

24 May 2021

<b>Committee</b>	Executive
<b>Date</b>	Wednesday, 2 June 2021
<b>Time of Meeting</b>	2:00 pm
<b>Venue</b>	Tewkesbury Borough Council Offices, Severn Room

## **ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND**

### **Agenda**

#### **1. 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.

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

#### **2. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

To receive apologies for absence and advise of any substitutions.

#### **3. 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.



	<b>Item</b>	<b>Page(s)</b>
<b>4.</b>	<b>MINUTES</b>  To approve the Minutes of the meeting held on 31 March 2021.	1 - 8
<b>5.</b>	<b>ITEMS FROM MEMBERS OF THE PUBLIC</b>  To receive any questions, deputations or petitions submitted under Rule of Procedure 12.  <i>(The deadline for public participation submissions for this meeting is 27 May 2021)</i>	
<b>6.</b>	<b>EXECUTIVE COMMITTEE FORWARD PLAN</b>  To consider the Committee's Forward Plan.	9 - 17
<b>7.</b>	<b>LOCAL AUTHORITY REMOTE MEETINGS: GOVERNMENT CALL FOR EVIDENCE</b>  To agree a response to the Local Authority Remote Meetings: Government Call for Evidence.	18 - 25
<b>8.</b>	<b>COMMUNITY GOVERNANCE REVIEW</b>  To approve the commencement of a Borough-wide Community Governance Review.	26 - 35
<b>9.</b>	<b>WELCOME BACK FUND</b>  To delegate authority for the spending of the welcome back fund.	36 - 39
<b>10.</b>	<b>DECISION TAKEN UNDER URGENCY POWERS - HERITAGE ACTION ZONE FUNDING</b>  To note the decision taken under Urgency Powers.	40 - 44
<b>11.</b>	<b>SEPARATE BUSINESS</b>  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.	
<b>12.</b>	<b>SEPARATE MINUTES</b>  To approve the separate Minutes of the meeting of the Committee held on 31 March 2021.	45 - 46

**13. FINANCIAL SUPPORT FOR CROWN CLOSE REDEVELOPMENT BY ROOFTOP HOUSING FROM COMMUTED SUMS FUNDS**

47 - 64

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

To consider the proposal from Rooftop and, pending planning approval, support the use of the commuted sums funding for the Crown Close development.

**DATE OF NEXT MEETING**

**WEDNESDAY, 7 JULY 2021**

**COUNCILLORS CONSTITUTING COMMITTEE**

Councillors: R A Bird (Chair), G F Blackwell, M Dean, M A Gore, D J Harwood, E J MacTiernan, J R Mason (Vice-Chair), C Softley, R J Stanley, M G Sztymiak and R J E Vines

**Substitution Arrangements**

The Council has a substitution procedure and any substitutions will be announced at the beginning of the meeting.

**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 Chairman 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.

## TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held remotely on  
Wednesday, 31 March 2021 commencing at 4:00 pm**

**Present:**

Chair  
Vice Chair

Councillor R A Bird  
Councillor J R Mason

**and Councillors:**

M Dean, M A Gore, D J Harwood, E J MacTiernan, C Softley, R J Stanley, M G Sztymiak and  
R J E Vines

**also present:**

Councillors K J Cromwell

**EX.101 ANNOUNCEMENTS**

101.1 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.

**EX.102 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

102.1 Apologies for absence were received from Councillor G F Blackwell. There were no substitutions for the meeting.

**EX.103 DECLARATIONS OF INTEREST**

103.1 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.

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

**EX.104 MINUTES**

104.1 The Minutes of the meeting held on 3 March 2021, copies of which had been circulated, were approved as a correct record.

**EX.105 ITEMS FROM MEMBERS OF THE PUBLIC**

105.1 There were no items from members of the public.

**EX.106 EXECUTIVE COMMITTEE FORWARD PLAN 2021/22**

106.1 Attention was drawn to the Committee's Forward Plan 2021/22, circulated at Pages No.7-13. Members were asked to consider the Plan.

106.2 Accordingly, it was

**RESOLVED:** That the Committee's 2021/22 Forward Plan be **NOTED**.

**EX.107 COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER THREE 2020/21**

107.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 14-115, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the Quarter Three 2020/21 Council Plan performance tracker and COVID-19 recovery tracker information.

107.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached at Appendix 1 to the report, and the Council Plan performance tracker, attached to the report at Appendix 2. The COVID-19 corporate recovery plan performance tracker was attached to the report at Appendix 3 and the financial information for the quarter was attached at Appendices 4-7.

107.3 Members were advised that this was the Committee's third review of the new Council Plan 2020-2024 and the new COVID-19 recovery plan. Similar to the quarter two position, at the time of writing the report, the national picture regarding COVID-19 could change very quickly. At the time of writing the report, the country remained in a lockdown situation, however, at the time of presenting the report the government had announced its roadmap for the lockdown exit and the Head of Corporate Services had briefly explained to the Committee that management team would be focussing the Council's own recovery in alignment with the government's roadmap. In terms of Council services, this meant there was still a complex picture of services working across either response, recovery or business as usual mode or a combination of all three. Similar to previous reviews of performance and recovery information, the Overview and Scrutiny Committee recognised that certain pieces of work had to be deferred or were not progressing as expected due to the significant challenges the Council faced. That aside, the Chair advised that he had issued a clear instruction at the Committee pre-brief that this should not stop Members from asking questions irrespective of whether or not they thought COVID-19 was impacting delivery. Some key areas that were discussed included the Tewkesbury 2021 project - the Overview and Scrutiny Committee had felt this project highlighted how the national picture could change things - at the time of writing the report, the 2021 Committee had agreed that many of the planned events would not go ahead as a result of the pandemic. However, the roadmap out of lockdown now provided an opportunity to re-evaluate the programme of events to see what would be possible and it was expected the £25,000, approved by Executive Committee to support the project, would be fully committed. In terms of developing a work programme with landlords, the Committee had been concerned that this action - relating to ensuring residents had a supply of rental properties to meet their needs - had slipped its milestone dates on numerous occasions. The Head of Community Services had assured Members that a report would be brought to Overview and Scrutiny in June to update on this piece of work. In terms of the Community Infrastructure Levy, it was noted from the commentary in the tracker document that a seminar had been held with Parish Councils in October and Members were keen they were also fully updated on the Council's

arrangements - it had therefore been agreed that a session would be organised for all Members. In terms of online licensing, the Committee had been pleased to hear that improving the offering of the licensing service was to be made a priority of the Business Transformation Team for the forthcoming financial year. The Committee had noted the excellent work of the Team to date across various projects and agreed that a session would be held with the Business Transformation Team and Overview and Scrutiny Committee Members to provide more details of the team's work. In respect of recycling, the Committee was informed that contamination remained problematic and this appeared to be a national trend. Tonnages in waste streams had increased significantly during the period of the pandemic and this inevitably contributed to higher levels of contamination. Information for residents raising awareness on what could and could not be recycled was due to go out shortly with further work to be undertaken to reduce residual waste. There had been a question around planning performance and why it had dipped in quarter two, as quarter three performance figures were far more positive. The Development Manager had explained that there were often fluctuations from quarter to quarter as the different types of applications that came forward during the year, and also the number of appeals at a given time, could have an impact on performance. Capacity within the enforcement team was acknowledged as an ongoing issue and this was something that was being looked at as a priority. The Head of Corporate Services had stated that he expected one member of the Internal Audit team to be back undertaking some form of audit work with effect from April. The High Street project would gather momentum, particularly following the government's roadmap announcement with non-essential shops re-opening on 12 April. An overview of what was being put in place to meet this date would form part of a briefing for relevant local Members. This would include significant engagement with businesses by the Environmental Health team to ensure COVID safety and compliance. As ever, all actions arising from the discussions were recorded and monitored within an action list to ensure they were followed up. This action list was reported on a regular basis to the Chair and Vice-Chair of the Overview and Scrutiny Committee at their briefing and, when populated, was circulated to all Members of the Committee.

107.4 Referring to the housing needs assessments, a Member questioned why villages like Forthampton, Chaceley and Hasfield had been chosen above others. In response, the Head of Community Services explained that assessments had been undertaken across urban areas and the work was now concentrating on rural Parishes – the work was being done over a period of two years. The north east of the Borough had already been completed and the remaining areas were now being worked through. The north east area work was undertaken in 2019 and had been fed back to the Parishes at that time. There was a link to the report on the Council's website under housing needs surveys.

