

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 2 March 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, E J MacTiernan, C Softley, R J Stanley,
M G Sztymiak and R J E Vines

EX.85 ANNOUNCEMENTS

85.1 The evacuation procedure, as noted on the Agenda, was advised to those present.

EX.86 DECLARATIONS OF INTEREST

86.1 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.

86.2 There were no declarations on interest made on this occasion.

EX.87 MINUTES

87.1 The Minutes of the meeting held on 2 February 2022, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.88 ITEMS FROM MEMBERS OF THE PUBLIC

88.1 There were no items from members of the public.

EX.89 EXECUTIVE COMMITTEE FORWARD PLAN

89.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 5-7. Members were asked to consider the Plan.

89.2 Accordingly, it was

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

EX.90 FINANCIAL UPDATE - QUARTER THREE 2021/22

- 90.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 8-21, set out the financial performance information for the third quarter of 2021/22 which Members were asked to consider.
- 90.2 The Head of Finance and Asset Management was pleased to report a healthy projected outturn surplus of £3,609,348 on the revenue budget. A large percentage of the surplus was funded from grant income which was to be used for specific purposes in the coming financial year; however, overall, the Council was on track to enjoy a healthy surplus at year-end and careful consideration would need to be made on the best use of the one-off money to support its ambitions as well as deal with risk.
- 90.3 Attention was drawn to the table at Paragraph 2.1 of the report which highlighted the forecast outturn position for service provision, the net position on corporate income and expenditure and the resulting surplus. The quarter three full year projection showed a full year cost of service provision totalling £10,349million which resulted in a surplus against the approved budget of £2.068million of which over £1.5million would be carried over at year end for specific purposes either as a result of grant determination or previous decisions of the Council. The reasons for the projected surplus were set out within the report and included savings on employees across a majority of the service areas including One-Legal, Development, Democratic and Corporate Services but also within senior management following the decision in June 2021 to delete the post of Deputy Chief Executive. That saving was offset to some degree by the cost of recruitment to the new Director of One Legal. The Head of Finance and Asset Management also indicated that the report did not include the pay award as it had not been agreed at the time of writing the report; however, it was now likely a settlement of 1.75% would be made which was within the funding boundary of 2% that had been included within the budget. There had also been savings in transport costs, mainly attributable to the reduction in business travel across the Council; savings in supplies and services; and payments to third parties. In terms of payments to third parties, the large majority of the surplus was due to some growth items being postponed until next year – in-cab technology, digital growth within the Business Transformation Team and additional Joint Core Strategy (JCS) support - those sums would be carried over at year-end to fund future expenditure within those areas. In addition, £112,000 had been budgeted for an additional food waste crew which had been postponed until next year due to delays in acquiring a new food waste vehicle and there had also been a significant saving in the Materials Recycling Facility (MRF) gate contract since changing the provider which it was expected would continue for the foreseeable future. The savings had been reduced slightly by additional expenditure on the domestic abuse review – which was fully funded by the domestic abuse grant; an increase in demand for emergency accommodation – any outturn overspends would be funded from the homeless prevention grant; and a projected overspend on the Ubico contract sum in relation to an increased market supplement to attract and retain drivers – the rest of the contract sum was on target.
- 90.4 Tewkesbury Borough Council had been awarded £410,000 of funding for Contain Outbreak Management (COMF) due to the impact of COVID-19 – it was expected that £300,000 of that would be spent by the end of the financial year with the remaining £110,000 being carried over at year-end to fund continued activities in the first part of the new financial year. Generally, services continued to see a financial impact from the pandemic with a full-year cost estimated at £442,917 – those costs included the continued work of the business cell, additional costs for the provision of waste and recycling services and the continued support to

Tewkesbury Leisure Centre; those costs would be met from the additional COVID-19 grant funding provided by the government and new burdens funding for the business cell work. Income in many areas of activity had recovered well from the pandemic with a number of income streams either back on budget or delivering a small surplus; in particular, Development Management was generating 19% more income in planning fees than expected due to the greater number of planning applications being received. Bulky waste, trade waste and licensing were also projected to deliver income in excess of budget. However, some areas continued to be affected by the pandemic with reductions in income levels in car parks, the Tewkesbury Leisure Centre contract fee would not be provided during the year and two of the three units on the top floor of the Council Offices building had been vacant all year. In addition, One Legal income remained below target although this was offset by savings on employee costs. The income position was significantly boosted by the receipt of a number of external grants with the main contributor being a £1million grant from the Gloucestershire Economic Growth Joint Committee for transport modelling required for the JCS – in addition, grants had been received for homeless prevention, delivery of elections and new areas of activity within the Revenues and Benefits service.

