

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held remotely on Tuesday, 23 February 2021
commencing at 6:30 pm

Present:

Chair

Councillor J W Murphy

and Councillors:

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

CL.59 ELECTION OF CHAIR

59.1 In the absence of the Mayor and Deputy Mayor, nominations were invited for the chair of the meeting.

59.2 It was proposed, seconded and

RESOLVED That Councillor J W Murphy be elected as Chair for the ensuing meeting.

CL.60 ANNOUNCEMENTS

60.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

CL.61 APOLOGIES FOR ABSENCE

61.1 Apologies for absence were received from Councillors G F Blackwell (Mayor), P W Ockelton, A S Reece (Deputy Mayor) and C Softley.

CL.62 DECLARATIONS OF INTEREST

62.1 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.

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

CL.63 MINUTES

- 63.1 The Minutes of the meeting held on 26 January 2021, copies of which had been circulated, were approved as a correct record.

CL.64 ITEMS FROM MEMBERS OF THE PUBLIC

- 64.1 There were no items from members of the public.

CL.65 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

- 65.1 The following question was received from Councillor Munro to the Lead Member for Built Environment. The answer was given by the Lead Member for Built Environment, Councillor Gore, but was taken as read without discussion.

At full Council in January 2020, the Head of Development Services confirmed that a review of the Statement of Community Involvement and Planning Scheme of Delegation would be included in the Development Services service plan for 2020/21. It is completely understood that this was delayed due to COVID. It is now understood that the intention is for the seminar for Members to contribute to the review of the Statement of Community Involvement to go ahead in 2021.

Question:

Please can the date for this seminar be advised. It is further understood that the review of the Scheme of Delegation is due in December 2021, please can this be confirmed and if this includes the Member seminar in December 2021.

Answer:

The intention is to review the Statement of Community Involvement after work has been finalised on the review of the Local Plan. At this moment in time, it is not possible to provide a date as to when a Member seminar will be held.

With regard to the review of the Scheme of Delegation this is not currently scheduled to be reviewed.

- 65.2 The Chair invited the Member to ask a supplementary question. The Member asked the following and the Lead Member advised that a written response would be provided outside of the meeting:

Is the review of the Statement of Community Involvement delayed due to a lack of staffing, what is the link to the Local Plan and who agreed to shelve the review of the Scheme of Delegation when both had been agreed at Council 13 months ago.

CL.66 APPOINTMENT OF CIVIC HEADS FOR THE MUNICIPAL YEAR**Mayor**

- 66.1 Upon being proposed and seconded, it was

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

Deputy Mayor

66.2 Upon being proposed and seconded, it was

RESOLVED That Councillor John Murphy be appointed as Deputy Mayor for the ensuing Municipal Year.

CL.67 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE

Budget 2021/22

67.1 At its meeting on 3 February 2021 the Executive Committee considered the 2021/22 budget and made a recommendation to Council.

67.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 14-32.

67.3 In proposing the recommendation, the Chair of the Executive Committee explained that the budget was the result of a lot of hard work by Members and Officers and he paid tribute to the Head of Finance and Asset Management and his team for their outstanding work in creating a balanced budget at a very difficult time and in exceptional circumstances. The Lead Member for Finance and Asset Management seconded the recommendation from the Executive Committee and reiterated his thanks to the Head of Finance and Asset Management for the work he had put into ensuring the Council had a balanced budget that it considered acceptable.