107.5 Accordingly, it was

**RESOLVED:** That the Overview and Scrutiny Committee's comments on the Council Plan Performance Tracker and COVID-19 Recovery Tracker for Quarter Three of 2020/21 be **NOTED**.

**EX.108 CIVIL PENALTY, RENT REPAYMENT ORDER AND MINIMUM ENERGY EFFICIENCY STANDARDS IN PRIVATELY RENTED HOMES POLICIES**

- 108.1 The report of the Interim Environmental Health Manager, circulated at Pages No. 116-148, sought approval for three new policies relating to enforcement in the private rented housing sector which was undertaken by the Environmental Health team.
- 108.2 Members were advised that the Environmental Health team had an important role in ensuring that properties in the private rented sector were fit for purpose and that landlords adhered to the relevant legislation to ensure their properties were safe for the tenants; the majority of powers available to the team were contained in the Housing Act 2004. Changes to legislation in recent years had added a number of tools to the enforcement toolbox available to the Environmental Health team; specifically the Housing and Planning Act 2016 had introduced amendments to the Housing Act 2004 to allow local authorities to impose a financial penalty for certain offences under the Housing Act as an alternative to criminal prosecution. The same legislation had also introduced the ability for Councils to issue Rent Repayment Orders which could be used in circumstances like when a landlord had failed to comply with a legal Notice from the Council to undertake certain works or where the landlord had carried out an illegal eviction or had harassed their tenants. The third change in recent years had been the introduction of the Energy Efficiency Regulations 2015 which came into effect on 1 April 2018 and introduced minimum standards of energy efficiency for private rented properties. The report recommended the adoption of the three policies which would be incorporated within the Council's Environmental Health Enforcement Policy 2017 and the Corporate Enforcement Policy.
- 108.3 It was also proposed that the Council included the option to impose financial penalties as an alternative to prosecution for the Regulation of Housing Standards and the licensing of Houses in Multiple Occupation. In that regard, it was common practice to offer discounts to encourage the prompt payment of penalties and those were set out at Paragraph 2.3 of the report. Payments by instalments of up to 10 monthly direct debits was possible and any income received from a financial penalty could be retained by the Council provided it was used to further the local housing authority's statutory functions in relation to its enforcement activities. However, income generation would never be a driving force for the use of enforcement powers as the most important thing was to raise standards in the private rented sector.
- 108.3 A Member questioned why the three case reviews had been included in the Financial Penalties for Housing Offences – Civil Penalty Policy without any information about them like whether they had gone through the Courts, whether fines had been issued etc. In response, the Interim Environmental Health Manager advised that the case reviews were examples rather than being actual cases which were being taken locally.
- 108.4 Accordingly, it was

**RESOLVED:**

1. That the three policies be **ADOPTED**:
  - Civil Penalty Policy.
  - Rent Repayment Order Policy.
  - Minimum Energy Efficiency Standards in Privately Rented Homes Policy.

2. That authority be delegated to the Head of Community Services, in consultation with the Borough Solicitor, to issue financial penalties as set out within the policies.

## **EX.109 TREASURY AND CAPITAL MANAGEMENT**

- 109.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 149-153, advised the Committee of a grant which had been awarded to the Council by the Department for Business, Energy and Industrial Strategy (BEIS) to deliver a replacement heating system. Members were asked to accept the grant award, as detailed within the report, and to delegate authority to the Head of Finance and Asset Management to enter into any necessary documentation in respect of the grant award.
- 109.2 The Head of Finance and Asset Management explained that the current heating system was past its best. Given the age and inefficiency of the current gas powered heating system at the Council Offices, the replacement of the system was given a high priority within the detailed Climate Change and Carbon Reduction Audit Action Plan and a target of replacement was set for 2022 - it was envisaged that the cost of replacement would be met by the Council's Asset Management Reserve. The application to BEIS had assessed a reduction in the carbon tonnage consumed by the Council Offices of over 92 tonnes per year which represented a reduction of 78% on the current annual gas consumption and, to enable those works, a bid for £304,200 had been made to the fund. Given the high profile of climate change neutrality in public sector organisations, the £1 billion scheme was heavily oversubscribed and the Council's initial application was frozen but, after further due diligence on the applications, BEIS had realigned some awards and the Council's application had now been earmarked for funding. Subject to a final feasibility report, it was anticipated that the Council would tender for a works contract in April with installation completed by early autumn. In addition to the Council's own Officers the project would be supported by project managers previously employed on the leisure centre construction and office refurbishment to ensure the project was delivered on time and within budget. Since writing the report, the initial consultant's report on the preferred heating system had been completed and an air source heat pump, rather than ground source, had been recommended. Officers were currently in consultation with BEIS to ensure it would continue to support the Council's project.
- 109.3 A number of Members expressed concern about the use of an air source heat pump; they had understood the preference had been for a ground source heat pump which, although more costly to install, cost less to run as they did not require as much maintenance as an air source heat pump. In response, they were advised that the feasibility study had shown that, taking account of the Council Offices building and its usage, an air source heat pump would be more efficient in this instance. The report was based on the actual location, rather than the previous desktop exercise, and the distance from the car park to the building meant there would be a lot of heat loss and therefore the overall efficiency would be less when the ground source heat pump was properly modelled. The BEIS funding was relevant to the carbon savings so a ground source heat pump would only be partially covered and the air source heat pump would be covered by the majority of the funding. A Member noted that the Climate Change and Flood Risk Management Group had recently received a presentation which had stated that a ground source heat pump would be preferred, and his own investigations had also shown them to be more efficient, so he questioned whether the Council would gain the same carbon savings with an air source heat pump. In response, the Asset Manager explained that in an ideal world the location of the pump would be near



the building and, in the early stages, it had been hoped this would be the case. However, the detailed feasibility study on the building, taking account of its heating needs, the layout of the building, losses of heat etc., meant the efficiency saving for an air source heat pump was far greater than the ground source heat pump in this particular situation with 84 tonnes of carbon savings. There would be cost and efficiency savings but, in addition, Officers were looking at the installation of more photovoltaics – whilst this was not a primary element for the Public Sector Decarbonisation Scheme funding it would be investigated as part of the business case for savings on energy costs. A Member indicated that 84 tonnes of carbon savings was good even though it was less than previously stated and he would be happy to propose that the grant should be accepted. He questioned whether some kind of time lapse video information would be possible to show how the pump was installed etc. In response, the Asset Manager undertook to speak to the communications team about how to document the process; he was of the view that a video would be difficult due to the way the system was installed but he felt sure there was something that could be done.

109.4 Another Member indicated that the heat pump would cost a considerable amount of money and he questioned what would happen if BEIS would not pay the grant for an air source heat pump. He also indicated that, when the report had initially been made to the Climate Change and Flood Risk Management Group, he had undertaken a lot of his own research and had noted that the British climate was difficult for air source heat pumps as it did not have the ideal temperatures needed and as such meant they were not usually as efficient. In response, the Head of Finance and Asset Management explained that the amount of rods needed for a ground source heat pump would mean the cost was too high for the grant funding being provided so the Council would have to use a lot of its Asset Management Reserve to make up the shortfall. The draft consultant report would be concluded shortly and Officers could then send that to Members for information. It was the case that ordinarily ground source heat pumps gave the best efficiency if they could be located near to a building but this was not the case in this instance. A ground source heat pump would give 60 tonnes of carbon savings and would run at a 26% reduction in carbon emissions; a water source heat pump would save 75 tonnes which was a 30% reduction and an air source heat pump would give 80 tonnes of carbon savings which was a 32% reduction. The company that had been commissioned to undertake the work had a great deal of information from a feasibility and information point of view – they had also looked at some hybrids of systems but had found they would not be cost efficient or provide the necessary carbon savings. In terms of the Asset Management Reserve, the amount was in excess of £400,000 – the BEIS grant would not cover the back up boiler system so some of the reserve would be required for that. Until the tenders were received, it was not known what the exact costs would be although it was estimated that around £60,000 may have to come from reserves.

