

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 5 January 2022 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

G F Blackwell, M Dean, M A Gore, D J Harwood, M L Jordan (Substitute for C Softley),
E J MacTiernan, R J Stanley, M G Sztymiak and R J E Vines

also present:

Councillor G J Bocking

EX.63 ANNOUNCEMENTS

- 63.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 63.2 The Chair advised of his intention to change the order of the Agenda so Item 14 – Community Governance Review 2021/22 – Draft Proposals would be taken after Agenda Item 6 – Executive Committee Forward Plan.

EX.64 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 64.1 Apologies for absence were received from Councillor C Softley. Councillor M L Jordan would be acting as a substitute for the meeting.

EX.65 DECLARATIONS OF INTEREST

- 65.1 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.
- 65.2 There were no declarations of interest on this occasion.

EX.66 MINUTES

- 66.1 The Minutes of the meeting held on 17 November 2021, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.67 ITEMS FROM MEMBERS OF THE PUBLIC

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

EX.68 EXECUTIVE COMMITTEE FORWARD PLAN

68.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 13-18. Members were asked to consider the Plan.

68.2 Accordingly, it was

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

EX.69 COMMUNITY GOVERNANCE REVIEW DRAFT PROPOSALS

69.1 The report of the Head of Democratic Services, circulated at Pages No. 215-256, set out the draft recommendations for the Boroughwide Community Governance Review which Members were asked to consider and endorse for consultation purposes. Members were also asked to delegate authority to the Borough Solicitor, in consultation with the Working Group, to consider the suggestion of forming a new Coopers Edge Parish Council covering the areas in the Borough that fell within the Parishes of Brockworth and Hucclecote and to make a recommendation to be included in the draft proposals consultation report as well as to make any minor wording/accuracy changes prior to the draft proposals being released for consultation.

69.2 The Executive Committee Chair welcomed the Chair of the Community Governance Review Working Group to the meeting. In introducing the report, the Head of Democratic Services explained that, in June 2021, the Executive Committee had agreed to carry out a Boroughwide Community Governance Review, approved the Terms of Reference and established a Community Governance Review Working Group. Following that, all Parish and Town Councils had been asked for their views on any changes they may like to see within their Parishes e.g. name, size, boundaries. The Working Group had subsequently worked through all the suggestions submitted with the aid of maps, and had been on a coach trip to visit the relevant areas, which had culminated in the draft recommendations which were attached at Appendix 1 to the report. The Committee report also sought a delegation to make any minor amendments to the draft recommendation report and further consider what, if anything, could be done to provide better representation for the residents of Coopers Edge that were within the Borough. The proposals involving residents outside of the Borough were outside the remit of the review. Following consultation on the draft recommendations, the Working Group would meet to consider any responses before finalising the recommendations for Executive Committee and Council. Tewkesbury Borough Council was not the determining body for all of the proposals as there were some elements that could only be decided by the Local Government Boundary Commission for England (LGBCE) – these included any changes that affected the Borough Wards / areas that had previously been considered by the LGBCE e.g. changes to Innsworth/Longford were within the Council's gift as they were in one Borough Ward whereas Wheatpieces and Ashchurch Rural Parishes were in separate Borough Wards therefore any changes would have to be agreed by the LGBCE. The final proposals had to be sent to the LGBCE in May in order that they would be in place for the 2023 Borough and Parish elections.