67.4 Members were advised that, in accordance with the Council Rules of Procedure, an amendment to the budget had been received in advance of the meeting, which had been circulated separately prior to the meeting with the comments of the Section 151 Officer, and the proposer of the amendment was invited to introduce it. The Member advised that he would also like to thank Officers for the hard work that had gone into the budget process and for answering the various questions which he and others had posed in order to have a full understanding of the budget. He noted that £431,000 was being taken from the Council's reserves to ensure a balanced budget was achieved and that the Section 151 Officer was satisfied that the projected level of reserves was adequate for 2021/22 and that £97,500 expected salary savings had been included. However, it was also noted that the report did not identify how the budget was broken down by service line which was the reason for the first two points of the amendment. He thanked the Section 151 Officer for his response to those points in confirming the savings identified for 2021/22 and that no further savings could reasonably be included as plans had not progressed sufficiently over the previous 10 months to give assurance that potential savings were deliverable, did not have a significant service disbenefit and had been subject to sufficient consultation. In addition, he thanked the Section 151 Officer for his commitment that a link to the budget book – which showed a line by line detailed analysis of the budget - would be circulated to all Members when the 2021/22 issue was complete, as well as undertaking to include an additional appendix in future budget reports which would provide a breakdown of the service area and budgets that were contained in the main body of the report. The proposer drew particular attention to the proposed amendment to remove £10,000 for the IT Auditor and £50,000 from the investment top-up fund and to add £10,000 for green initiatives; £10,000 for initiatives to reduce flytipping across the Borough; £5,000 to set aside for a scheme to be set up to reward community champions who had been nominated for undertaking a community action which had benefited the Borough; and £50,000 to be reinstated to staffing budgets to boost staffing levels and help with the provision of services - it was considered that planning and enforcement services would be an area which would particularly benefit from additional support. In seconding the amendment, the Member thanked the Section 151 Officer for his help and patience

in working with Councillors on the amendment. She felt the amendment reflected the concerns residents had raised with them and she hoped they would be carefully considered rather than being dismissed out of hand.

- 67.5 The Chair invited questions on the amendment. A Member queried what the initiatives for reducing flytipping would be and how it was envisaged the money set aside would be spent. In response, the proposer of the amendment indicated that it sought to earmark funds for the Officer experts to decide how it would be spent. Ultimately, if the funding was not required it would go back into the pot but it was felt important to set the money aside for items like additional signage or moving the CCTV to where it was needed. Another Member questioned how the proposer of the amendment saw the scheme for rewarding community champions would work including how it would be determined who would receive an amount, how much that would be and how it could be fairly attributed across the Borough. In response, he explained that the idea was for it to be a small amount by which the Council would thank individuals for their help in difficult times. The Member understood the sentiment but believed that the Borough was not in a position to effectively be able to do this and that it was something that would be far better administered by the Parish/Town Councils – she felt those organisations were better placed to know who should be recognised and what they should receive. Another Member agreed with the idea of the Council showing appreciation for groups / individuals who had gone above and beyond over the last year but he also agreed that Parish and Town Councils would be the most suitable organisations to decide on that; he suggested that the Borough Council funding, identified in the amendment, could be given to the Town and Parish Councils for that purpose.
- 67.6 Another Member referred to the delivery of the climate change action plan and questioned whether there was enough money in the budget to deliver the actions for the current year. In response, the Head of Finance and Asset Management confirmed that there was funding for the first year of the climate change action plan with year one deliberately containing a number of actions which were relatively easy and low cost to achieve. As the plan developed over the years there were more major works such as the deployment of photovoltaic panels, which was when more funding would be required.
- 67.7 During the discussion which ensued, there was some concern expressed that Councillors had had a whole year to raise these issues at various meetings and seminars and it did not seem an appropriate way forward to discuss amendments to the budget at the stage where the final budget was ready to be agreed. In addition, some Members felt that the amounts proposed to be included may not have been sufficiently thought through as there was no guarantee the amounts would be needed or, if needed, that they would be enough for Officers to use effectively. One Member indicated that he would have appreciated more time to look through the amendment as he felt there were probably things in it which he would have liked to consider including but he just did not have enough information at this stage. He was of the view that the fact that the budget book would be circulated to Members when it was complete and that an appendix on service area budgets would be included in future were both helpful changes to the budget process which had come from the amendment and for that he thanked the proposer and seconder. In terms of the suggested deletion of the £10,000 budget for an IT Auditor, the Member felt this would be the wrong move as cyber security was extremely important and would only continue to become more necessary as time went on – for that reason he indicated that he could not support the amendment.
- 67.8 A Member advised that, in a year when Officers had been under great pressure, she was proud of the amount of work and loyalty they had shown in this exceptional time. She felt that any amendment to the budget needed to state how much things would cost, how they would generate income, how they would be paid for and needed to be properly costed. Referring to the proposal for tree planting, she