109.5 Members continued to express their disappointment that the information provided now was different to that previously given to the Climate Change and Flood Risk Management Group and Officers confirmed that the information was now based on the actual location and use of the Council Offices rather than on a desktop study using the ideal scenario. It was also confirmed that BEIS required a great deal of information about the project moving forward to ensure the Council was getting value for money as well as making the carbon reductions that would be expected from the scheme, as such it was essential the Council made sure it was getting the best output from the system that was put in. It was for that reason that consultants with a wealth of experience in this field had been engaged. In response to an earlier comment about the temperature in the UK, the Asset Manager confirmed that air source heat pumps did become less efficient in colder weather but this had been taken into account within the feasibility study. One of the reasons that BEIS was being consulted about the use of the grant for an air source heat pump was

that it could be run in reverse to cool the building and this was something BEIS had expressed concerns about – there were ways the system could be stopped from doing that and those were being explored. If BEIS would not support the grant for an air source heat pump, the issue would have to be reconsidered by Officers and brought back to Members to agree a way forward. In terms of a query regarding whether the amount of electricity used, and the amount of carbon expended to produce that electricity, was taken into account in the calculations, the Asset Manager confirmed that the consultants had a sophisticated modelling system which was used to measure costs. Baseline data had been compiled using bills and current consumption levels and the modelling showed where the energy costs would be. Another Member queried whether an existing Officer would undertake the role of accountable officer to ensure compliance with the grant conditions and also why the air source heat pump could not be used to cool the building as she felt this was very much needed in the warmer months. In response, the Head of Finance and Asset Management confirmed that he would be the accountable officer. In terms of the air conditioning element of the system, this was not as efficient which was the reason BEIS may not be supportive; however, it may support the system with regulators to ensure it could not be run in that way and the Council would obviously have to consider that if it was the way to gain the funding.

109.6 It was proposed and seconded that the grant funding should be accepted and authority delegated to the Head of Finance and Asset Management to enter into any necessary documentation in respect of the grant award. Accordingly, it was

- RESOLVED:**
1. That the grant award, as detailed within the report, be accepted.
  2. That authority be delegated to the Head of Finance and Asset Management to enter into any necessary documentation in respect of the grant award.

## **EX.110 FORMAL COMPLAINTS POLICY**

110.1 The report of the Head of Corporate Services, circulated at Pages No. 154-157, provided the Committee with details of the formal complaints review, the new 'Have your Say' approach and how the new digital platform would help the Council to ensure feedback from customers was responded to appropriately. The report and policy had been presented to the Overview and Scrutiny Committee which had endorsed the proposals and Members were asked to approve the 'Have your Say' approach and formal Complaints Policy.

110.2 The Corporate Services Manager advised that the current Complaints Policy had been introduced in 2016 and it was felt prudent to carry out a review at this stage. The Council received a low number of complaints each year which indicated that, on the whole, its customers were satisfied with how the Council ran its services; however, the complaints review now proposed new ways for customers to provide feedback to ensure all issues were being captured. The 'Have your Say' approach had been put forward following a discussion with Members of the Overview and Scrutiny Committee when it had been agreed that introducing more ways for customers to feed back to the Council would provide a clear picture of residents' satisfaction as well as preventing some issues which were currently logged as formal complaints being treated more as a service issue. One of the Overview and Scrutiny Committee Members had put forward the suggestion of introducing the four Cs – compliments, comments, concerns and complaints – which was successfully used within the NHS. The four Cs were described in the document attached at Appendix 1 to the report and would support the 'Have your Say' approach information on the Council's website. The only feedback channel that required a formal policy was complaints and the new policy was attached to the

report at Appendix 2. This was largely based on the previous policy but had been updated for the new digital platform and set out what people could expect from the process once a formal complaint was made.

110.3 Referring to the Council's new digital platform, the Corporate Services Manager explained that the flexibility offered within it would be extremely helpful to the Council. It would automate the complaint allocation process and allow access to a large number of reports about complaints so they could be properly analysed and information provided to Members more accurately about complaints within their Wards. She advised that the report had been presented to the Overview and Scrutiny Committee in February where Members had endorsed the four C's and welcomed the improvements that would come with the new digital platform. If the report was approved by the Executive Committee it would be implemented in May in line with the timescale for the new digital platform.

110.4 Members felt the new approach would be a great improvement, providing effective communication both for residents and Members. It was also noted that the digital platform would create a resource within the Customer Services team which would become available to help residents that did not wish to access online services. Accordingly, it was

**RESOLVED:** That the proposed 'Have your Say' approach and formal complaints policy be **APPROVED**.

#### **EX.111 SEPARATE BUSINESS**

111.1 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.

#### **EX.112 SEPARATE MINUTES**

112.1 The separate Minutes of the meeting held on 3 March 2021, copies of which had been circulated, were approved as a correct record.

#### **EX.113 TRADE / COMMERCIAL WASTE SERVICE BUSINESS CASE**

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

113.1 The Committee considered the report and agreed the way forward for developing the trade/commercial waste service.

The meeting closed at 5:20 pm

**EXECUTIVE COMMITTEE FORWARD PLAN 2021/22**

**REGULAR ITEM:**

- **Forward Plan – To note the forthcoming items.**

<b>Committee Date: 2 June 2021</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
<b>Call for Evidence on Remote Meetings.</b>	<b>To agree a response to the call for evidence on remote meetings.</b>	<b>Head of Democratic Services.</b>	<b>No.</b>
<b>Community Governance Review.</b>	<b>To consider.</b>	<b>Head of Democratic Services.</b>	<b>No.</b>
<b>Decision Taken Under Urgency Powers – Heritage Action Zone Funding.</b>	<b>To note the decision taken under urgency powers.</b>	<b>Chief Executive.</b>	<b>No.</b>
<b>Welcome Back Fund.</b>	<b>To delegate authority for the spending of the fund.</b>	<b>Community and Economic Development Manager.</b>	<b>No.</b>
<b>Confidential Item: Financial Support for Crown Close Redevelopment by Rooftop Housing.</b>	<b>To consider a proposal from Rooftop and, pending planning approval, support the use of the commuted sums funding for the Crown Close Development.</b>	<b>Housing Services Manager.</b>	<b>No.</b>
<b>(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).</b>			

6

Agenda Item 6

<b>Committee Date: 7 July 2021</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Outturn Report (including Capital Financing and Earmarked Reserves) (Annual).	To consider the Council's financial outturn.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Four 2020/21.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter four performance management and recovery information.	Head of Corporate Services.	No.
<b>A417 Missing Link Development Consent Order.</b>	<b>To consider the Consent Order.</b>	<b>Head of Development Services.</b>	<b>No.</b>
<b>Tewkesbury Shop Front Design Guidance Supplementary Planning Document (SPD).</b>	<b>To agree the document for the purposes of consultation.</b>	<b>Planning Policy Manager.</b>	<b>No.</b>
<b>Heritage Strategy.</b>	<b>To seek approval for consultation</b>	<b>Planning Policy Manager.</b>	<b>No.</b>

**Committee Date: 1 September 2021**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Update – Quarter One 2021/22.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
<b>Proceeds of Crime and Anti-Money Laundering Policy.</b>	<b>To approve the Money Laundering Policy following a recommendation from the Audit and Governance Committee.</b>	<b>Head of Corporate Services.</b>	<b>Yes – Moved from June meeting to enable consideration by the Audit and Governance Committee in July.</b>
Internet and Social Media Investigation Policy.	To approve the Internet and Social Media Investigation Policy following a recommendation from the Audit and Governance Committee.	Head of Corporate Services.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.

(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).

11

<b>Committee Date: 6 October 2021</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter One 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter one performance management and recovery information.	Head of Corporate Services.	

<b>Committee Date: 17 November 2021</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Financial Update – Quarter Two 2020/21.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			



**Committee Date: 5 January 2022**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Medium Term Financial Strategy (Annual).	To recommend to Council the adoption of the five-year MTFs which describes the financial environment the Council is operating in and the pressures it will face in delivering its services and a balanced budget over the period.	Head of Finance and Asset Management.	No.
Housing Strategy Monitoring Report (Annual).	To approve the Housing Strategy Monitoring Report.	Housing Services Manager.	No.
Treasury and Capital Management (Annual)	To approve and recommend approval to Council, a range of statutorily required polices and strategies relating to treasury and capital management.	Head of Finance and Asset Management.	No.