69.3 The Chair of the Working Group thanked Officers for their preparation and the quality of the maps provided to the Working Group as well as the tour which had been arranged at short notice. He indicated that the information had been discussed in great depth by the Working Group so he was happy to answer any questions Members may have. During the discussion which ensued, a Member indicated that, when the review of Borough Wards had been undertaken, Toddington Parish had requested something similar to the current proposals and at

that time a representative from Stanway Parish had been unhappy at the proposals. In response, the Head of Democratic Services explained that the draft recommendations would go out to consultation and that would be when people would make their comments – the overriding factors were about community identity and strong boundaries rather than whether people liked the recommendations or not. All representations received would be considered and may result in different final recommendations. Another Member understood a lot of work had gone into the report to date and indicated that he had some questions regarding Coopers Edge and Bishops Cleeve. In respect of Coopers Edge, he questioned whether a Parish Council could be located within two Districts and, in terms of Bishops Cleeve, what the reasoning was for the recommendation not to include the proposed school site in Gotherington within the Bishops Cleeve Parish boundary. In response, the Head of Democratic Services advised that she was unaware of any Parish that crossed into two Districts - making a Ward of an existing Parish may be an option for Coopers Edge but this needed to be considered carefully which was the reason for the delegation. In respect of the Bishops Cleeve Parish boundary, the Head of Democratic Services advised that the proposal from Bishops Cleeve Parish Council had been carefully considered but Members of the Working Group were concerned that this could open up the land for development and were of the view that the current boundary of Dean Brook provided a strong definable division between Gotherington and Bishops Cleeve. In addition, the Chair of the Working Group indicated that Members felt they could only judge matters on the existing circumstances and residents' current feelings – in this instance it was felt the area would be considered part of Gotherington Parish. The Group did not feel that the fact that a new school was to be built on this site which would serve Bishops Cleeve provided a strong argument to move a boundary, since the catchment area for the school would be much wider than Bishops Cleeve, including Gotherington. In addition, there were many examples of schools named after a Parish even though they were not actually situated within that Parish. In response to a query regarding Brockworth Parish Council's request that the Parish warding be removed and that the number of Parish Councillors be increased, the Head of Democratic Services confirmed that the Working Group was happy to increase the number of Parish Councillors but that would not take effect until the elections in 2023. Regarding the removal of Parish warding, this had been introduced by the LGBCE to mirror the new Borough Wards and therefore would require its consent to change which was very unlikely to be forthcoming. The LGBCE had undertaken a full consultation process prior to introducing these Warding arrangements.

69.4 Upon being proposed and seconded, it was

RESOLVED:

1. That the draft recommendations for the Borough-wide Community Governance Review be **ENDORSED** for further consultation purposes.
2. That authority be delegated to the Borough Solicitor, in consultation with the Community Governance Review Working Group, to:
 - a. consider the suggestion of forming a new Coopers Edge Parish Council covering the areas in the Borough that fall within the Parishes of Brockworth and Hucclecote and to make a recommendation to be included in the draft proposals report; and
 - b. make any minor wording / accuracy changes prior to the draft proposals being released for

consultation.

EX.70 INTERIM HOUSING STRATEGY 2021/22 MONITORING REPORT

- 70.1 The report of the Housing Services Manager, circulated at Pages No. 19-79, presented the Committee with an action plan for 2021/22 which formulated the actions to continue to meet the priorities in line with the strategy; and a summary of the key activities which had been achieved during the year. Members were asked to consider the Housing Strategy Action Plan progress for 2021/22.
- 70.2 A Member asked a question about the idea of Tewkesbury Borough Council providing social housing in partnership with a Housing Association as it was generally agreed that affordable housing needed to be more affordable. In response, the Chief Executive confirmed that Members had had informal discussions about whether the Council could try and work in partnership with a Registered Social Landlord to provide a greater percentage of social housing and, in turn, ensure a higher percentage of actual affordable housing. The Housing Services Manager confirmed that, in the last couple of years, there had been a big swing in the evidence base demand for social rent as well as a change in the approach Homes England took in asking for all rented tenures to be social rent. The key was having housing providers on board and to try and encourage them to change tenures to social rent. In simple terms, there was more focus in the new strategy on social rent rather than affordable rent. The Chief Executive advised that it would be difficult for the Council to get into housing development as housing stock required a lot of administrative/funding arrangements of the Council which were resources it simply did not have; however, there would be a focus on social rented homes in the new Housing Strategy moving forward. In addition, Officers were looking at the commuted sum spend with Registered Providers. In terms of requesting affordable housing, the Housing Services Manager confirmed there was a cascade for negotiating affordable housing and the Council used the evidence base to request that 60% of the 40% of affordable housing should be rented and that 100% of that should be social rent.
- 70.3 In terms of the community fund of £380,000, the Council had so far spent £17,000 for the relief of people at risk of losing their tenancies. This was a fund which the Council drew down rather than it being allocated per property; this meant the Council was getting the share it needed.
- 70.4 Accordingly, it was

RESOLVED: That the Housing Strategy Action Plan progress for 2021-2022 be **NOTED**.

