of:	Head of Finance and Asset Management
Corporate Lead:	Deputy Chief Executive
Lead Member:	Lead Member for Finance and Asset Management
Number of Appendices:	One

Executive Summary:

The proposed net budget totals £8.96million and, after deducting government support and other financing streams, the resultant Council Tax requirement is £4.39million giving a Band D Council Tax figure of £124.36.

Recommendation:

The Committee is asked to RECOMMEND TO COUNCIL that:

- i. a net budget of £8,956,607 be APPROVED;
- ii. a Band D Council Tax of £124.36, an increase of £5.00 per annum, be APPROVED;
- iii. the use of New Homes Bonus, as proposed in Paragraph 3.5 of the report, be AGREED;
- iv. the addition of £183,965 to the capital programme to fund new ICT requirements, as outlined in Paragraph 9.5 of the report, be AGREED; and
- v. the capital programme, as proposed in Appendix A to the report, be AGREED.

Reasons for Recommendation:

The Council must set a balanced budget and a level of Council Tax necessary to meet its revenue needs, but it must be set at a level affordable to the taxpayer and within the parameters set by the government.

Resource Implications:

Set out in this report.

Legal Implications:

Section 32 of the Local Government Finance Act 1992 (as amended) places a duty on the Council, as Billing Authority, to calculate, before 11 March 2020, its budget requirement for 2020/21.

Under Section 25 of the Local Government Act 2003, the Section 151 Officer must report on the robustness of the estimates for the purposes of making the appropriate calculations and of the adequacy of the Council's proposed financial reserves.

Risk Management Implications:

As set out within in the report.

Performance Management Follow-up:

Performance reports are presented to Members on a quarterly basis and include details of the revenue and capital budgets performance and updates on the use of reserves.

Environmental Implications:

None directly from this report.

1.0 INTRODUCTION/BACKGROUND

- **1.1** The Council considered its financial position, as shown in the Medium Term Financial Strategy (MTFS), at its meeting on 28 January 2020.
- **1.2** The MTFS outlines the budget pressures facing this Council now and in future years. It depicts the gap between the estimated net budget of the Council and the estimated funding available in order to finance that net expenditure. The deficit over the five years of the MTFS is estimated to be in the order of £5million with a gap suggested in 2020/21 of approximately £784,000.
- **1.3** The production of the MTFS has this year included the relative content from the Spending Review and the details of the provisional Local Government Finance Settlement. In summary, the headlines from these include:
 - A one year only Spending Review period covering 2020/21.
 - An inflationary increase to needs based central funding.
 - Confirmation of a one year delay to the Fair Funding Review and the implementation of a 75% Business rates retention scheme.
 - No new changes to the New Homes Bonus scheme in the current year but no future legacy payments.
 - A reduction to the Council Tax thresholds for districts to £5 or 2%, whichever is greater.
- **1.4** This report now brings together the general information on the financial climate, with the detailed figures associated with the 2020/21 budget and the work undertaken by the Transform Working Group, and makes a proposal for a balanced budget and resultant Council Tax. The proposal made is in light of the budget deficit for 2020/21 as a result of the impact of the previous bullet points and the detailed analysis of income and expenditure budgets for the next financial year.
- 1.5 Section 25 of the Local Government Act 2003 requires the Chief Financial Officer (nominated Section 151 Officer) to make a statement to the Council on the robustness of the estimates and adequacy of financial reserves. This statement is set out in Section 10 of this report. The Council is under a statutory obligation to have regard to this when making its decision on the proposed budget.

1.6 In setting the budget for 2020/21, the Council has continued to provide the same level of service as in previous years and in many areas looks to provide an enhanced service. Much of the deficit which has faced the Council for the new financial year has been met through increased income and reductions in cost such as pensions and business travel. Future budget setting may not find these areas as plentiful and Members and Officers will be faced with tough decisions on the operation of the Council, including reducing or stopping some services, and taking further risk in its commercial activities.

2.0 LOCAL GOVERNMENT FINANCE SETTLEMENT 2020/21

- 2.1 The Local Government Finance Settlement for 2020/21 includes funding levels for Revenue Support Grant, Rural Services Delivery Grant and the Business Rates baseline funding. This is essentially the government's assessment of the needs based funding required to provide services within the Borough.
- 2.2 The provisional Local Government Finance Settlement for 2020/21 was announced on 20 December 2019. The settlement is subject to consultation which will end on 17 January 2020, with a final settlement expected at the end of January. The figures within the settlement are in line with expectations and Table 1 highlights the confirmed level of support for the next financial year.