14

**Committee Date: 2 February 2022**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Budget 2022/23 (Annual).	To recommend a budget for 2022/23 to the Council.	Head of Finance and Asset Management.	No.
Financial Update - Quarter Three 2021/22.	To consider the quarterly budget position.	Head of Finance and Asset Management.	No.
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Two 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter two performance management and recovery information.	Head of Corporate Services.	No.
Confidential Item: Irrecoverable Debts Write-Off Report (Quarterly).	To consider the write-off of irrecoverable debts.	Head of Corporate Services.	No.
(To be considered in private because of the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)).			

15

<b>Committee Date: 2 March 2022</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>

<b>Committee Date: 30 March 2022</b>			
<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Lead Officer</b>	<b>Has agenda item previously been deferred? Details and date of deferment required</b>
Council Plan Performance Tracker and COVID-19 Recovery Tracker – Quarter Three 2021/22.	To receive and respond to the findings of the Overview and Scrutiny Committee's review of the quarter three performance management and recovery information.	Head of Corporate Services.	No.
Council Plan 2020/24 Refresh (Annual).	To consider the Council Plan and make a recommendation to Council.	Head of Corporate Services.	No.
High Level Service Plan Summaries (Annual).	To consider the key activities of each service grouping during 2021/22.	Head of Corporate Services.	No.

**PENDING ITEMS**

<b>Agenda Item</b>	<b>Overview of Agenda Item</b>	<b>Date Item Added to Pending</b>
Spring Gardens Regeneration Phase 1a report.	To agree the recommendation of the preferred option for the regeneration of Spring Gardens.	4 September 2019
Parking Strategy Review.	To consider the recommendations from the Overview and Scrutiny Committee.	6 January 2020
Parking Strategy Review.	To consider the statutory responses to the Parking Strategy Review.	6 January 2020
Council Plan 2020/24 Refresh (Annual).	To consider the Council Plan and make a recommendation to Council.	3 February 2021
COVID-19 Corporate Recovery Plan Refresh	To consider the COVID-19 Corporate Recovery Plan.	3 February 2021

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	2 June 2021
<b>Subject:</b>	Local Authority Remote Meetings: Government Call for Evidence
<b>Report of:</b>	Head of Democratic Services
<b>Corporate Lead:</b>	Borough Solicitor
<b>Lead Member:</b>	Leader of Council
<b>Number of Appendices:</b>	None

**Executive Summary:**

Following the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 enabling meetings to be held remotely, the government has issued a consultation paper entitled 'Local Authority Remote Meetings: Call for Evidence'. This report provides details of the consultation with some suggested responses for consideration based on the experiences of the last year.

**Recommendation:**

**To CONSIDER and APPROVE the response, if any, to be made to the consultation entitled Local Authority Remote Meetings: Call for Evidence.**

**Reasons for Recommendation:**

To enable Members to consider a response to the consultation on remote meetings.

**Resource Implications:**

N/A.

**Legal Implications:**

None specifically relating to this report.

**Risk Management Implications:**

N/A.

**Performance Management Follow-up:**

N/A.

**Environmental Implications:**

There are environmental benefits to be derived from remote meetings particularly in relation to reduced travel.

**1.0 INTRODUCTION**

- 1.1** In response to the pandemic, the government introduced the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which allowed for all Council meetings to be held remotely. These regulations came into force on 4 April 2020 and applied to meetings taking place before 7 May 2021.
- 1.2** The regulations were made under powers granted by section 78 of the Coronavirus Act 2020 and were brought in specifically to make express provision for local authorities in England, Wales and Northern Ireland to deal with the challenges of holding physical meetings during the coronavirus pandemic.
- 1.3** On 25 March 2021, the government published a consultation paper – Local Authority Remote Meetings: Call for Evidence - which asks a series of questions intended to understand the experience of local authorities regarding remote meetings. The consultation runs until 17 June.

**2.0 BACKGROUND**

- 2.1** While local authorities in Scotland had express provision to meet remotely prior to the coronavirus pandemic, there was no express provision for remote meetings, including hybrid meetings, for local authorities in England, Wales and Northern Ireland. In 2017, the government consulted on proposals to allow Joint Committees and combined authorities to hold meetings by video conference given the long distances that individual Councillors often need to travel in order to attend these meetings.
- 2.2** The government concluded that, with appropriate safeguards to maintain town hall transparency, there were clear benefits to giving local authorities operating Joint Committees and combined authorities the ability to hold formal meetings by video conference. These safeguards included not extending the provisions to cover other types of Councils and that remote access should only be permissible from sites suitable for holding a meeting with public access, as there was a risk of undermining visible democratic scrutiny and public debate.
- 2.3** The Association of Democratic Services Officers (ADSO) took a case to the High Court on the basis that the Local Government Act 1972 could be interpreted to allow virtual meetings. However, the Court ruled that local authority meetings must be open to the public in a physical sense. References in the Act to a meeting being ‘open to the public’ or ‘held in public’, in the Court’s view, meant the physical attendance by the public. The Court concluded that primary legislation would be required to enable virtual/hybrid meetings to be held.
- 2.4** As local authorities have now had extensive experience of conducting remote meetings over the past year, the call for evidence is an opportunity to understand these experiences and inform a decision about whether to make some permanent arrangements. Any permanent change would require primary legislation and the timescale would depend on the agreement of Parliament and the timetabling and pressures of Parliamentary business.

### 3.0 REMOTE MEETINGS AT THE COUNCIL

3.1 The last face-to-face meeting was the Planning Committee on 17 March 2020. Following this, investigations were undertaken to determine a suitable platform for the conduct of remote meetings, which included a number of county group meetings and testing of different platforms, from which it was concluded with IT colleagues that Zoom would best meet the requirements of the Council. From 17 March to 18 May all meetings were cancelled. On 19 May the first broadcast meeting on Zoom took place which was a meeting of the Planning Committee. Since that time, up to week ending 19 May 2021, there have been 47 Committee/Council meetings and 45 Working Groups/Panels on Zoom.

### 4.0 THE CONSULTATION DOCUMENT

4.1 The consultation document poses a series of questions which are set out below together with some suggested responses for consideration:

1. Generally speaking, how well do you feel the current remote meetings arrangements work?

- Very well
- Well
- Neither well nor poorly
- Poorly
- Very poorly
- Unsure

*Whilst there were some initial teething problems with access and the technology, as this was a steep learning curve for all involved, the remote meetings have worked well and have enabled the Council to continue to conduct its business throughout the pandemic.*

2. Generally speaking, do you think that local authorities in England should have the express ability to hold at least some meetings remotely on a permanent basis?

- Yes
- No
- Unsure

*Yes, as it provides the flexibility to meet future challenges should the circumstances warrant the need for further remote (including hybrid) meetings.*

3. What do you think are some of the benefits of the remote meetings arrangements? Please select all that apply.

- More accessible for local authority Members - *The Borough covers an area of 160 square miles with all face-to-face meetings taking place at the Council Offices in Tewkesbury which can involve car journeys of 30-45 minutes one way at peak travel times.*
- Reduction in travel time for Councillors – *As above.*

- Meetings more easily accessed by local residents – *At its peak 89 people viewed an application being debated by the Planning Committee which is in excess of the number that could be accommodated at the Council Offices. However, it is also the case that webcasting our normal meetings could have the same effect.*
  - Greater transparency for local authority meetings – *As above.*
  - Documents (e.g. minutes, agendas, supporting papers) are more accessible to local residents and others online – *All such paperwork has been available online prior to the pandemic.*
  - Easier to chair meetings in an orderly fashion – *Chairs have found it more difficult not being able to see all Members and relying on the raise your hand method featured within Zoom.*
  - A virtual format promotes greater equality in speaking time during meetings – *There is no evidence to support this being any different to face-to-face meetings.*
  - I do not think there are any benefits to remote meetings – *See above.*
  - Other (please specify) – *Hybrid meetings in particular will provide the opportunity for Officers and Members not to travel to the office for meetings. This could potentially remove barriers for both Members and Officers, for example, in relation to the need to have a car available and meeting personal commitments in relation to caring responsibilities. In terms of officer recruitment, it potentially increases the field in which to attract applications if attendance at meetings in person is not required and home working is encouraged. In terms of the public, invited speakers, advisers from outside bodies, trainers and consultants' there are potentially reduced costs and increased convenience of joining meetings virtually. There are also environmental benefits to be gained from reduced car travel in terms of the climate change agenda.*
4. Have you seen a reduction in costs since implementing remote meetings in your authority?
- Yes
  - No
  - Unsure