- 90.5 Treasury activities were expected to deliver small savings in borrowing costs and an increase in interest received from investments, in particular as a result of pooled fund investments but also recent increases to the base rate. The Council's commercial property portfolio was currently predicting a deficit on the year as a result of the expected temporary void at one office unit and a tenant exercising a mid-year break clause at an industrial unit – should the commercial property account remain in deficit for the full-year, the Council would utilise the commercial property reserve to cover the void and lease costs resulting in no impact on the base budget position. Core government funding was showing a significant surplus as a result of the additional COVID general grant fund of £424,927 and the Council had received new burdens funding of £91,600 for its continuing administration of business grants as well as being able to claim compensation for losses on its sales, fees and charges as a result of COVID-19 for the first quarter of the year. Referring to business rates, the Head of Finance and Asset Management advised that the overall projected position on retained business rates had changed significantly from that reported at quarter two as a result of a multitude of changes and movements within the calculation which highlighted the volatility of the funding stream, particularly during the pandemic. Some of the points to note included the award of further business rate reliefs, additional S31 government grants, clarification of the accounting treatment for reliefs and grants, review of empty property provisions, bad debts and appeals and the impact of significant reductions to Virgin Media assessments. As a result, the anticipated retention of business rates income now showed a net surplus of approximately £0.8million from the original budget; however, the underlying position of business rates in the current year showed a small amount of growth and an improving position against the prudent estimates made in the budget. The Council's membership of the Gloucestershire Business Rates Pool meant there was an amount attributable to Tewkesbury Borough depending on the performance of all parties within the pool but the latest estimate suggested a windfall of approximately £500,000 for Tewkesbury Borough Council.
- 90.6 Referring to the capital budget position, the Head of Finance and Asset Management advised that this was currently showing an underspend of £2.2million against the profiled budget of £2.9million. The capital programme estimated total expenditure for the year to be approximately £3.9million which was much reduced on previous years as a result of the end of the acquisition phase of the commercial property investment strategy – the main elements of this year's forecast included Ashchurch bridge; vehicle replacement; replacement of the heating system at the Council Offices; and Disabled Facilities Grants. The expected replacement of the

Council Offices heating system would no longer take place in this financial year as the quotation was far greater than the grant funding; however, the grant funding would now be used to support the delivery of a solar canopy above a number of the car parking spaces in the rear car park of the Council Offices building – the work was expected to begin in the final quarter of the year. In terms of the reserves position, this had been boosted by both grant funding related to COVID-19 and also the release of provisions from the retained business rates scheme. Whilst the quarter three position showed that there remained a significant balance on the reserves, the expectation was that they would be spent in future. The Finance team had asked for updates from all departments about their plans to ensure earmarked reserves were either used for their intended purpose or released back to the general fund.

90.7 During the discussion which ensued, a Member referred to the Ashchurch bridge project and questioned whether it was being paid for from Homes England funding, as that was what she thought was happening. In response, the Head of Finance and Asset Management confirmed there were no cost overruns projected so it should be covered by the grant available. There was expected expenditure which would not be incurred in the current year due to delays but that would be covered by the grant funding – he apologised if this was not clear within the report. In addition, the Member noted that the wording on Page No. 18, Paragraph 22, seemed to infer a link between the Tourist Information Centres and the JCS. The Head of Finance and Asset Management confirmed there was no correlation between the two but both elements made up the overall position. The additional £60,000 for the JCS would not be needed in the current year but it would be matched by the two other JCS authorities as and when it was required.

90.8 Accordingly, it was

RESOLVED: That the financial performance information for the third quarter of 2021/22 be **NOTED**.