Table 1

	2018/19 £'000	2019/20 £'000	2020/21 £'001
Cash levels			
Revenue Support Grant (RSG)	282	23	23
Rural Services Delivery Grant (RSDG)	11	14	14
Business Rates baseline funding	1,776	1,815	1,846
Total	2,069	1,852	1,883
Change in funding (£)			
Revenue Support Grant (RSG)	-233	-259	0
Rural Services Delivery Grant (RSDG)	-3	3	0
Business Rates baseline funding	52	39	31
Total	-184	-217	31
Change in funding (%)			
Revenue Support Grant (RSG)	-45.24%	-91.84%	0.00%
Rural Services Delivery Grant (RSDG)	-21.43%	27.27%	0.00%
Business Rates baseline funding	3.02%	2.20%	1.71%
Total	-8.17%	-10.49%	1.67%

2.3 As can be seen from Table 1, the Council will actually receive a small increase in its core funding level in 2020/21 as opposed to the significant reductions it received in the previous decade. Whilst this is a welcome change, the increase, although being an inflationary increase, only generates an additional £31,000 given that the base funding level is now so low.

2.4 Funding beyond 2020/21 is currently not known. The Spending Review in 2019 only provided for a one year funding settlement and it is hoped a multi-year settlement can be agreed as soon as possible in 2020. Similarly, the Fair Funding Review, which has been delayed for a year, needs to be concluded and provide clarity on the method for allocating overall funding to individual local authorities. It is hoped that these reviews result in funding being directed to the Council which adequately meets the needs of providing services to our communities.

3.0 NEW HOMES BONUS

- **3.1** The announcement of the 2017/18 Settlement saw the government make significant changes to the New Homes Bonus (NHB) scheme. The changes included the reduction in the number of years for which NHB would be paid, from six to four, and the introduction of a baseline deadweight of 0.4% below which no New Homes Bonus would be paid. At the time, the government warned that it would keep under review other potential amendments to the scheme.
- **3.2** A technical consultation issued in October 2018 stated that the government's intention was to withdraw the New Homes Bonus scheme in its entirety with the possibility of a new scheme, continuing to incentivise growth, being introduced in the future. This intention has been reiterated in this year's technical consultation, which included the following statement:

It is the Government's intention to look again at the New Homes Bonus and explore the most effective way to incentivise housing growth. We will consult widely on proposals prior to implementation. As the roll forward is for one year, with any funding beyond 2020-21 subject to the 2020 Spending Review and potential new proposals, any new allocations in 2020-21 will not result in legacy payments being made in subsequent years on those allocations.

Whilst the continuance of the scheme, without further amendments, for a further year is most welcome, the obvious direction of travel for the scheme is of concern and could cause the Council significant financial difficulties in future years. This risk has been highlighted within the Council's Medium Term Financial Strategy.

3.3 With no new amendments to the New Homes Bonus scheme in 2020/21, solid housing growth, a reduction in the number of empty properties and additional affordable housing properties being delivered, the Council has been able to substantially increase the cash levels it receives from the scheme for next year. Table 2 details the projection of New Homes Bonus over the medium term.

	Year 9 2019/20 £'000	Year 10 2020/21 £'000	Year 11 2021/22 £'000	Year 12 2022/23 £'000	Year 13 2023/24 £'000
Year 6	659	0	0	0	0
Year 7	750	750	0	0	0
Year 8	899	899	899	0	0
Year 9	965	965	965	965	0
Year 10	0	1,111	0	0	0
Year 11	0	0	0	0	0
Year 12	0	0	0	0	0
Year 13	0	0	0	0	0
Total NHB	3,273	3,725	1,864	965	0
Variance (£)	94	452	-1,861	-899	-965
Variance (%)	2.96%	13.81%	-49.96%	-48.23%	-100.00%

Table 2 – Projection of NHB

- **3.4** As can be seen from the table, the Council will receive £3.73million in 2020/21 from the New Homes Bonus scheme. This is an increase of £452,000 on the current levels. The table also forecasts the elimination of New Homes Bonus in the medium term as a result of the government's intention to withdraw the scheme.
- **3.5** The total allocation of New Homes Bonus for 2020/21 is £3,762,756 and therefore the proposed use of New Homes Bonus is as follows:

Base budget support	£2,810,755
Planning appeals	£50,000
Climate Emergency Support	£40,000
HGV Driver training	£30,000
Collection of Small Electrical Equipment	£12,000
IT & Digital Development Plan	£3,500
Borough Elections	£70,000
Business rates intelligence	£47,067
Community Funding Officer	£36,000
Heritage Action Zone match funding	£10,000
Economic Development & Tourism Officer	£25,249
Tourism study	£10,000
MTFS reserve	£288,185
Investment fund	£250,000
Pay Award contingency	£80,000