EX.71 TREASURY AND CAPITAL MANAGEMENT

- 71.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 80-112, set out a range of strategies and statements which the Council was required to adopt before the start of the financial year to provide clarity on the plans for the financial management of the authority in the forthcoming year. Members were asked to consider the strategies and statements and recommend them to the Council for adoption.
- 71.2 A revised edition of the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code had been consulted on during 2021 and had been published in December 2021 with immediate adoption – the new requirements had been included within the particular documents. The main changes in the revised Prudential Code were a change in emphasis on borrowing in advance of need purely to profit from the investment so it was now prohibited rather than advised

against; inclusion of proportionality as an objective (assessing risk to levels of resources); clear definition and clarification of commercial activity and investment; and official introduction of the liability benchmark into the indicators (this had previously been included by the Council anyway).

- 71.3 The Finance Manager introduced the appendices to the report which included: the Capital Strategy – this gave a high-level view of how capital expenditure, capital financing and treasury management activity contributed to the provision of local public services along with an overview of how associated risk was managed and the implications for future financial sustainability. The liability benchmark had also been introduced which demonstrated the lowest level of risk borrowing; Investment Strategy – this followed statutory guidance and was not the Council’s strategy for actual investment in either commercial or service property. It also did not commit the Council to any future direction or expenditure; Minimum Revenue Provision Statement 2022/23 – this set the policy for prudent minimum revenue provision which was the money the Council set aside to pay for the principal element of capital expenditure; and Treasury Management Strategy – set the framework in which day-to-day treasury management activities were operated. Members were provided with an updated Treasury Management Strategy document which included the liability benchmark chart, this set out the amount allowed to borrow and the cost of borrowing and was used by the Council for strategic direction and cashflow as it showed how the Council could borrow ensuring priority was given to security and liquidity over return.

- 71.4 Upon being proposed and seconded, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the following strategies and statements be **ADOPTED**:

- The Capital Strategy 2022/23.
- The Investment Strategy 2022/23.
- The Minimum Revenue Provision Statement 2022/23.
- The Treasury Management Strategy 2022/23.

EX.72 SOCIAL MEDIA POLICY - REVIEW

- 72.1 The report of the Head of Corporate Services, circulated at Pages No. 113-123, attached an updated Social Media Policy and Guidelines which Members were asked to approve. The documents had been considered by the Overview and Scrutiny Committee at its meeting in November and had been recommended to the Executive Committee for approval.
- 72.2 The Corporate Services Manager explained that the previous policy had been introduced in 2015 and it was felt prudent to review it to ensure it continued to reflect the Council’s approach and best practice. The Policy was really important as it set out Tewkesbury Borough Council’s approach and expectations regarding the use of social media and, alongside the corporate style guide, ensured social media was consistent and in line with the Council’s brand. Social media had grown hugely since 2015 and was now one of the most used ways of engaging with residents and the approach the Council took meant it was friendly and understandable with the use of humour when appropriate.
- 72.3 There had not been any significant changes during the review of the policy with the main amendments being the inclusion of Instagram as a social media channel used by the Communications team; the recommendation that Members help promote the Council’s messages to their own social media followers by sharing

content from the corporate accounts on their own pages; and an explanation of why the Council did not currently interact on Facebook noticeboards.

