

20 January 2020

<b>Committee</b>	Council
<b>Date</b>	Tuesday, 28 January 2020
<b>Time of Meeting</b>	6:00 pm
<b>Venue</b>	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**

1 - 12

To approve the Minutes of the meeting held on 1 October 2019 and the Extraordinary meeting held on 26 November 2019.



**4. ANNOUNCEMENTS**

1. 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.

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 22 January 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 28 January 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. SCHEME OF MEMBER ALLOWANCES**

13 - 26

To determine the Scheme of Allowances to take effect on 1 April 2020 until 31 March 2021 having regard to the recommendations of the Independent Remuneration Panel.

**8. APPOINTMENT OF CIVIC HEADS FOR THE MUNICIPAL YEAR**

To recommend the appointment of Civic Heads for the Municipal Year 2020/21.

**1. Mayor**

It is usual practice that the current Deputy Mayor be appointed Mayor for the ensuing Municipal Year.

**2. Deputy Mayor**

To receive nominations for the appointment of Deputy Mayor for the ensuing Municipal Year.

## 9. 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) Council Plan 2020-2024 27 - 48

At its meeting on 8 January 2020 the Executive Committee considered the Council Plan 2020-2024 and **RECOMMENDED TO COUNCIL** that the Council Plan 2020-2024 be **ADOPTED** subject to some of the more business-related photographs being replaced by photographs of tourism/environment related areas.

*(Please Note: the Council Plan document as attached includes the new photographs).*

### (b) Medium Term Financial Strategy 49 - 71

At its meeting on 8 January 2020 the Executive Committee considered the Medium Term Financial Strategy and **RECOMMENDED TO COUNCIL** that the Medium Term Financial Strategy 2020/21-2024/25 be **ADOPTED**.

### (c) Treasury and Capital Management 72 - 105

At its meeting on 8 January 2020 the Executive Committee considered a suite of reports in respect of Treasury and Capital Management and **RECOMMENDED TO COUNCIL** 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.

### (d) Council Tax Reduction Scheme and Council Tax Discounts 106 - 115

At its meeting on 8 January 2020 the Executive Committee considered Council Tax Reduction Scheme and Council Tax Discounts and **RECOMMENDED TO COUNCIL** that:

1. 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. 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. 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.

**10. PROPOSED COMPULSORY PURCHASE ACTION TO SUPPORT DELIVERY OF THE PROPOSED WEST CHELTENHAM DEVELOPMENT SCHEME** 116 - 123

To initiate the process of utilising compulsory purchase powers to acquire land and rights necessary to deliver a comprehensive development of the overall West Cheltenham site to help meet the housing and employment needs of the Joint Core Strategy area as defined in the strategic level development plan

**11. SCHEDULE OF MEETINGS** 124 - 127

To approve the Schedule of Meetings for 2020/21.

**12. ROYAL GARDEN PARTY**

To agree the nominations for the Council's representation at the Royal Garden Party in May 2020.

The dates provided are 12, 19 and 27 May 2020.

Nominations **MUST** be made by Monday 3 February 2020 at the latest.

**13. NOTICES OF MOTION****(a) Notice of Motion - Review of Delegated Planning Powers to Officers**

Councillor Munro will propose and Councillor Stanley will second:

In early 2019 an application was received to develop 11 units in 4 buildings for light and general industrial use, 8.5m high on land zoned for industry at Furlong Park in Bishops Cleeve. The site was identified in the Borough Local Plan for employment use. The application was advertised in the local paper and a notice put up on site in accordance with the Council's Scheme of Community Involvement and requirements laid down in the Town and Country Planning (Development management Procedure) (England) Order 2015. No objections were received from Bishops Cleeve Parish Council, which was consulted on the application, or local residents. In accordance with the powers delegated to officers, the application was approved by the allocated Case officer and senior Planning Officer and building work started in summer 2019. The expected completion date is May 2020.

The site is opposite housing and the first local residents knew about the development was when building works started. Residents were concerned with the height and scale of the units, proximity to houses, the number of car parking spaces and additional traffic on the Bishops Cleeve by-pass. A formal complaint was raised against the Council and the local MP asked to become involved. It was found that the Council had followed due process.

The matter raises some general points of concern as set out below:

- 1) Visibility of planning applications to local residents. There is no question that the Council did not follow procedure correctly but the upshot of current practice is that local residents were not aware of the application for a large industrial unit in close proximity to their homes.
- 2) The lack of opportunity for scrutiny and debate of the application by the Planning Committee.
- 3) Training provided to Parish Councils to ensure that planning applications are effectively scrutinised.

In view of the above the Council is asked to:

- 1) Set up a working group to review its Scheme of Community Involvement with a view to considering consultation methods that will enable more visibility of applications to local residents. It is accepted that this will have to be feasible from a cost perspective and should include opportunities to use digital methods where possible.
- 2) Set up a Working Group to a) review the Delegated Authority to Officers and consider the effectiveness of the current scheme of delegation and b) investigate whether further safeguards should be put in place in terms of notification to the Planning Committee and local members of applications being approved under delegated powers.
- 3) Offer training to all Parish Councils on the planning process.

**(b) Notice of Motion - New Primary School in Bishop's Cleeve**

Councillor Munro will propose and Councillor Stanley will second:

As a consequence of the significant house building to the north of Bishop's Cleeve, the County Council has identified the need for an additional 3FE primary school in the village. The County Council has commissioned an Options Appraisal document which suggests extending the age range of Cleeve school to incorporate the additional primary school places and while the siting of the new school is not specifically disclosed, mention is made of land off Kayte Lane, on the south side of the village, used by Cleeve school as playing fields and in the green belt. The County Council has said, at the time the Options Appraisal was commissioned, no viable alternative sites were available to allow it to meet its statutory duties within the resources available and it was not able to secure additional land for primary school provision as the individual planning applications in Bishop's Cleeve did not justify the need for a school site

There are a number of concerns with this proposal:

- 1) The potential site for a new school is at the opposite side of the village to where the need is. The new housing is north of the village and the proposed site is in the south of the village, close to the existing primary schools. The County Council policy B8 of the School Places Strategy 2018-2023 says that where the need for a new primary school arises from a new development, the new school should be provided within the development, with the site ideally within walking distance of most of the development. A site to the south of the village is as far from the new houses as it is possible to be in Bishop's Cleeve.
- 2) It is unlikely that children will walk to a school in the south of the village and the reality is that this will lead to more traffic in an already congested area. This is also contrary to the County Council's endorsement of the Government's declaration of a climate change emergency and need to reduce carbon emissions by 2050.

In view of the above the Council is asked to:

- 1) Support the provision of adequate primary school places in Bishop's Cleeve in line with the County Council's own policy that any such school should be within walking distance of most of the new developments in Bishop's Cleeve.
- 2) Investigate as a matter of urgency the suitability of sites in the area for local school provision.
- 3) Work with the County Council and any other interested party to find a solution that works for everyone.

**14. 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.

**15. SEPARATE MINUTES**

128 - 131

To approve the separate Minutes of the meeting held on 1 October 2019.

**16. JOINT WASTE PARTNERSHIP - STAFFING AND CURRENT POSITION**

132 - 140

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

To consider the current position and staffing in connection with the Council's Joint Waste arrangements

**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**