Total

£3,762,756

- **3.6** The suggested use of New Homes Bonus includes utilising £2,810,755 to support the base budget. This is a freeze on the current year level of support and, despite New Homes Bonus increasing significantly, is made in recognition of the likely withdraw of New Homes Bonus over the next three years. This level of support means that the Council is using 75% of New Homes Bonus to fund its core services, down from 86% in the current year. It is likely that significant reductions to the monetary amount supporting the base budget will need to be made in the next few years in order to manage the withdrawal of New Homes Bonus, although this may be mitigated to some extent should the government introduce an alternative system for incentivising housing delivery.
- **3.7** Given this recommended use of the majority of New Homes Bonus funding, the sum available to support other requirements is limited. The proposal includes the continued funding of a number of expenditure streams including £50,000 for potential planning appeals. The continued funding of the Community Funding Officer is also included within the use of New Homes Bonus as is a £70,000 contribution towards the funding of future Borough elections. This is once again in recognition of the likely withdrawal of New Homes Bonus which has funded the Borough elections over the last decade. Further funding will be required from year end surpluses to ensure sufficient funding for the 2023 election.
- **3.8** Significant resources are set aside from New Homes Bonus for future management of the budget. This includes £288,185 to top up the current Medium Term Financial Services reserve of £1million which, aside from the £800,000 in the working balance, is effectively the only non-committed reserve of the Council. It is intended to support the Council in balancing the budget position should the deficit not be met through specific activities or to provide funding for a range of cost saving or income producing measures. Also set aside is £250,000 to part fund any investment activity the Council may wish to make where there is not an immediate return to cover financing costs. An example of this type of investment is the purchase of land with development potential.

- **3.9** Other actions recommended for New Homes Bonus support include spend-to-save initiatives such as HGV Driver training and gathering of business rates information; expenditure to support the priorities within our Council Plan such as the climate emergency and expenditure to mitigate the risks in the base budget, such as the pay award contingency.
- **3.10** Overall a total of £952,001 or 25% has been allocated for use outside of the core service delivery.

4.0 BUSINESS RATES RETENTION

- **4.1** Business rates retention in Tewkesbury has historically been an area of substantial loss as successful appeals, most notably by Virgin Media, have led to deficits in the initial years of the scheme. The performance in the current year however has been positive with retained income reported at the third quarter point being in excess of the budgeted £679,000. Whilst successful appeals can have a damaging effect on this position, very few are being processed under the new Check, Challenge and Appeal system and the provisions that Tewkesbury has accumulated are substantial. Underlying growth is expected to continue and the amount of grant funding received from central government (s31 grants) in compensation for changes they have made to the scheme is now well in excess of £1million. It is against this improved performance that projections for 2020/21 are undertaken.
- **4.2** As indicated earlier in this report, the government's intention to move the local authority sector as a whole to a 75% retention scheme from 1 April 2020 has now been delayed a year. Therefore, the calculation of likely levels of retention for 2020/21 have been made against the existing 50% retention scheme. It is estimated that the amount of growth retained by the Council within the current 50% retention scheme will increase by around £60,000 to a total of £739,000.
- **4.3** Tewkesbury also remains a member of the Gloucestershire Pool under the 50% scheme, and, as a result, is likely to benefit from a further windfall of retained business rates in 2020/21, although it should be noted there also remains a risk to the pool from potential successful appeals. The monies accumulated by the Pool are not budgeted for but, if delivered, are a welcome bonus which can provide one-off funding towards the Council's ambitions. The performance of the Pool will be monitored throughout the year and on successful conclusion of the full financial year, the windfall will be allocated through the year end reserves process.
- **4.4** In theory, this year will be the last year under the 50% retention scheme with all Councils moving to a 75% retention model in 2021. The new model is yet to be fully designed and further work is necessary to establish the detail of the scheme. Of particular interest to this Council will be decisions on systems reset, which could eliminate all the growth currently being enjoyed by the Council, the retention of a levy within the system, the split of growth retention between different tiers of authorities and the approach to dealing with appeals.

5.0 COUNCIL TAX

5.1 Given the level of deficit for 2020/21, as described in later sections of this report, and the Medium Term Financial Forecast of continued deficits, it is once again necessary to recommend an increase in Council Tax in order to balance next year's budget and improve the Council's financial footing as it looks towards future deficit reduction. It is recommended that a £5 per annum increase at Band D level, equivalent to 4.19%, is approved, generating an additional £176,700 of ongoing income to support the Council's core services.

- **5.2** The level of increase proposed is in line with the Government's set threshold, of £5 or 2%, whichever is the higher, for determining whether a District Council Tax increase is excessive and should be put to a local referendum. Thresholds for other precepting bodies are 2% for basic Council Tax and 2% for Adult Social Care levy for upper tier authorities whilst the threshold for Police and Crime Commissioners is yet to be announced. There are again no thresholds for Town and Parish Councils.
- **5.3** The proposed increase will be the fifth year in succession that the Council will have increased the Council Tax. This follows the period from 2011 to 2016 where Tewkesbury decided to freeze its share of the Council Tax in order to support its taxpayers during tough economic times. The proposed increase would set the Band D Council Tax at £124.36 per annum and most likely keep the Council around the fifth lowest District Tax in England. The proposed tax would also keep the Council in the lowest quartile for Council Tax charges and would be approximately £43 lower than the lower quartile threshold and some £69 short of the average District Council for 2020/21.
- 5.4 The impact of this proposal on the Borough taxpayers is illustrated in Table 3.