EX.91 DIGITAL APPROACH STRATEGY

91.1 The report of the Head of Corporate Services, circulated at Pages No. 22-31, set out a digital approach strategy which Members were asked to approve.

91.2 The Corporate Services Manager explained that the previous digital strategy had helped the Council identify what was needed from its digital platform and had set a direction for the Business Transformation team. The new approach considered the way the Business Transformation team would work over the coming two years, with a particular focus on embracing a user-centred and agile way of working. In addition, it highlighted what principles the Council would adopt as part of its online services as well as setting out a dynamic programme of works for the next two years. It was felt that the nature of the digital landscape meant it made more sense to adopt a short-term approach and regularly review it rather than it taking the format of a traditional three/four year strategy. Since it went live in 2020, the Business Transformation team had made it its mission to reshape local government's reputation for online services by putting the customer at the centre of its service design and making sure the 'added extras' were prioritised as fundamentals. It also understood that it must not leave anyone behind and the move towards great digital engagement meant officers were freed up to help those that could not/did not engage online.

91.3 At its meeting on 8 February, the Overview and Scrutiny Committee had considered the digital approach and it was recognised that the Business Transformation team was doing a fantastic job of raising the Council's reputation in respect of digital transformation. The Overview and Scrutiny Committee had a

lengthy discussion around the impact of the work delivered by the team so far and assurance was given that case studies which highlighted the digital improvements would be available for staff, Members and the public. The team continued to be recognised nationally for its work which was great news.

91.4 The Lead Member for Customer Focus thanked the team for the strategy and felt it made sense to review it regularly given the pace of digital change. Another Member referred to the Councillors portal and questioned whether consideration had been given to offering a similar portal for the Parish/Town Councils. The Corporate Services Manager indicated this was not something which had been under consideration but the suggestion would be borne in mind as the portal project moved forward. Referring to the Anti-Social Behaviour database which was being established, the Corporate Services Manager explained that the current system was very manual so the new system would make the logging of anti-social behaviour much easier – there was a piece of software which could be bought in but it came at a considerable cost so an in-house solution would offer a significant saving.

91.5 Accordingly, it was

RESOLVED: That the proposed Digital Approach Strategy be
APPROVED.

EX.92 HOUSING AND HOMELESSNESS STRATEGY 2022-26

92.1 The report of the Housing Services Manager, circulated at Pages No. 32-62, set out the Housing and Homelessness Strategy 2022-26 and Members were asked to recommend it to the Council for approval.

92.2 The Head of Community Services advised that the current interim Housing Strategy 2021/22 had been put in place as an extension to the previous Housing Strategy 2017-2021 as preparation for a new full Housing Strategy was deferred as a result of COVID-19. Following workshops with key stakeholders, including Members, internal colleagues and external partners, a draft strategy document had been produced and made available for public consultation. The responses to that process had been considered and had helped to inform the Housing and Homelessness Strategy 2022-26 document which was attached to the report at Appendix 1. The Overview and Scrutiny Committee had considered and endorsed the Strategy at its meeting on 8 February 2022. The consultation responses had been attached to the report at Appendix 3 for transparency purposes – some of the feedback had not been included as it was not relevant but, where necessary, those comments had been passed onto the correct Council team. The Housing Services Manager was working on an action plan for Overview and Scrutiny Committee to consider later in the year and that would be reviewed regularly. The Housing Services Manager thanked Members for being part of the process and advised they had been key in the creation of the strategy.

92.3 A Member was of the view that the large number of properties which were being bought to rent out as holiday accommodation meaning they were not available as the first step on the ladder for many young homebuyers was a tragedy. In response, the Head of Community Services advised that the Welsh government had just announced it was implementing a 300% increase in Council Tax for holiday homes, but he was unsure if this was a step the English government would take. Referring to Page No. 43, a Member questioned which land was referred to in the bullet point “utilise land in Tewkesbury Borough Council’s ownership to support the delivery of affordable housing and encourage other public bodies to do likewise”. In response, the Housing Services Manager advised that different options were being explored such as garage sites across the Borough, land owned