indicated that trees could be obtained from the Woodland Trust free of charge and volunteers could be used to plant them so it was possible for Parishes / communities to do this at no cost. The Lead Member for Clean and Green Environment understood the frustration that the Borough Council could not set out its tree planting scheme at this stage but, unfortunately, a vast amount of funding was required to meet the climate change action plan and bring the Council's buildings up to standard in terms of carbon neutrality so that had to be the priority at the moment. A bottom up approach for tree planting which was Parish/community led could therefore be a more expedient way forward. In terms of flytipping / enviro-crimes, he advised that this was one of the most difficult things every Council in the country had to deal with. Tewkesbury Borough Council was as good as it could be at bringing offenders to justice but it was extremely difficult to bring about a prosecution as the Council had to identify who had dumped the waste and then provide sufficient evidence to support a successful prosecution. The Lead Member invited Councillors to speak to the Environmental Health team about enforcement in respect of flytipping to understand the difficulties faced. Another Member was in agreement and indicated that signs had been put up - but rubbish had been dumped underneath them - and CCTV cameras had been stolen; this week alone around 1.5 miles of rubbish had been flytipped in his village.

- 67.9 Referring to the amendment which proposed £10,000 for green initiatives including wild flower planting and tree planting, a Member suggested that this was absolutely necessary given the Borough Council had stated that no commitment could be made to tree planting until July 2022 and that the County Council had yet to plant a single tree despite its tree strategy. She felt if the issue was approached properly there was no reason that it would be too costly and to have something to work on prior to the tree strategy being reconsidered would be a great step forward and in the interests of all residents in the Borough. She was aware of the Woodland Trust providing free trees and knew that over 300 trees had been planted in Churchdown using that scheme; however, she remained of the view that a Boroughwide tree planting strategy was needed as it would ensure the right trees were being planted in the right places.
- 67.10 A number of Members expressed further concern about the way the amendment had been brought forward, the lack of information provided and the Section 151 Officer's subsequent comments that the amendments would not secure a balanced budget for the Council. It was also felt that a last minute amendment put forward in this way was not in the spirit of how the Council had worked on its budget in recent years and given the number of opportunities which were afforded to Members to have their say on the budget during the process which had led up to this evening's Council meeting. He urged Members to reject the amendment and agree the budget which both Members and Officers had worked so hard on throughout the previous year.
- 67.11 It was proposed and seconded 1. that Officers advise the meeting of the savings found for 2021/22 financial year and confirm that no further savings can reasonably be found; 2. that discussions take place in 2021/22 to identify how the budget proposal can be made more itemised and therefore more transparent to Members to aid decision-making in the future; 3. that the following items are removed from the budget proposal: £10,000 for IT auditor (Appendix A) as the case for the added value to the Council tax payer of this post/consultancy in identifying future savings or quality improvements has not been made at this point in time; and £50,000 from the investment reserve top up (Appendix A) as, in the absence of information on the capital purchases that did not attract an immediate financial return, this was considered a significant sum to set aside, while leaving £50,000 in the pot to support any such purchases, subject to a business case coming forward; 4. that the following items are added to the 2021/22 budget proposals: £10,000 for green initiatives, to include wildflower planting and tree planting to increase biodiversity and improve our public spaces. The Council considered its tree planting ambitions

at its last meeting and it was considered prudent to set aside a sum of money to enable any ambitions. The Woodland Trust was a possible partner agency to work with to create a plan for the area and it was already working with 182 local authorities in England; £10,000 for initiatives to reduce fly tipping, with the aim to reduce fly tipping by 50%. It was estimated that, if this target was achieved, the Council would save £10,000. In 2020 just one fixed penalty notice was issued for fly tipping and one successful prosecution, which was down from six fixed penalty notices and two prosecutions in 2019; £5,000 set aside for a scheme to be set up to reward community champions who had been nominated for undertaking a community action that had benefited the Borough. An example may be residents who undertook a litter pick in a public open space immediately after a Saturday night party which resulted in cans and needles left where children played, and a token of appreciation from the Council would have been welcomed; and £50,000 to be reinstated to staffing budgets to boost staffing levels to help with the provision of services. Planning and enforcement services were considered areas that would benefit from additional support.