*In terms of travel in the year 2020/2021 only £92.34 was spent on Member travel from the budget of £9,500, giving a saving of £9,407.66. A further £623 was saved in April 2021 against a profiled budget for 2021/2022. However, increased manpower resources are necessary in terms of dedicated IT support.*

5. What do you think are some of the disadvantages of the remote meetings arrangements, and do you have any suggestions for how they could be mitigated/overcome?
- It is harder for Members to talk to one another informally – *This has been a cause for concern amongst some Members who have found the inability to gauge the 'mood in the room' and informally meet to discuss a way forward on a matter to be a barrier to the efficient conduct of a meeting.*
  - Meetings are less accessible for local authority Members or local residents who have a poor-quality internet connection – *There have been problems for some Members with internet connections and internet*



*dropping out intermittently. Remote, including hybrid meetings, are entirely reliant on the technology working both in terms of participation and broadcast which in itself presents risks.*

- Meetings are less accessible for local authority Members or local residents who are unfamiliar with video conferencing/technology – *Members have embraced the use of new technology and have received excellent support from IT staff but for some it has been challenging. For those Members of the public who do not have access to new technology there is a clear barrier to their participation.*
- There is less opportunity for local residents to speak or ask questions – *Arrangements for public participation have been made via Zoom with back-up plans in place to cater for any technical issues, however, we have experienced problems with telephone access to meetings resulting in participants being unable to be heard and speeches having to be read by Officers.*
- Some find it more difficult to read documents online than in physical format – *Members are supplied with hard copies of papers and this would apply to the public upon request. Where the provision of physical papers has not been an option it has been difficult to participate in the meeting and to simultaneously read relevant papers electronically.*
- Debate is restricted by the remote format – *Evidence to date does not support this; debate has taken place to the same level as face-to-face meetings.*
- It is more difficult to provide effective opposition or scrutiny in a remote format – *As above.*
- It is more difficult to chair meetings in an orderly fashion – *Whilst meetings have been well chaired, there have been challenges and added difficulties for remote chairs, as detailed above, in relation to not being able to see all participants, keep track of raised hands, refer to notes, discreetly seek Officer advice etc.*
- Virtual meetings can be more easily dominated by individual speakers – *There is no evidence to support that this is any different to face-to-face meetings and is dependent upon individual chairs.*
- It might enable democratically elected Members to live and perform their duties outside their local area on a permanent basis, therefore, detaching them from the communities they serve – *There is no evidence to support this view. Participation at public meetings is only one of the roles and responsibilities of Councillors.*
- It may create too substantial a division between the way national democracy (e.g. in the House of Commons) and local democracy is concluded – *No comment.*
- I do not think there are any disadvantages to remote meetings – *See above.*
- Other (please specify).

6. What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?
- *the opportunity to gauge the mood of the meeting.*
  - *informal discussion between Member Groups etc.*
  - *personal interaction between Members and the public.*
  - *ease of seeking Officer advice.*
7. If permanent arrangements were to be made for local authorities in England, for which meetings do you think they should have the option to hold remote meetings?
- For all meetings.
  - For most meetings with a few exceptions (please specify).
  - Only for some meetings (please specify).
  - I think local authorities should be able to decide for themselves which meetings they should have the option to meet remotely.
  - I do not think local authorities should have the option to hold remote meetings for any meetings.
  - Unsure.

*Local Authorities are diverse bodies and there is no one size fits all, therefore, it should be for each authority to decide for themselves which meetings they should have the option to meet remotely to best meet the needs of the communities they serve.*

8. If permanent arrangements were to be made for local authorities in England, in which circumstances do you think local authorities should have the option to hold remote meetings?
- In any circumstances
  - Only in extenuating circumstances where a meeting cannot be held face-to-face or some members would be unable to attend (e.g. severe weather events, coronavirus restrictions)
  - I think local authorities should be able to decide for themselves which circumstances they should have the option to meet remotely.
  - I do not think local authorities should have the option to hold remote meetings under any circumstances
  - Other (please specify)
  - Unsure

*As above local authorities are all very different in terms of diversity, community, geographical area etc. and therefore should be able to decide for themselves which circumstances they should have the option to meet remotely, which could be any circumstances.*

9. Would you have any concerns if local authorities in England were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

- Yes
- No
- Unsure

*No, local authorities are best placed to make decisions which best meet the needs of their communities.*

10. If Yes, do you have any suggestions for how your concerns could be mitigated/overcome?

*N/A, however, if there were concerns that remote meetings could lead to a majority group avoiding scrutiny or abusing power in some way, the legislation could provide some intervention powers to be enacted should this occur.*

11. In your view, would making express provision for English local authorities to meet remote particularly benefit or disadvantage any individuals with protected characteristics e.g. those with disabilities or caring responsibilities?

- Yes
- No
- Unsure

*There have been challenges associated with remote meetings particularly in relation to technology but generally these have been overcome with individual arrangements i.e. IT support being available on a dedicated basis.*

## **5.0 OTHER OPTIONS CONSIDERED**

5.1 None.

## **6.0 CONSULTATION**

6.1 None.

## **7.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

7.1 None.

## **8.0 RELEVANT GOVERNMENT POLICIES**

8.1 None.

## **9.0 RESOURCE IMPLICATIONS (Human/Property)**

9.1 None.

**10.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**10.1** Included in report.

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

**11.1** Included in report.

**12.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**12.1** None.

---

**Background Papers:** Local Authority Remote Meetings: Call for Evidence – published 25 March 2021.

**Contact Officer:** Head of Democratic Services Tel: 01684 272020.  
Email: [lin.obrien@tewkesbury.gov.uk](mailto:lin.obrien@tewkesbury.gov.uk)

**Appendices:** None.

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	2 June 2021
<b>Subject:</b>	Community Governance Review
<b>Report of:</b>	Head of Democratic Services
<b>Corporate Lead:</b>	Borough Solicitor
<b>Lead Member:</b>	Lead Member for Corporate Governance
<b>Number of Appendices:</b>	One

**Executive Summary:**

To seek approval for the commencement of a Borough-wide Community Governance Review.

**Recommendation:**

- 1) **To agree to the commencement of a Borough-wide Community Governance Review.**
- 2) **To approve the draft Terms of Reference attached at Appendix 1.**
- 3) **To establish a Community Governance Review Working Group consisting of seven Members; Group Leaders to nominate Members with authority being delegated to the Borough Solicitor, in consultation with the Leader of the Council, to determine the membership of the Working Group.**

**Reasons for Recommendation:**

It is nearly 20 years since the last Parish Review was undertaken and changes as a result of the Tewkesbury (Electoral Changes) Order 2018, together with extensive development in the Borough, necessitate a review, to ensure that the arrangements meet the needs of the community.

**Resource Implications:**

There may be some minimal costs associated with the consultation and mapping of proposals.

**Legal Implications:**

Included within the report.

**Risk Management Implications:**

None anticipated.

**Performance Management Follow-up:**

A detailed programme is included in the Terms of Reference.

**Environmental Implications:**

None.

## **1.0 INTRODUCTION**

- 1.1** Community Governance Reviews provide the opportunity for Principal Councils to review and make changes to community governance within their areas. A Community Governance Review enables strong, clearly defined boundaries to be put into place, which reflect local identities and facilitate effective and convenient local government. The guidance on Community Governance Reviews states that it is good practice for a Principal Council to consider conducting a review every 10-15 years as well as in circumstances where there has been significant new housing development.

## **2.0 BACKGROUND**

- 2.1** The last full review of Parish arrangements took place in 2002/03 following the Borough of Tewkesbury (Electoral Changes) Order 2001 which had the effect of creating a number of anomalies between Borough and Parish Wards.
- 2.2** At the time of the last review, the relevant legislation was contained within the Local Government and Rating Act 1997 and the power to implement a review rested with the then Office of the Deputy Prime Minister.

## **3.0 CURRENT LEGISLATION**

- 3.1** The Local Government and Public Involvement in Health Act 2007 devolved the power to take decisions about matters such as the creation of Parishes and their electoral arrangements to local authorities.
- 3.2** Councils have the responsibility to undertake Community Governance Reviews and are able to decide whether to give effect to recommendations made in those reviews save that any consequential recommendations for related alterations to the electoral areas of Principal Councils require approval of and implementation by the Local Government Boundary Commission for England (LGBCE). In addition, any Parish electoral arrangements that had been included in an LGBCE review are protected and require the consent of the LGBCE before any Order implementing changes can be made.
- 3.3** In relation to any consequential changes to Borough Ward boundaries, the LGBCE would expect to see that specific consultation had been undertaken on Ward/Division boundaries as well as the Parish boundaries themselves. The LGBCE can only accept or reject the requested related alterations. Accordingly, if there are changes to Ward boundaries which are likely to have a significant impact on the electoral equality of the affected Borough Wards, the LGBCE may not support these.