by Homes England and the Church. In terms of the Spring Gardens and MAFF sites, the Head of Finance and Asset Management explained that the Council was starting to re-engage with the consultants about how to take the sites forward and how they might fit together to meet the needs of Tewkesbury Town. A Member expressed the view that the MAFF site could be pushed forward for a modular housing site; she understood it was constricted but it was fairly central and would be ideal for social housing. Other Members supported that idea. One Member expressed her frustration that the term affordable housing was used when it was not affordable for most; she had thought the Council was going to prioritise social housing for the future. The Head of Community Services agreed that it was unfortunate the term 'affordable' was the accepted term for cheaper housing; however, the Council's housing survey had clearly said that social rented housing was what was needed and that was reflected in the Strategy. A Member referred to the call for sites in respect of Gypsies, Travellers and Travelling Showpeople and noted that objective 5 on Page No. 48 referred to the Gypsy, Roma and Traveller community and she questioned what the correct terminology was. In response, the Head of Community Services undertook to review the wording prior to the strategy being considered by Council. A Member questioned what the local private landlord forum was and how landlords were attracted to join it. In response, the Head of Community Services advised that the details had not yet been worked through but it was an approach which had been taken in other areas with success. Responsible landlords joined the forum and that flushed out those which were not responsible so the Environmental Health team could look into their properties and the way they were managed.

92.4 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the Housing and Homelessness Strategy 2022-26 be **APPROVED**, subject to the wording around Gypsies, Travellers and Travelling Showpeople being reviewed for consistency.

EX.93 TEWKESBURY BOROUGH COUNCIL DOMESTIC WASTE AND RECYCLING COLLECTION SERVICES POLICY AND PROCEDURES REVIEW

93.1 The report of the Head of Community Services, circulated at Pages No. 63-80, attached a revised Domestic Waste and Recycling Collection Services Policy and Procedures document which Members were asked to approve.

93.2 The Head of Community Services explained that the previous Waste and Recycling Collections Policy had been agreed in 2017 and set out the expectations for domestic collections including the sizes of bins used and frequency of collections; a regular review of the policy was required to ensure it was still appropriate for the current collection service. A litter bin installation and replacement protocol had been added to reflect the need for greater Council control of the number and location of new litter bins being installed in Tewkesbury Borough - other than the addition of that protocol, there were no significant changes proposed.

93.3 In offering clarification, the Head of Community Services explained that litter bins could currently be installed by Parish Councils or property developers with no oversight of the numbers or types of bins being installed. This had led to an unchecked burden of 1,400 litter bins being placed on the street cleansing service which was well above the national average. There were health and safety issues in specific locations with bins being a long distance from access roads or positioned at a height which meant it was dangerous for crews to lift out heavy bags; dog waste bins could often weigh over 20kg and the Council had a duty to reduce

health and safety risks where possible.

93.4 A Member felt it would be helpful to make Parish Councils aware of the need to ensure litter bins could be easily emptied and the Head of Community Services advised that it was intended the policy would be sent out to Parishes and he would ensure some additional information was contained within the covering letter. The Lead Member for Clean and Green Environment indicated that there were good dual use bins available (litter and dog waste) and he would encourage Parishes to use those. He also asked Councillors to speak to their Parishes and to consider dual use when they were reviewing litter bin provision. The Borough Council had recently pinpointed all its bins so monitoring would be the next step. The Member queried whether the Council was looking at collecting recyclables from public bins as well as litter. In response, the Head of Community Services indicated that this was a brilliant aspiration but, in reality, it resulted in contaminated recycling so there would need to be a lot of work with the community ahead of any such introduction.

93.5 Accordingly, it was

RESOLVED: That the updated Domestic Waste and Recycling Collection Services Policy and Procedures be **APPROVED**.

**EX.94 HACKNEY CARRIAGE (TAXI) AND PRIVATE HIRE LICENSING POLICY
MOBILE HOMES AND CARAVAN SITES LICENSING POLICY**

94.1 The report of the Licensing Operations and Development Team Leader, circulated at Pages No. 81-215, asked Members to consider an amendment to the current medical criteria for drivers in the Hackney Carriage (Taxi) and Private Hire Licensing Policy; to adopt the draft Hackney Carriage (Taxi) and Private Hire Licensing Policy, incorporating the Gloucestershire Common Standards; and to adopt the Mobile Homes and Caravan Sites Licensing Policy.