67.12 In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the amendment was recorded as follows:

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

M G Sztymiak

R J E Vines

M J Williams

P N Workman

67.13 With six votes in favour, 22 against and three abstentions, the amendment was lost.

67.14 The Chair welcomed questions on the original recommendation from the Executive Committee. A Member noted that £100,000 had been set aside for cyber central and he questioned what funding had been set aside for Tewkesbury Garden Town. In response, the Head of Finance and Asset Management explained that the £100,000 was to top up the Borough Development Reserve which supported all large scale development across the Borough. Tewkesbury Garden Town was being funded by government money at this stage but if that stopped the Council would have to consider the position moving forward.

67.15 Having been proposed and seconded, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the original recommendation from the Executive Committee was recorded as follows:

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

P D Surman

M G Sztymiak

R J E Vines

M J Williams

P N Workman

67.16 With 22 votes in favour, 0 against and nine abstentions, it was

RESOLVED

1. That a new budget of £9,270,575 be **APPROVED**.
2. That a Band D Council Tax of £129.36, an increase of £5.00 per annum, be **APPROVED**.
3. That the use of uncommitted reserves totalling £431,108 to support the base budget be **APPROVED**.
4. That the inclusion of growth items within the budget for 2021/22 be **APPROVED** as proposed in Appendix A to the report.
5. That the capital programme be **APPROVED** as proposed in Appendix B to the report.

Interim Housing Strategy

- 67.17 At its meeting on 3 February 2021 the Executive Committee considered the Interim Housing Strategy and recommended to Council that it be approved.
- 67.18 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 33-35. The strategy had been amended following the Executive Committee meeting to address typographical and consistency errors and the amended version was attached to the report at Pages No. 36-115.
- 67.19 The Chair of the Executive Committee proposed the Committee's recommendation and it was seconded.
- 67.20 A Member expressed her thanks to the Officers for updating the document and for their hard work on the strategy – particularly with the difficult issue of rural affordable housing. She was pleased that the housing team was making inroads to collecting the data required to provide rural affordable housing across the areas of the Borough where it was most needed. Another Member referred to Page No. 44 and queried why information from 2008/09 to 2014/15 was included in respect of the number of private sector rents – she questioned whether there was any more up to date information that could be referenced or whether the information should just be removed. In response, the Acting Housing Services Manager explained that the information was a useful addition to the strategy so he would look to bring the data up to date when it was available rather than removing the paragraph completely. The Borough Solicitor confirmed that this amendment could be delegated to the Chief Executive, in consultation with the Lead Member, to make once the data was available.
- 67.21 During a brief discussion which ensued about affordable housing, the Acting Housing Services Manager confirmed that the allocation for the commitment of 40% affordable housing was made in the Joint Core Strategy and was not something that was driven by the Housing Strategy. The Joint Core Strategy was currently being reviewed and that review would inform the Housing Strategy in the future.

67.22 Upon being proposed and seconded, it was

RESOLVED

1. That the Interim Housing Strategy be **APPROVED**.
2. That authority be delegated to the Chief Executive, in consultation with the Lead Member, to amend the document with the updated information for increases in private and social housing rents (last Paragraph of 2.1 of the Strategy) once it was available.

CL.68 COUNCIL TAX

68.1 Having agreed the Council's 2021/22 budget earlier in the meeting, attention was drawn to a report, circulated separately, which asked Members to approve and set a Council Tax requirement for 2021/22.