Table 3

Band	No. of properties	Percent of total	Annual Council Tax 19/20	Annual Council Tax 20/21	Annual Increase
А	6,522	15.55%	£79.57	£82.91	£3.33
В	6,668	15.90%	£92.84	£96.72	£3.89
С	11,742	27.99%	£106.10	£110.54	£4.44
D	6,154	14.67%	£119.36	£124.36	£5.00
Е	5,349	12.75%	£145.88	£152.00	£6.11
F	3,374	8.04%	£172.41	£179.63	£7.22
G	1,937	4.62%	£198.93	£207.27	£8.33
Н	198	0.47%	£238.72	£248.72	£10.00

5.5 The Council's recent record on Council Tax is shown below for information.

Table 4

Year	Council Increase		Increase
	Tax	Ра	%
	£	£	
2010/11	99.36	3.78	3.95
2011/12	99.36	0.00	0.00
2012/13	99.36	0.00	0.00
2013/14	99.36	0.00	0.00
2014/15	99.36	0.00	0.00
2015/16	99.36	0.00	0.00
2016/17	104.36	5.00	5.03
2017/18	109.36	5.00	4.79
2018/19	114.36	5.00	4.57
2019/20	119.36	5.00	4.37

6.0 BUDGET PROPOSALS

6.1 The base estimates for the Council in 2020/21 have been compiled and are detailed in table 5. The projection within the Medium Term Financial Strategy highlighted a potential deficit facing the Council of £0.8million for 2020/21 and this has been reflected in the draft budget requirements put forward by service areas. Significant savings and increased income have been made to offset this deficit and this has resulted in the net cost of services only increasing by £183,777 (2.09%) for the next financial year.

Table 5

	2019/20 Budget	2020/21 Budget	Variance (£)	Variance (%)
Chief Executives unit	£262,110	£269,060	£6,950	2.65%
Corporate Services	£2,036,847	£2,189,614	£152,767	7.50%
Democratic Services	£847,254	£776,824	-£70,430	-8.31%
One Legal	£308,298	£318,371	£10,073	3.27%
Deputy Chief Executive	£122,877	£187,539	£64,662	52.62%
Development Services	£935,568	£1,062,879	£127,311	13.61%
Community Services	£3,854,921	£4,296,508	£441,587	11.46%
Finance and Assets	£404,955	-£144,188	-£549,143	-135.61%
TOTAL	£8,772,830	£8,956,607	£183,777	2.09%

6.2 The estimates for 2020/21 include the following headlines:

- An allowance for a pay award of 2%. Negotiations between Unions and the employers are yet to progress with Unions requesting a pay award significantly in excess of inflation. Should agreement be reached which sees a settlement in excess of 2%, a contingency within New Homes Bonus allows coverage up to a level of 3%. The assumed 2% pay award plus annual increments along with any salary re-evaluations which have taken place mean that the cost of employees has risen by approximately £236,000;
- The Gloucestershire Local Government Pension Scheme has been revalued this year and contribution rates set for the next three years. The amount the Council will pay for current employees has increased from 17.5% to 19.7% meaning an extra cost of £136,000. However, the amount which is required to repay the accumulated deficit has been reduced significantly and will continue to fall over the following two years. For 2020/21 the deficit contribution will fall by £307,000 to £1,661,000. Overall, the cost of pensions has reduced by approximately £171,000;
- An increased cost of £309,000 (8.0%) on the annual Ubico contract. Some of this
 increase was already known through the increased depot recharge of £50,000
 experienced throughout the current year. In addition, the Grounds Maintenance Working
 Group wishes to continue to support the additional capacity being deployed within
 grounds maintenance for one more year. This is at a cost of £100,000 but can be met
 with a contribution from the Open Spaces and Watercourses reserve. Other elements of
 the increase are related to inflationary pressures on employees and vehicles. Overall, the
 contract sum for 2020/21 stands at £4.18million;
- An increase in the cost of collecting, transferring and disposing of recycled materials collected of £119,000;
- A reduction in income of £107,000 associated with recycling as tonnages reduce, contamination increases and changes are made to the countywide incentive grant;
- An increased contribution of £100,000 per annum to the vehicle replacement reserve in order to meet future need;

- Additional permanent IT capacity costing £37,500;
- An increase to the annual licence cost from Microsoft of £80,000;
- An ongoing commitment of £20,000 to support the new Council priority on climate emergency;
- The removal of essential user car lump sums and a switch to HMRC rates for mileage reimbursement. This, together with the continued use of a fleet of pool cars, has reduced business travel costs by £89,000;
- Increased use of the garden waste service, in addition to the price increase, generates an additional £103,000;
- Savings on the insurance portfolio of £35,000 part of which has been re-invested in additional cyber security insurance;
- Additional investment returns of £150,000 generated by a larger portfolio and investments in a wider range of products;
- Savings on the interest cost of borrowing to fund capital investment as a result of securing monies at lower rates than expected;
- The in-sourcing of homeless properties management savings approximately £18,000.
- **6.3** In addition, the base estimates include the additional income associated with the expectation of securing a further commercial property unit in the early part of the new financial year. The expectation is that a sum of approximately £6.6million will be invested in the near future, leaving a balance of £20million to invest in commercial property. Should successful acquisitions be made, the 2021/22 budget will see the benefit of those acquisitions as well as the associated financing costs.
- **6.4** The base estimates also include the use of New Homes Bonus as outlined previously at Paragraph 3.5.
- 6.5 The finance available to fund the Net Budget Requirement is as follows:

Table 6

Financing stream	2019/20 Budget	2020/21 Budget	Variance (£)
Revenue Support Grant	-£22,786	-£23,157	-£371
Rural Services Delivery Grant	-£13,779	-£13,779	£0
Business Rates Baseline	-£1,816,634	-£1,846,234	-£29,600
Retained Business Rates	-£680,923	-£738,836	-£57,913
New Homes Bonus	-£3,273,399	-£3,762,756	-£489,357
Collection Fund surplus	-£41,100	-£82,200	-£41,100
Minimum Revenue Provision	£628,860	£642,162	£13,302
Net Transfer to / (from) reserves	£575,000	£1,263,185	£688,185
Total	-£4,644,761	-£4,561,615	£83,146
Service Expenditure b/fwd	£8,772,830	£8,956,607	£183,777
Balance to be funded by Tax Payers	£4,128,069	£4,394,992	£266,923

- **6.6** Table 6 highlights an increase in the financing streams available to fund the cost of services totalling £618,341 or 10.6%. This is largely as a consequence of the additional New Homes Bonus secured as well as an increase in other financing streams such as retained business rates. However, the increased cost of the Minimum Revenue Provision, as a result of the annual increase applicable to the annuity method of calculation, and a substantial increase in the transfer to reserves reflecting the additional monies set aside from New Homes Bonus, have resulted in an overall reduction in financing totalling £83,416, a reduction of 1.79%.
- **6.7** After deducting the financing streams from the net cost of services, the balance of expenditure to be funded by Council Tax Payers is £4,394,992 for 2020/21, an increase of £266,923 on the current year. The Council Tax base has increased by 755.8 Band D equivalents (2.19%) over the previous year to a total of 35,340.88. This increase in itself generates additional income of £90,000 towards the £267,000 extra required from tax payers. The remaining £177,000 is therefore generated by a rise in the rate of Council Tax from £119.36 to £124.36, an increase of £5.

7.0 RISKS

- **7.1** The Council's budget is prepared using best estimates for the level and timing of expenditure, budget and efficiency savings and available resources. However, a number of uncertainties exist which could have an impact on the budget of the Council:
 - Government Support the settlement is only provisional and is subject to change. Funding levels beyond 2020/21 are, as yet, unknown. A prudent view of future years funding has been included in the Medium Term Financial Projection.
 - Business Rates Until such time as the issues with backdated appeals have been
 resolved, accurately forecasting the level of business rate income is difficult. Provisions
 are made within the scheme to deal with expected bad debts and appeals but these may
 not be sufficient. The Council is also a member of the Gloucestershire Pool and so the
 performance of neighbouring authorities with regards to rates retention will impact on
 Tewkesbury's overall retention.
 - Interest rate forecasts rates continue at a historically low level. The current base rate is 0.75%. Our Treasury estimates, informed by our advisors, are based upon a continuation of the current base rate. Recently, they have been increasing rumours of a base rate cut and with both political and economic uncertainty effecting the country, changes to interest rate predictions cannot be ruled out. Changes will effect both the level of return from investments but also the cost of borrowing.
 - Political uncertainty the estimates have been prepared based on a stable footing and normal operating conditions. Economic shock or a disorderly exit from the European Union could have knock on-effects on the cost of goods and services, levels of income and costs arising from further requirements on local government.
 - Budgetary control whilst every effort is made by services to operate within their set budgets, in some circumstances, overspends are unavoidable.
 - An emerging risk is the value of recycled paper and cardboard. If there is no market for this product or little value in the product, there will potentially be an increased cost to the Council in disposing of this material.
 - The cost of disposing of recyclate is significant and is subject to the market and the quality and quantity of materials collected. Best estimates of prices and tonnages have been made, reflecting the likely position, but this could be subject to significant change. Impact from this change will also affect the level of recycling credit income generated.

- A contract sum with our waste provider, Ubico, has been agreed for the new year. This is not a fixed sum and the Council is liable for any overspend incurred by the contractor.
- As previously indicated, there is currently no agreement with regards to the 2020 pay award. The budget therefore carries a risk that there is insufficient money within it to meet the agreement that will be made between the Unions and employers.
- **7.2** The recommended use of New Homes Bonus allows for the setting aside of further uncommitted monies as well as specific pay award contingencies. As in previous years, a year end surplus is expected which can be utilised both for Council ambitions but also further mitigation of risk within the 2020/21 budget and the Medium Term Financial Strategy as a whole. As always though, careful in-year management of the budget will be necessary to ensure the budget outturn is, at worst, cost neutral and the Council avoids needing to rely on reserves to balance the budget.