- 72.4 During the brief discussion which ensued, a Member referred to a recent cyber attack at a neighbouring local authority and asked if Tewkesbury Borough Council was satisfied there was no risk to the Council's network through its social media. In response, the Corporate Services Manager indicated that, generally, there was a risk with anything digital but the Council's network and its social media accounts were very separate so she was happy with things as they stood. Referring to the use of social media by Councillors, a Member questioned what the dos and don'ts were, whether Councillor Facebook accounts were monitored and what the comeback was on Councillors who used it. In response, the Corporate Services Manager advised that Facebook accounts were not monitored but there had been occasions where things had been brought to the attention of Officers and, in those cases, she had worked with the Monitoring Officer to ensure the matters raised were not in breach of the Code of Conduct – generally speaking, it was each Councillors' responsibility to make their followers aware whether their comments were made as a Councillor or as an individual. The Chief Executive indicated that he had been working with the Local Government Association (LGA) on further training around civility in local government when engaging with members of the public and had been putting together a case for Members to look at those issues in terms of written correspondence, face to face and social media interactions – the Head of Democratic Services was working with the LGA to bring that to the Council as a pilot, hopefully in the first quarter of this year.

- 72.5 Upon being proposed and seconded, it was

RESOLVED: That the updated Social Media Policy and Guidelines be **APPROVED**.

EX.73 REVIEW OF PROCUREMENT STRATEGY

- 73.1 The report of the Asset Manager, circulated at Pages No. 124-138, set out an updated Corporate Procurement Policy which the Executive Committee was asked to approve.
- 73.2 The Asset Manager explained that the policy was last updated in October 2016 and was now due for review. There were three major changes that had occurred since the last review: the United Kingdom had exited from the European Union; the Council had introduced e-tendering; and the Council had committed to declaring a climate emergency. It was understood that there may be substantial changes to procurement in 2023 which may result in the need for a larger review and this would be carefully monitored. The draft Corporate Procurement Strategy contained actions to ensure that procurement within the organisation was taken forward over the period of the Strategy and, since 2016, a number of actions had been delivered, along with improvements to the service which included: the introduction of e-tendering and an e-contract software system; the procurement process had been streamlined to ensure quick and efficient tendering processes for goods and services; procurement training had been completed by all key Officers; the toolkit had been updated; and the Council was compliant with the requirements to publish all contracts on the government website 'find a contract'.
- 73.3 The e-tendering system used a portal which was easy to use for businesses. The Council did a lot of work with small and medium-sized enterprise (SME) businesses which had indicated they found the system useful and easy to use; larger businesses had also advised they found it easier to re-tender as they could update previously submitted information rather than submitting entirely new information each time. The process for Officers was also easier as the updated

toolkit made it much simpler. The ‘find a contract’ system was a government platform which communicated automatically with the Council’s system as well as the ‘find a tender’ system – this ensured the Council met transparency requirements. The climate emergency requirements the Council had put into place aimed not to stifle the amount of tenders received by being too onerous but there were requirements for supply chains etc. to be low carbon/carbon zero and it was expected, where possible, for contactors to supply data for carbon usage/waste management. This information helped the Council understand its carbon usage and what it needed to do moving forward. This area would be kept under review and it was anticipated it would become more stringent over the next five year period. Another large element was collaboration, the Council bought energy in partnership with Gloucester City Council on the wholesale market through a broker – this made significant savings as it could purchase energy in advance before prices increased. Tewkesbury Borough Council did not have a large enough energy use portfolio to do this on its own so working in partnership was the best way to achieve this outcome. In terms of including Parish Councils in the partnership, the Asset Manager undertook to look into this, he explained that there were examples of other areas where the Borough Council worked with Parishes but each contract was taken in isolation to ensure the benefits of the arrangements were clear for both parties. At the moment it was not possible to get the rates that the Council had taken advantage of so it was too late now for Parishes to gain those savings.

73.4 Upon being proposed and seconded, it was

RESOLVED: That the updated Corporate Procurement Policy be
APPROVED.