## **4.0 THE CASE FOR A COMMUNITY GOVERNANCE REVIEW TO BE UNDERTAKEN**

- 4.1** The LGBCE undertook a review of the Borough Wards in 2017/18 which took effect in 2019. Whilst the LGBCE did not carry out a review of the Parish and Town Councils there were some consequential changes to the warding arrangements of the Parish/Town Councils of Bishop's Cleeve, Brockworth, Churchdown and Tewkesbury.

- 4.2** The review has, in particular, highlighted an anomaly at Wheatpieces which has caused some concern to the public. The current phase of development at the Wheatpieces has a boundary line running through it which means that part of the development is in the Parish of Wheatpieces and the remainder is in the Parish of Ashchurch Rural. For Borough Ward purposes, Wheatpieces falls within Tewkesbury East and Ashchurch Rural falls within Isbourne. In terms of community identity, the development clearly looks to Wheatpieces and has a greater affinity to the Tewkesbury East Ward than Isbourne Ward which is made up of a number of smaller rural Parishes.
- 4.3** As previously indicated Government guidance states that it is good practice to conduct a full review every 10-15 years whereas the last review of the Borough's parishes was undertaken nearly 20 years ago. During that period there has been significant development resulting in population changes and shifts in natural settlements caused by new development. This can be highlighted by the concerns raised by residents in relation to the Longford/Innsworth parish boundary where residents in the Parish of Innsworth believed that when purchasing their houses they were in the Parish of Longford and feel they have more affinity with Longford and have to travel to get to their polling station in Innsworth when the one in Longford is on their doorstep.

## **5.0 THE PROCESS**

- 5.1** The 2007 Act requires Councils to determine the Terms of Reference under which a Community Governance Review is to be undertaken. Draft Terms of Reference are attached at Appendix 1 and must set out clearly the matters on which a Community Governance Review is to focus.
- 5.2** There is also a requirement to consult both those local government electors in the area under review, and other bodies which appear to have an interest in the review such as the County Council and existing Parish Councils. Any representations received must be taken into account as part of the review.

The steps to be undertaken in this case would be as follows: -

- Inform interested parties of the Review, its subject matter and time limit for making representations.
- Consider all representations – it would be the intention to establish a Member Working Group to undertake the task. Group Leaders would be invited to put forward names of Members interested in being on the Group up to a maximum of seven members, with authority being delegated to the Borough Solicitor, in consultation with the Leader of the Council, to determine the membership of the Group.
- Working Group to prepare draft recommendations for approval by the Executive Committee for consultation.
- Following consultation, all representations to be considered by Council and final recommendations approved for the Order implementing the changes to be made.

## **6.0 TIMESCALE**

- 6.1** The review would commence in June 2021 and must, in accordance with the legislation, be completed within a period of 12 months.

Contact has been made with the LGBCE to ascertain their timescale to achieve implementation by May 2023 and they have indicated as follows: -

- Parish changes requiring the Commission's consent – May/June 2022.
- Consequential changes to Borough Ward Boundaries – September 2022.

## **7.0 OTHER OPTIONS CONSIDERED**

**7.1** It is possible to undertake a partial review, but this is not recommended as it does not allow the whole picture to be taken into account.

**7.2** The electorate has the ability to petition the Council to address specific anomalies should the Council choose not to undertake a Borough-wide review. This would not provide a Borough-wide examination of community governance.

## **8.0 CONSULTATION**

**8.1** Full details of the consultation to be undertaken is included in the draft Terms of Reference.

## **9.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**9.1** None.

## **10.0 RELEVANT GOVERNMENT POLICIES**

**10.1** None.

## **11.0 RESOURCE IMPLICATIONS (Human/Property)**

**11.1** None.

## **12.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**12.1** None.

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

**13.1** None.

## **14.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**14.1** None.

---

**Background Papers:** The Local Government Boundary Commission for England – Guidance on Community Governance Reviews

The Local Government and Public Involvement in Health Act 2007

**Contact Officer:** Head of Democratic Services

**Appendices:** Draft Terms of Reference



## **COMMUNITY GOVERNANCE REVIEW OF THE TEWKESBURY BOROUGH**

### **TERMS OF REFERENCE**

#### **1. Introduction**

- 1.1 Tewkesbury Borough Council is carrying out a Boroughwide Community Governance Review (CGR) in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.
- 1.2 The Council is required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered when drawing up these Terms of Reference.

#### **2. What is a Community Governance Review?**

- 2.1 A CGR provides an opportunity to put in place strong, clearly defined boundaries, which reflect local identities and facilitate effective and convenient local government. It can take place for the whole or part of the Borough to consider one or more of the following:
  - (a) Creating, merging, altering or abolishing Parishes;
  - (b) The naming of Parishes and the style of new Parishes;
  - (c) The electoral arrangements for Parishes including:
    - the ordinary year of election;
    - the number of Councillors to be elected; and
    - the warding (if any) of the Parish.
  - (d) Grouping Parishes under a common Parish Council or de-grouping Parishes.
- 2.2 The Council is required to ensure that community governance within the area under review will be:
  - (a) reflective of the identities and interests of the community in that area; and
  - (b) effective and convenient.
- 2.3 In doing so, the CGR is required to take into account:
  - (a) The impact of community governance arrangements on community cohesion; and
  - (b) The size, population and boundaries of a local community or Parish.

### **3. Why undertake a Community Governance Review**

- 3.1 Following a review of Tewkesbury Borough Wards by the Local Government Boundary Commission for England, a number of changes were introduced in May 2018 as set out in The Tewkesbury (Electoral Changes) Order 2018. Whilst the Commission did not carry out a review of the Parish or Town Councils in the borough, they did agree some changes which amended the warding arrangements of the Parish/Town Councils of Bishop's Cleeve, Brockworth, Churchdown and Tewkesbury.
- 3.2 As the previous review amended warding arrangements to the four areas referred to in Paragraph 3.1 these are protected under the Local Government and Public Involvement in Health Act 2007. Any proposed changes to these areas require consent from the Local Government Boundary Commission for England before any order implementing the outcome of the CGR can be made. If consent is granted by the Commission, the Council can then request an alteration to deal with any consequential impact on Borough Wards. In relation to consequential changes to Borough Ward boundaries the Commission would wish to see that specific consultation had been undertaken on Ward/Division boundaries as well as the Parish boundaries themselves. The Commission can only accept or reject the requested related alterations. Accordingly, if there are changes to Ward boundaries which are likely to have a significant impact on the electoral equality of the affected Borough Wards, the Commission may not support these.
- 3.3 The Council also wishes to undertake a CGR for the whole of the Borough in response to suggestions made by some Parish/Town Councils and the electorate due to population changes and shifts in 'natural settlements' caused by new development.
- 3.4 Government guidance states that it is good practice to conduct a full CGR at least every 10 to 15 years. The Council therefore wishes to review the community governance of the Borough to ensure that there is clarity and transparency to the areas that Parish Councils represent and that the electoral arrangements of Parishes (the warding arrangements and the allocations of Councillors) are appropriate, equitable and understood by their electorate.

### **4. Who will undertake the Review?**

- 4.1 As the relevant principal authority, Tewkesbury Borough Council is responsible for conducting any CGR within its electoral area. The Executive Committee will oversee the review and produce draft and final recommendations; Council will approve the final recommendations which will be implemented by the making of a Community Governance Order.

- 4.2 The Council will appoint a Community Governance Review Working Group comprising of seven Members to consider representations and propose draft recommendations to the Executive Committee during the review process.

## **5. Areas under Review**

- 5.1 The whole of the Tewkesbury Borough area will be included in the CGR. The review will not automatically mean there will be changes but will examine whether there is a case for change. The Council is not seeking a particular solution at this stage. It wishes to test views and assess what solutions are the right ones to pursue with each individual Parish.