8.0 **REVENUE RESERVES**

- 8.1 As at 31 March 2019, the Council had earmarked reserves totalling £8.01million. Of this amount, £1million is set aside for future budget management requirements within the Medium Term Financial Strategy Reserve. Other reserves exist to manage risk to the authority, such as the business rates reserve, whilst other reserves plan for future expenditure, such as the vehicle replacement reserve and the asset management reserve. The remainder of the reserves provide for service specific activities and in many cases are funded via external grant.
- **8.2** In addition, there is an uncommitted General Fund working balance of £800,000. This reserve was increased by £250,000 in June 2019 in recognition of how low it was in comparison to other District Councils. This was highlighted within the Chartered Institute of Public Finance and Accountancy Financial Resilience Index. This year's index suggests that this uncommitted balance is still low and should be increased should funds become available at the year-end outturn.
- **8.3** The revenue reserves are reviewed and approved annually as part of the closure of accounts. A Financial Outturn report will be taken to Executive Committee in June to approve the reserves of the Council for 2020/21.

9.0 CAPITAL PROGRAMME

- **9.1** The current capital programme is shown at Appendix A and covers forward forecasts of the next five years.
- **9.2** The programme is significant in size and totals £39.9million over the five years. The majority of the programme relates to investment in commercial properties with the aim of delivering an income stream to the Council over and above the cost of financing. This strand of the capital programme totals £20million. It is expected that a further £6.6million will be spent in the current year on commercial property but should this fail to be delivered, it will roll over to the new year making a programme of £26.6million for commercial property acquisition.
- **9.3** Other significant expenditure within the programme includes the delivery of a bridge at Ashchurch to support the delivery of the Garden Town. This totals £8.1million and is funded entirely from external grants. Also included in the programme is the re-provision of a large proportion of the vehicle fleet totalling £3.69million and funded from revenue set aside. Historic levels of expenditure on Disabled Facilities Grants (DFGs) are projected throughout the programme and are financed entirely by government grant.

- **9.4** The capital programme also includes transformational projects which would normally be required to be financed from revenue resources. However, the government will allow the flexible use of new capital receipts for transformational projects which will generate ongoing savings, subject to the approval of a strategy before the beginning of the financial year. The Flexible Use of Capital Receipts Strategy was approved in January 2020 and included a new item for consultancy support to review the Council's options for its waste and recycling services.
- **9.5** Also included within the programme is capital expenditure of £184,000 to fund new IT related commitments. This sum largely covers investment in a replacement Storage Array Network (SAN) which provides the principle block storage array for the Council's IT infrastructure. The current SAN is at its end of life and failure to replace it will leave the Council at risk of hardware failure or the infrastructure being compromised by cyber threats. Also included in the capital allocation is a sum to provide for the rollout of new IT hardware to all staff to replace ageing technology and enhance mobile and flexible working. In addition, a small investment is being made within our HR service to digitise our records and the management of key functions within the service.

10.0 STATEMENT OF CHIEF FINANCE OFFICER

- **10.1** Section 25 of the Local Government Act 2003 requires the Chief Financial Officer to make a statement on the robustness of the estimates and adequacy of financial reserves when considering its budget and Council Tax. The Act requires Councillors to have regard to the report in making decisions at the Council's budget and Council Tax setting meeting.
- **10.2** The basis on which the budget for 2020/21 has been prepared has been set out very clearly in this report and the previous Medium Term Financial Strategy report. I am satisfied that the budgets for the General Fund and the Capital Programme have been based on sound assumptions.
- **10.3** The grant settlement for 2020/21 and the cost pressure on service areas have had a significant impact on the Council's finances and the current economic climate continues to challenge the financial affairs of the Council. The high level of uncertainty surrounding the future of local government finance also causes great difficulty. However, with the planning that has taken place with the Transform Working Group, the efficiency savings that have been identified and the commercial activity that has been undertaken, the Council is able to set a balanced budget for 2020/21.
- **10.4** The potential impact of the withdrawal of New Homes Bonus coupled with a potential reset of the business rates retention system is likely to cause significant financial challenges in the coming years. Action will need to be taken to ensure that in future years, the Council's spending plans are reduced to match the resources available.
- **10.5** The Council has a good record for only including in the budget income estimates that are deliverable. The Council's core expenditure requirements are well understood, budgeted for accordingly and delivered in accordance with the estimates. It is on this basis that I am satisfied the estimates are robust.
- **10.6** The requirement for financial reserves is acknowledged in statute. Section 32 and 43 of the Local Government Finance Act 1992 requires billing authorities to have regard to the level of reserves needed for meeting future expenditure when calculating the budget requirement.