68.2 The Lead Member for Finance and Asset Management explained that as the billing authority, Tewkesbury Borough Council must formally approve the Council Tax for the forthcoming year including the Council Tax levels set by the County Council, the office of the Police and Crime Commissioner for Gloucestershire and the Town and Parish Councils in the Borough. The overall position was summarised in the table at Paragraph 3.1 of the covering report with further detail provided in the appendices. For 2021/22 the average Band D Council Tax within the Borough would be £1,871.99 per year which was an increase of £84.36 or 4.72%. He felt it was interesting to note that, although the Borough Council had needed to increase its Council Tax level by the maximum permissible in order to balance the budget, other bodies which formed the overall Council Tax had not increased by the maximum permissible and yet, in percentage terms, Tewkesbury Borough's rise was still the smallest increase and its share of the overall Council Tax bill had fallen to 6.9%.

68.3 The recommendation was proposed and seconded and, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting was recorded as follows:

For	Against	Abstain	Absent
R A Bird		M L Jordan	G F Blackwell
G J Bocking		H S Munro	L A Gerrard
C L J Carter		P E Smith	A S Reece
C M Cody		R J G Smith	P W Ockelton
K J Cromwell		R J Stanley	C Softley
M Dean		S Thomson	S A T Stevens
R D East			
J H Evetts			
P A Godwin			
M A Gore			
D W Gray			
D J Harwood			

E J MacTiernan

J R Mason

H C McLain

P D McLain

J W Murphy

C Reid

J K Smith

V D Smith

P D Surman

M G Sztymiak

R J E Vines

M J Williams

P N Workman

68.4 Accordingly, it was

- RESOLVED**
1. That it be **NOTED** that, on 1 December 2020, the Council calculated:
 - a) the Council Tax Base 2021/22 for the whole Council area as £35,403.02 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended (the "Act")) and,
 - b) for dwellings in those parts of its area to which a Parish precept relates as attached to the report at Appendix C.
 2. That the Council Tax requirement calculated for the Council's own purposes for 2021/22 (excluding Parish precepts) is £4,579,735.
 3. That the following amounts be calculated for the year 2021/22 in accordance with Sections 30 to 36 of the Act:
 - a. £56,036,083 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
 - b. £49,214,446 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - c. £6,821,637 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act);
 - d. £192.69 being the amount at 3(c) above (Item R), all divided by Item T(1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);

- e. £2,241,902 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix C to the report);
- f. £129.36 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T(1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
- g. the amounts stated in Column 5 (Band D Parish/Town and Borough b)) of Appendix B to the report are given by adding to the amount at 3(f) above the amounts of special items relating to dwellings in those parts of the Council's area specified in Column 1 of Appendix B in accordance with Section 34(3) of the Act. For completeness the table shows all areas; and
- h. the amount set out in Appendix B to the report given by multiplying the amounts at 3(g) above by the number which, in proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular Valuation Band divided by the number which, in that proportion, is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different Valuation Bands.
4. That it be **NOTED** that, for the year 2021/22, Gloucestershire County Council and the Office of the Police and Crime Commissioner for Gloucestershire have stated the following amounts in precepts issued to the Borough Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Gloucestershire County Council £			Office of the Police and Crime Commissioner for Gloucestershire £
	ASC	General	Total	
A	103.81	835.67	939.48	180.05
B	121.12	974.94	1,096.06	210.06
C	138.42	1,114.22	1,252.64	240.07
D	155.72	1,253.50	1,409.22	270.08
E	190.32	1,532.06	1,722.38	330.10
F	224.93	1,810.61	2,035.54	390.12
G	259.53	2,089.17	2,348.70	450.13
H	311.44	2,507.00	2,818.44	540.16

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts, set out in Appendix B to the report, as the amounts of Council Tax for

the year 2021/2022 for each of the categories of dwellings shown in Schedule 3.

6. The Council has determined that its relevant basic amount of Council Tax for 2021/22 is not excessive in accordance with principles approved under Section 52ZB of the Local Government Finance Act 1992. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2021/22 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992.

CL.69 SEPARATE BUSINESS

69.1 The Chair proposed, and it was

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

CL.70 SEPARATE MINUTES

70.1 The separate Minutes of the meeting held on 26 January 2021, copies of which had been circulated, were approved as a correct record.

The meeting closed at 8:20 pm