EX.74 REVIEW OF THE COUNCIL'S SANDBAG POLICY

74.1 The report of the Environmental Health Manager, circulated at Pages No. 139-145, attached a revised Sandbag Policy which the Executive Committee was asked to approve. Members were also asked to authorise the Head of Community Services to make minor amendments to the policy e.g. adding or removing Parish Councils to the list in the appendix to the policy.

74.2 The Environmental Health Manager explained that the Policy set out when and where the Council issued sandbags during a flooding event. Officers had reviewed the policy and found it to be substantially fit for purpose and the Climate Change and Flood Risk Management Group had also considered the Policy and agreed the minor changes suggested. It was noted that the Council did not have a statutory duty to provide sandbags to the public and it had generally been the policy to only supply filled sandbags to vulnerable members of the community. Householders and business owners were responsible for protecting their own property but experience had shown that the public expected the Council to help if flooding was imminent.

74.3 There were two changes proposed to the policy: one was to reduce the number of filled sandbags distributed to protect vulnerable persons property from twelve to six; and the other change – which had been suggested by the Climate Change and Flood Risk Management Group – was to add a policy on the disposal of sandbags. A Member noted that Parish Councils could keep a stock of sandbags so residents could get them from there and, in response, the Environmental Health Manager confirmed that the Parish and Town Councils had a stock of empty sandbags and their locations and contact details were contained within the Policy. Another Member questioned why there was no recommended action in the policy on how sandbags should be disposed of and the Environmental Health Manager explained that they were difficult to dispose of as they took a long time to degrade but he

would consider what advice could be included on where to take them and how to dispose of them. The Head of Community Services agreed that this could be added to the Policy and information placed on the Council's website.

- 74.4 A Member indicated that he felt the Council needed to be flexible with its policy. As could be seen from the 2007 flooding event, there were often people in those type of events who felt vulnerable that would not normally. In his view, the Council was seen as an emergency service by people that wanted to do all they could to protect their property and, in some cases, residents felt the Council had a moral/technical obligation to provide sandbags that may mean more than six per property were required. In response, the Head of Community Services advised that the policy had been amended to six following experience of flooding – the Council did all it could to help residents in flooding events and always went above and beyond to help its residents when needed. Another Member was of the view that everyone had to take some responsibility for their own welfare – the Council did everything it could but residents had to help themselves as well.
- 74.5 Members were advised that Officers needed a framework within which to operate to ensure they were putting resources in the right place as the Council must be able to help those who were truly vulnerable rather than those that shouted loudly but who were actually capable of doing it themselves. There would always be exceptions and the Chief Executive confirmed that in any emergency Tewkesbury Borough Council Officers went the extra mile and reserved the right to make decisions based on the event which was ongoing; generally he had found that people were grateful for the support they received from the Council's Officers and Members at times of flooding.
- 74.6 Accordingly, it was

- RESOLVED:**
1. That the revised Sandbag Policy be **APPROVED**.
 2. That the Head of Community Services be authorised to make minor amendments to the policy e.g. adding or removing Parish Councils to the list in the appendix to the policy.

EX.75 SUPPORTING ATTENDANCE POLICY

- 75.1 The report of the Head of Corporate Services, circulated at Pages No. 146-194, attached an updated and renamed policy which sought to provide a strong basis for the compassionate but effective management of attendance and absence within the Council. Members were asked to approve the revised policy and associated documents and agree that it should be reviewed every three years.
- 75.2 The Human Resources and Organisational Development Manger explained that this was a policy which people would more readily understand as a Sickness Absence Policy and the Supporting Attendance Policy was a fairly significant rewrite of that. The rewritten policy reflected the Council's more supportive approach to managing sickness/attendance rather than being punitive. It intended to reflect the Council's great provision for support and help for Officers as well as the value placed in employees while keeping focus on managing levels of attendance and absence to ensure there was not a culture of absenteeism. The process was still in the policy to ensure absences could be escalated as needed to ensure managers were not put off from having those important conversations. In terms of changes, the short term absence process had changed from a four step to three step process to ensure it moved forward more quickly; reference had been removed to formal caution in the first steps so it did not feel like the Council was criticising a person for an absence that they may not be able to help; the trigger points for a mutually agreed termination process had stepped back from a formal