- **10.7** The Council's earmarked reserves are set in June of each year by the Executive Committee with scrutiny being undertaken on a quarterly basis by both the Executive Committee and the Overview and Scrutiny Committee. The earmarked reserves contain specific project and service reserves as a well as risk and forward management reserves. The level of reserves is considered to be good and places the Council in a low risk position as highlighted by the Chartered Institute of Public Finance and Accountancy Financial Resilience Index.
- **10.8** The General Fund balance on its own is low when comparisons are made with other District Councils again as highlighted by the Chartered Institute of Public Finance and Accountancy Financial Resilience Index and, as already highlighted, will require additional monies being added to it at the earliest opportunity. However, in making judgement about the adequacy of reserves, bringing both allocated and unallocated reserves together gives assurance that the overall level of reserves is acceptable.
- **10.9** Overall, I am satisfied that the projected levels of reserves and balances held by the Council are adequate for the forthcoming year but will continue to review the position as necessary to ensure adequacy of reserves for future years.

11.0 CONSULTATION

11.1 Consultation on the budget has taken place with the Transform Working Group. In addition, a public and business consultation has taken place on general budgetary principles. The Council is also consulting with business rate payers on the specific proposals for 2020/21 as it is statutorily required to do.

12.0 OTHER OPTIONS CONSIDERED

12.1 The proposal within this report is for the Council to increase Council Tax by £5 or 4.19%. In producing a balanced budget proposal, officers have considered a number of options for Council Tax. A summary of different levels of Council Tax is shown in the table below alongside the impact on the Council's ongoing deficit.

Table 7 – Council Tax increase options

Council Tax 19/20	Council Tax 20/21	Increase	Increase	Ongoing income produced	Ongoing savings required
£119.36	£124.36	£5.00	4.19%	£176,704	£0
£119.36	£119.36	£0.00	0.00%	£0	£176,704
£119.36	£120.36	£1.00	0.84%	£35,341	£141,364
£119.36	£121.36	£2.00	1.68%	£70,682	£106,023
£119.36	£121.75	£2.39	2.00%	£84,465	£92,240
£119.36	£122.36	£3.00	2.51%	£106,023	£70,682
£119.36	£122.94	£3.58	3.00%	£126,520	£50,184
£119.36	£123.36	£4.00	3.35%	£141,364	£35,341

12.2 A range of options are available within the set thresholds. A decrease on the Council Tax has been ruled out given the financial outlook for the Council, as has an excessive Council Tax increase as it is not believed that the public would vote in favour of an increase in excess of £5 in a local referendum.

- **12.3** It has been necessary to increase Council Tax by £5 in order to meet the deficit of £0.8million for 2020/21. Whilst lower Council Tax increases were considered, these added additional cost to the deficit and would need to be met by either ongoing savings or ongoing income. The use of one-off sums to replace an ongoing income stream is not considered prudent and only results in the need for ongoing savings to be postponed. The use of one-offs to support a budget should only be considered as a last resort.
- **12.4** The recommended increase in Council Tax is also made against the background of £5million deficit over the next five years and the uncertainty about government policy for local government finance. This leaves the Council in a risky position and it is therefore of paramount importance that the Council takes the decision to increase financing streams within its control as and when it can and to their full extent.

13.0 RELEVANT COUNCIL POLICIES/STRATEGIES

13.1 In line with Medium Term Financial Strategy approved by Council on 28 January 2020.

14.0 RELEVANT GOVERNMENT POLICIES

14.1 The government has set down excessive Council Tax increase rules. Any increase in Band D Council Tax over a set limit will trigger a local referendum. The proposal for an increased Council Tax of £5 at Band D will mean that no referendum is required for Tewkesbury.

15.0 RESOURCE IMPLICATIONS (Human/Property)

15.1 The budget now relies significantly on a contribution from property assets towards the financing of the budget. This is both from the new commercial portfolio but also from the efficiency of the existing service buildings.

One post, previously funded from one-offs, has now been added to the base establishment. No redundancies are included within the budget proposals for 2020/21.

16.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

16.1 None directly arising from this report.

17.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)

17.1 Changes may be required to the way services are provided in order to reduce costs. Service Managers are responsible for undertaking Equalities Impact Assessments for any changes they make to any services they provide and where appropriate, EIAs will have been undertaken.

18.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

18.1 Approval of Medium Term Financial Strategy – Council on 28 January 2020.

Background Papers:	Medium Term Financial Strategy.
Contact Officer:	Head of Finance and Asset Management Tel: 01684 272005 Email: <u>simon.dix@tewkesbury.gov.uk</u>
Appendices:	A - 2020-25 Capital Programme.