## **6. Scope of Review and Factors to be Considered**

- 6.1 The scope of the review will include: -
- the creation of a Parish.
  - the name of a Parish.
  - the establishment of a separate Parish Council for an existing Parish.
  - the alteration of boundaries of existing Parishes.
  - the abolition of a Parish.
  - the dissolution of a Parish Council.
  - changes to the electoral arrangements of a Parish Council.
  - whether a Parish should be grouped under a common Parish Council or de-grouped.
- 6.2 The following factors will be considered as part of assessing proposals within the scope of the review: -
- a strong, inclusive community and voluntary sector.
  - a sense of civic values, responsibility and pride.
  - a sense of place – a place with a ‘positive’ feeling for people and local distinctiveness.
  - reflective of the identities and interests of the community in that area.
  - effective and convenient.
  - the impact of community governance arrangements on community cohesion.
  - the size, population and boundaries of a local community or Parish.
  - people from different backgrounds having similar life opportunities.
  - people knowing their rights and responsibilities.

## **7. Consultation**

- 7.1 The Council is required to consult the local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account. The Council will also identify any other person or body who it feels may have an interest in the review and write to them inviting them to submit their views at all stages of the consultation.

7.2 Before making any recommendations or publishing final proposals, a full consultation process will form part of the review to take full account of the views of local people and other stakeholders. The Council will comply with the statutory consultative requirements by:

- (a) consulting local government electors for the area under review.
- (b) consulting any other person or body (including a local authority) which appears to the Council to have an interest in the review.
- (c) notifying and consulting Gloucestershire County Council.
- (d) taking into account any representations received in connection with the review.

7.3 The Council will publicise the review by displaying a notice at the Council Offices and on the Council’s website. The Council will also write to all Parish Councils or any other community or resident groups of which the Council is aware, the Gloucestershire Association of Local Councils, Borough Councillors and the relevant County Councillors, the MP’s and Gloucestershire County Council.

7.4 Information about each stage of the review will be published on the Council’s website with key documents available at:

Tewkesbury Borough Council Offices, Gloucester Road, Tewkesbury, Glos, GL20 5TT

Viewing of key documents at the Council Offices will need to take place by appointment only, as the Offices are currently closed due to the coronavirus pandemic. However, should all restrictions be lifted, the documents will be available to view in the Council’s reception area.

## 8. Indicative timetable for the Community Governance Review

8.1

Details	Dates
Commencement of CGR – Terms of Reference published	15 June 2021
Initial consultation stage	15 June 2021 – 15 September 2021
Draft recommendations prepared	October 2021 – November 2021
Draft recommendations published	December 2021
Consultation on draft recommendations	December 2021 – February 2022
Final recommendations prepared	March 2022 – April 2022
Final Recommendations considered and approved by Council	May 2022
Community Governance Order(s) made	August 2022
New community governance arrangements come into force	May 2023 local council elections

- 8.2 Any Community Governance Order made following a CGR should, for administrative and financial reasons (for example setting up a new Parish Council and arranging for its first precept) take effect on 1 April following the date on which the Order is made. Electoral arrangements will come into force at the first elections to any new Parish Council following the making of the Order.

## **9. Electorate Forecasts**

- 9.1 Existing Parish Ward electorate figures will be calculated from the June 2021 electoral register.
- 9.2 When the Council considers electoral arrangements for the Parish Councils in its area, it is required to consider any change in the number or distribution of electors which is likely to occur in the period of five years beginning with the day when the Review starts.
- 9.3 Electorate forecasts will be prepared using Planning Policy housing trajectory on known developments and the current Office for National Statistics average household size in the UK of 2.4, to produce five-year forecasts.

## **10. The present structure of Parish Councils and their electoral arrangements**

- 10.1 As well as electorate information, the following will also be included in an annex to the Terms of Reference:
- (a) Type of governance; e.g. Parish/Town Council, joint Council or Parish meeting.
  - (b) Current number of Parish Councillors.
  - (c) Ratio of current Councillors to electorate.
  - (d) Borough Ward.
  - (e) County Division.
  - (f) Current Parliamentary Constituency.

(NB: This will be appended to the final approved version of the Terms of Reference).

## **11. Consequential Matters**

- 11.1 When the required consultation has been undertaken, and the review completed, the Council may make an Order to bring into effect any decision that it may make taking account of the role of the Local Government Boundary Commission for England as set out in paragraph 3.2 above. If the Council decides to take no action, then it will not be necessary to make an Order.

- 11.2 If an Order is made it may be necessary to cover certain consequential matters in that Order. These may include:
- (a) the transfer and management or custody of any property.
  - (b) the setting of a precept (Council tax levy) for the new Parish Council.
  - (c) provision with respect to the transfer of any functions, property, rights and liabilities.
  - (d) provision for the transfer of staff, compensation for loss of office, pensions and other staffing matters.
- 11.3 The Council will also take into account the requirements of the Local Government Finance (New Parishes) Regulations 2008 when calculating the budget requirement of any new Parish Councils when setting the Council tax levy to be charged.

## 12. Representations

12.1 Tewkesbury Borough Council welcomes representations during the specified consultation stages as set out in the timetable from any person or body who may wish to comment or make proposals on any aspect of the matters included within the Review.

12.2 Representations may be made in the following ways:

Online: Using the online submission form at

.....

By Email: elections@teiwkesbury.gov.uk

By post: Electoral Services (CGR)  
Tewkesbury Borough Council  
Council Offices  
Gloucester Road  
Tewkesbury  
Glos  
GL20 5TT

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	2 June 2021
<b>Subject:</b>	Welcome Back Fund
<b>Report of:</b>	Head of Development Services
<b>Corporate Lead:</b>	Chief Executive
<b>Lead Member:</b>	Lead Member for Economic Development/Promotion
<b>Number of Appendices:</b>	None

**Executive Summary:**

This report outlines the purposes of the Welcome Back Fund. This funding builds on the Reopening High Streets Safely Fund announced in May 2020. The Welcome Back Fund provides Councils across England a share of the European Regional Development Fund (ERDF) to support the safe and continued return to high streets.

**Recommendation:**

- 1. To NOTE the government criteria for the use of the Welcome Back Fund.**
- 2. To delegate authority to the Head of Development Services, in consultation with the Leader of the Council, the decisions needed to develop and implement the action plan arising from the Welcome Back Fund. or subsequent funds, or vary it in response to circumstances which may arise as a consequence of the need to re-open the local economy safely, support social distancing or respond to business intelligence, including authority to enter into agreements, notices and other legal documents as necessary.**

**Reasons for Recommendation:**

- To support the business community and the local economy.
- To enable residents and visitors to utilise the High Streets within the Borough safely.
- To establish a swift and clear decision pathway so that decisions necessary to support this work can be made immediately, should the need arise.

**Resource Implications:**

Tewkesbury Borough has been awarded funding of £84,931 from the Welcome Back Fund as part of the £56m national scheme.

Local authorities will be able to spend money on eligible activities from 16 April and claim it back from the Ministry for Housing, Communities and Local Government (MHCLG) in arrears. The default position is that claims will be paid quarterly following submission of the standard claims template provided.

Costs associated with administering the grant will also be eligible for reimbursement up to 4% of the total grant value.

**Legal Implications:**

The scheme is detailed in the related government guidance and care must be taken to ensure that all of the requirements of the scheme are complied with and actioned accordingly to reduce and mitigate risks.

**Risk Management Implications:**

The Fund specifically deals with reducing the risk within the Borough's town centres, by implementing measures that will welcome back residents and visitors safely.

Unspent funds will be returned to MCLG.

**Performance Management Follow-up:**

Reporting will be through the Council performance tracker.

**Environmental Implications:**

Some measures may influence on the High street environment, and include environmental improvements.

**1.0 INTRODUCTION/BACKGROUND**

**1.1** In July 2020, the Executive Committee resolved to agree an action plan regarding the Re-opening the High Streets Safely Fund (RHSSF). The Council was awarded £84,931 to take this work forward. This work has, and will include a number of measures: environmental and public realm changes, business and public facing promotional, digital and communication campaigns, footfall cameras and an accessibility audit. These items are included within the RHSSF financial allocation.

**1.2** In April 2021, the government announced an extension to the RHSSF entitled the 'Welcome Back Fund' and has allocated Tewkesbury Borough Council a further £84,931. This fund has more flexibility and allows for work around support to promote a safe public environment for a local area's visitor economy, as well as to develop plans for responding to the medium term impact of COVID-19 including trialling new ideas where these relate to the High Street.