and rigid process to a more gentle and collaborative approach (this was previously called final long term sickness case review); IVF treatment, sickness in pregnancy and gender reassignment had all now been included; Officers would manage the process – except in the case of Chief Officers where the Employee Appointments and Disciplinary Committee would be involved; appendices had been added to provide clarity on how and when the Council would agree an extension of half and full pay sick pay; and to add clarity around how the Council would manage claims for injury allowance. The new policy had been through Management Team and Trade Union liaison groups.

75.3 Referring to Page No. 161, which referenced absences due to a third party and a personal injury pay out being made, a Member queried how the Council would know that an employee had received a pay out and would be required to repay the contractual sick pay which had been paid to them. She also questioned whether this was something that other Councils did. In response, the Human Resources and Organisational Development Manager advised that the Council would only know about such payments when employees declared them and this was a policy common to other organisations. Another Member questioned whether it was the case that employees could now self-certify for 28 days and, if so, what impact that had on the Council. In response, he was advised that this had been a temporary measure to try and relieve some pressure on GPs during the COVID-19 pandemic and it was due to be reviewed at the end of January 2022. There had been no suggestion from the government that this would be a long-term change. There were options within the Supporting Attendance Policy to mitigate against absence by using the Council's occupational health provision as well as its mental health provision as they provided a whole range of services from advice on sleep and nutrition through to cognitive therapy.

75.4 Upon being proposed and seconded, it was

- RESOLVED:**
1. That the revised Supporting Attendance Policy and associated documents be **APPROVED**.
 2. That it be **AGREED** that the Policy be reviewed every three years.

EX.76 SHOPFRONTS, SHUTTERS AND SIGNAGE: DESIGN GUIDANCE FOR TEWKESBURY BOROUGH SUPPLEMENTARY PLANNING DOCUMENT

76.1 The report of the Planning Policy Manager, circulated at Pages No. 195-214, provided a consultation statement and amended Supplementary Planning Document for consultation and recommended that the amended documents be consulted on for four weeks during January and February. It was further recommended that, providing no substantive comments were received, the amended Supplementary Planning Document be put forward to Council at the end of the consultation period and that authority be delegated to the Head of Development Services to make any necessary minor amendments to the draft document as considered appropriate prior to adoption.

76.2 The Head of Development Services explained that the Executive Committee had previously approved consultation on the Supplementary Planning Document and that consultation had been undertaken for six weeks from 17 September until Friday 29 October 2021. During the period, seven comments had been received four of which stated they had no comment. In line with the legislation, the Council had to set out a consultation statement which also had to be consulted upon for a minimum of four weeks. The Council had written to over 165 organisations to inform them of the initial consultation and to invite comments and those contacts had been taken from the existing Tewkesbury Borough Plan consultation database

as those who had been involved in, or had an interest in, the plan-making process in Tewkesbury; this included all Parish and Town Councils in the Borough, neighbouring local authorities, Gloucestershire County Council and statutory consultees – in addition to that, a notice of consultation had been placed in the local press through the Gloucestershire Echo as well as being advertised on the Borough Council's website news feed.

76.3 Accordingly, it was

RESOLVED:

1. That the Consultation Statement and amended Supplementary Planning Document: Shopfronts, Shutters and Signage Design Guidance for Tewkesbury Borough be **APPROVED FOR CONSULTATION**.
2. That, at the end of the consultation period, the amended Supplementary Planning Document be **RECOMMENDED TO COUNCIL** subject to there being no substantive comments being made during the consultation.
3. That authority be delegated to the Head of Development Services to make any minor amendments to the draft document as considered appropriate prior to adoption.

The meeting closed at 3:50 pm