Forecast Capital Programme 2018 - 2025

Scheme	2018/19 Outturn £	2019/20 Forecast £	2020/21 Forecast £	2021/22 Forecast £	2022/23 Forecast £	2023/24 Forecast £	2024/25 Forecast £	Total £
Council Projects	~	~	~	~	~	~	~	~
Land & Property								
Tewkesbury Regeneration project	0	0	0	500,000	4,500,000	0	0	5,000,000
Public Services Centre refurbishment	1,178,616	0	0	0	0	0	0	1,178,616
The Grange watercourse, Bishops Cleeve	100,271	51,287	0	0	0	0	0	151,558
Asset Management Plan	0	50,000	50,000	50,000	50,000	50,000	50,000	300,000
Ashchurch bridge project	0	466,000	2,300,000	5,366,465				8,132,465
	1,278,887	567,287	2,350,000	5,916,465	4,550,000	50,000	50,000	14,762,639
Vehicles	0	400.000	447.000	0	50.000	0 775 000	400.000	0.047.000
Vehicle replacement programme	0	123,000	447,000	0	50,000	2,775,000	422,000	3,817,000
Fauinment	0	123,000	447,000	0	50,000	2,775,000	422,000	3,817,000
Equipment	106.000	100.000	100.000	100.000	100.000	100.000	100.000	706 000
Asset Capitalisation	106,099 0	100,000 0	100,000	100,000 0	100,000 0	100,000 0	100,000 0	706,099 75,000
Car park machines One Legal case management system	0	35,000	75,000 35,000	0	0	0	0	70,000
Public Services Centre refurbishment	134,798	35,000	35,000	0	0	0	0	134,798
Purchase of GDPR Equipment & Licences	36,207	0	0	0	0	0	0	36,207
ICT Strategy - Equipment	17,188	25,000	165,000	0	0	0	0	207,188
HR digital systems	0	20,000	18,965	0	0	0	0	18,965
	294,292	160,000	393,965	100,000	100,000	100,000	100,000	1,248,257
Capital Investment Fund		,	,	,	,	,	,	-,;_;_;_;
Commercial property investment - round 2	3,100,000	0	0	0	0	0	0	3,100,000
Commercial property investment - round 3	5,415,556	6,626,850	0	0	0	0	0	12,042,406
Commercial property investment - round 4	0	0	15,000,000	5,000,000	0	0	0	20,000,000
	8,515,556	6,626,850	15,000,000	5,000,000	0	0	0	35,142,406
Capital Grants								
Old scheme capital grants	0	25,054	0		0	0	0	25,054
Community Grants Working Group	31,555	89,135	0		0	0	0	120,690
	31,555	114,189	0	0	0	0	0	145,744
Housing and Business Grants								
Disabled Facilities Grants	485,616	500,000	500,000	500,000	500,000	500,000	500,000	3,485,616
Deerhurst flood Grant	4,165	0	0	0	0	0	0	4,165
	489,781	500,000	500,000	500,000	500,000	500,000	500,000	3,489,781
Transformational projects requiring Capital Direction	00.050	00 50 1	•	6	~	•	0	F4 000
Digitisation strategy	20,656	30,564	0	0	0	0	0	51,220
Service Reconfiguration	40,000	0	0	0	0	0	0	40,000
Service reform feasibility work	0	0	40,000	0 0	0 0	0 0	0 0	40,000
	60,656	30,564	40,000	U	U	U	U	131,220
Capital Expenditure	10,670,727	8,121,890	18,730,965	11,516,465	5,200,000	3,425,000	1,072,000	58,737,047
GF Expenditure	2,155,171	1,495,040	3,730,965	6,516,465	5,200,000	3,425,000	1,072,000	23,594,641
Capital investments	8,515,556	6,626,850	15,000,000	5,000,000	0,200,000	0,420,000	1,072,000	35,142,406
	10,670,727	8,121,890		11,516,465	5,200,000	3,425,000	1,072,000	58,737,047
	10,010,121	0,121,000	10,100,000	11,010,400	0,200,000	0,120,000	1,072,000	00,101,011

Anticipated Capital Receipts								
Garage site sales	149,500	208,000	100,000	0	0	0	0	457,500
Right-to-buy receipts	154,715	75,000	50,000	50,000	50,000	50,000	50,000	479,715
Other receipts	59,179	10,000	10,000	10,000	10,000	10,000	10,000	119,179
Capital Receipts	363,394	293,000	160,000	60,000	60,000	60,000	60,000	1,056,394
Capital Resources required								
Capital Receipts	1,045,744	429,040	408,965	75,000	75,000	100,000	100,000	2,233,749
Capital Grants	905,702	966,000	2,800,000	5,866,465	500,000	500,000	500,000	12,038,167
Direct revenue financing	203,725	100,000	522,000	75,000	125,000	2,825,000	472,000	4,322,725
Borrowing - external	8,515,556	6,626,850	15,000,000	5,500,000	4,500,000	0	0	40,142,406
Capital resources consumed	10,670,727	8,121,890	18,730,965	11,516,465	5,200,000	3,425,000	1,072,000	58,737,047
Opening Capital Receipts	1,842,240	1,159,890	1,023,850	774,885	759,885	744,885	704,885	
Received in year	363,394	293,000	160,000		60,000	60,000	60,000	
utalised in year	-1,045,744	-429,000	-408,965		-75,000	-100,000	-100,000	
Capital receipts available	1,159,890	1,023,850	774,885	,	744,885	704,885	664,885	
	1,100,000	.,020,000			,000		001,000	

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