**2.0 WELCOME BACK FUND**

**2.1** The Welcome Back fund will allow the Council to put in place additional measures to create and promote a safe environment for local trade and tourism, particularly in High Streets as the local economy continues to reopen. These measures will form part of a revised Grant Action Plan. The existing RHSSF Grant Funding Agreement will be varied to take into account the new Welcome Back funding. The agreement will initially run until March 2022.



- 2.2** The fund can be used by local authorities to:
- Boost the look and feel of their High Streets by investing in street planting, parks, green spaces, and seating areas to make High Streets welcoming.
  - Run publicity campaigns and prepare to hold events that will boost footfall and encourage people back into the High Streets and thereby supporting local businesses.
  - Install and refresh signage and floor markings to encourage social distancing and safety.
  - Improve green spaces on High Streets and town centres by planting flowers or removing graffiti.
- 2.3** As part of drawing up plans for the next stage there will be engagement with the Parish/Town Councils in Bishop's Cleeve, Tewkesbury and Winchcombe. There will also be engagement with other key stakeholders such as the business community and Gloucestershire County Council. This engagement will involve creating and discussing various measures that could be introduced within the High Streets. Following this engagement, a revised Grant Action Plan will be produced outlining the measures planned. To enable the Council to implement measures quickly, it is then recommended that the Head of Development Services work with the Leader of the Council to finalise and implement the measures within the action plan.
- 3.0 OTHER OPTIONS CONSIDERED**
- 3.1** None.
- 4.0 CONSULTATION**
- 4.1** Engagement is being carried out with Gloucestershire County Council, the relevant Parish/Town Councils and the business community.
- 5.0 RELEVANT COUNCIL POLICIES/STRATEGIES**
- 5.1** This work specifically links into the Council's Recovery Plan.
- 6.0 RELEVANT GOVERNMENT POLICIES**
- 6.1** This government fund has been launched with a specific purpose in direct response to the need to support the local economy to re-open safely and welcome back residents and visitors.
- 7.0 RESOURCE IMPLICATIONS (Human/Property)**
- 7.1** As outlined within the report.

- 8.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**
- 8.1** The Fund will impact upon the local economy and bringing residents/visitors safely back into the borough's retail centres.
- 9.0 IMPACT UPON (Value For Money/Equalities/E-Government/Human Rights/Health And Safety)**
- 9.1** None.
- 10.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**
- 10.1** Re-Opening High Streets Safely Fund, Executive Committee 8 July 2020.

---

**Background Papers:** Re-Opening High Streets Safely Fund 8 July 2020.

**Contact Officer:** Community and Economic Development Manager Tel: 01684 272094  
Email: [andy.sanders@teWKesbury.gov.uk](mailto:andy.sanders@teWKesbury.gov.uk)

**Appendices:** None.

## TEWKESBURY BOROUGH COUNCIL

<b>Report to:</b>	Executive Committee
<b>Date of Meeting:</b>	2 June 2021
<b>Subject:</b>	Decision Taken under Urgency Powers – High Street Heritage Action Zone Funding
<b>Report of:</b>	Chief Executive
<b>Corporate Lead:</b>	Head of Development Services
<b>Lead Member:</b>	Lead Member for Community Lead Member for Economic Development/Promotion Lead Member for Built Environment
<b>Number of Appendices:</b>	One

**Executive Summary:**

The decision attached at Appendix one has been taken by the Chief Executive under the urgency powers set out in Part 3 of the Constitution. This report advises Members of the decision that has been taken in order to comply with the requirements of the Constitution.

**Recommendation:**

**That the Executive Committee NOTES the decision taken by the Chief Executive in consultation with the Lead Members for Community, Economic Development/Promotion and Built Environment as set out in Appendix one attached to this report.**

**Reasons for Recommendation:**

To comply with the requirements of the Constitution and ensure all urgency decisions taken are reported to Members for information.

**Resource Implications:**

Contained in Appendix one.

**Legal Implications:**

None at this stage.

**Risk Management Implications:**

None.

**Performance Management Follow-up:**

None at this stage.

**Environmental Implications:**

None.

## **1.0 INTRODUCTION/BACKGROUND**

**1.1** Since the Executive Committee meeting on 31 March 2021 a decision has been taken under urgency procedures to enable the High Street Heritage Action Zone programme to be taken forward for the three-year duration of the programme. As required, the decision as been documented at Appendix one.

**1.2** The decision has been published on the Council's website and, in accordance with the Constitution, is now being reported to Members for information.

## **2.0 OTHER OPTIONS CONSIDERED**

**2.1** Not applicable.

## **3.0 CONSULTATION**

**3.1** Decision taken in consultation with the Lead Members for Community, Economic Development and Promotion and Built Environment.

## **4.0 RELEVANT COUNCIL POLICIES/STRATEGIES**

**4.1** The Council's Constitution sets out the requirements in respect of urgency decisions.

## **5.0 RELEVANT GOVERNMENT POLICIES**

**5.1** Not applicable.

## **6.0 RESOURCE IMPLICATIONS (Human/Property)**

**6.1** None.

## **7.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)**

**7.1** None.

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

**8.1** None.

## **9.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS**

**9.1** None.

---

**Background Papers:** Report to Executive Committee 27 November 2019 – High Street Heritage Action Zone

**Contact Officer:** Chief Executive Tel: 01684 272001  
Email: chiefexecutive@teWKesbury.gov.uk

**Appendices:** 1. Officer Decision Report Form – High Street Heritage Action Zone Funding

# OFFICER DECISION REPORT FORM

## 1. Decision Made:

For the council to contribute £150,000 from Capital Reserves towards the High Street Heritage Action Zone in Tewkesbury town centre as part of the match funding for the project.

## 2. Identity of Decision Maker (Post Title):

Chief Executive

## 3. Date of Decision:

9 April 2021

## 4. Background (if not applicable please state):

In 2019 the council was successful in applying for High Street Heritage Action Zone status for Tewkesbury Town. The bid focussed on improving heritage within the town centre to revitalise the High Street.

Due to Covid19 the HSHAZ launch has been delayed, as with many other HAZ projects across the country. As a result, the programme is now for a three-year period, rather than four.

Historic England has now put in deadlines regarding starting the project and for completion by March 2024. As part of these new deadlines, a revised Programme Design has been submitted, incorporating a new cost plan. The total value of the project is £2,011,070, incorporating funding of £1,005,070 from Historic England. The match funding incorporates funding from S106, private/landlord investment and in-kind contributions. As part of the match funding a sum of £150,000 has been outlined as a Council contribution from reserves. This sum would allow the Council to provide the requisite match funding to trigger the Historic England contribution.

A two phased approach has been agreed with Historic England. All the below elements would be included within phase one. Phase two would constitute further public realm works, but only on the basis of further s106 triggers being met (for the retail outlet centre) within the lifetime of the HAZ.

The HSHAZ has 6 elements:

1. Public realm improvements
2. Healings Mill – removing barriers to development
3. Traditional skills
4. Upper floor conversions
5. Shopfront improvements
6. Programme Manager

As a result of securing HSHAZ status, a Cultural Consortium has also been formed, which are able to draw down funds for activity in the town centre. This is led by the Roses Theatre. Having HSHAZ status is a prerequisite for a Cultural Consortium to be in operation.

#### **5. Reasons for Decision:**

The decision has been made for the following reasons:

- To enable the HSHAZ programme to be taken forward for the three-year duration of the programme
- To meet Historic England's match funding obligations
- To enable the Cultural Consortium to continue to operate and draw down funds for community projects

#### **6. Alternative Options Considered and Rejected:**

The alternative is to withdraw from the project. This would have implications for the town centre regeneration, reputation and ability to attract future funding investment.

Other sums of funding have been identified, primarily through s106 for the J9 Retail Outlet Centre and Garden Centre. However, the timescales do not necessarily fit within the Programme.

#### **7. Background Documents:**

Executive Committee Report:

<http://minutes.tewkesbury.gov.uk/documents/s38568/Heritage%20Action%20Zone%20Report.pdf>

#### **8. Any Consultation Undertaken:**

The item could not be discussed at Committee until June 21. This date would not fit within the Historic England timescales and would therefore put the funding at risk.

A verbal briefing has been held with the lead Members for Community / Economic Development & Promotion / Built Environment. All have given their verbal approval for the approach outlined in this form.

#### **9. Results of Consultation (Where Undertaken):**

See above.



Document is Restricted



Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted

Document is Restricted