94.2 A Member expressed her thanks to the Licensing Operations and Development Team Leader for the very thorough report provided and it was

RESOLVED:

1. That the amendment to the medical criteria, as set out at Paragraph 2.9 of the report, which would be incorporated in the revised draft policy attached at Appendix A to the report, be **APPROVED**.
2. That the revised Hackney Carriage (Taxi) and Private Hire Licensing Policy, attached to the report at Appendix A, incorporating the Gloucestershire Common Standards which the Licensing Committee agreed at its meeting on 17 February 2022, be **ADOPTED**.
3. That the revised Mobile Homes and Caravan Sites Licensing Policy, attached at Appendix C to the report, agreed by the Licensing Committee at its meeting on 16 October 2021, be **ADOPTED**.

EX.95 LOCAL HERITAGE LIST SELECTION CRITERIA FOR TEWKESBURY BOROUGH. SUPPLEMENTARY PLANNING DOCUMENT

- 95.1 The report of the Planning Policy Manager, circulated at Pages No. 216-234, recommended that the amended Local Heritage List Selection Criteria Supplementary Planning Document (SPD) and consultation statement be consulted on for four weeks between March and April 2022 and asked Members to agree that, if no substantive comments were received, the SPD would be submitted to Council for adoption.
- 95.2 The Head of Development Services explained that the purpose of the Local Heritage List Selection Criteria for Tewkesbury Borough Supplementary Planning Document was to identify and utilise a robust and standardised procedure for nominating assets onto a local heritage list. The SPD therefore included guidance on identifying the historic, archaeological or architectural value of a non-designated heritage asset. The SPD had been put before Executive Committee on 17 November 2021 to be approved for consultation purposes and that consultation was undertaken for six and a half weeks from 1 December 2021 to 14 January 2022 – only minor comments were received; however, in accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), a consultation statement was required to be produced to show how the Council had responded to representations from the consultation. That was then required to be consulted on for a period of four weeks prior to adoption. As set out in the report recommendation, subject to no substantive comments being made, it was hoped Members would agree that the SPD would go straight to Council for approval.
- 95.3 Members were concerned at the lack of responses to the SPD, especially when the Borough had such a historic background. In response, the Heritage Engagement Officer confirmed that, whilst there had been a limited number of responses to the SPD consultation, there had been 60 nominations from across the Borough for the heritage list. That list was an ongoing process so items could still be added using the agreed selection process criteria. In terms of raising awareness of the heritage list, the Head of Development Services advised that all Parish and Town Councils would be contacted directly about the process and could be visited if that would be helpful – they could also be provided with a copy of the current list so they could see what was already included. She also agreed that the Communications team would be asked for its view on the best way to publicise the heritage list. The Lead Member for Built Environment suggested that the next Parish and Town Council seminar and the next edition of the Borough News should both include information about the heritage list.
- 95.4 Accordingly, it was

RESOLVED:

1. That the Consultation Statement and amended Supplementary Planning Document: Local Heritage List Selection Criteria for Tewkesbury Borough be **APPROVED** for consultation purposes.
2. That the amended Supplementary Planning Document be **RECOMMENDED TO COUNCIL** for **ADOPTION** at the end of the consultation period, subject to no substantive comments being made during the consultation.
3. 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.

**EX.96 GLOUCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE
2022/23 FINANCIAL CONTRIBUTION**

- 96.1 The Borough Solicitor explained that at its meeting in February, the Overview and Scrutiny Committee had considered the value of the Council's annual contribution to the Gloucestershire Health Overview and Scrutiny Committee and questioned whether the continued consideration of whether to make the payment was required.
- 96.2 The Gloucestershire Health Overview and Scrutiny Committee had been set up by the County Council in 2003 and each district paid £2,500 per year to be part of it. This amount was in the Council's base budget but, when it had initially been agreed to contribute, the Executive Committee had asked that the Overview and Scrutiny Committee consider on an annual basis whether it continued to be best value. The Council's representative on the Gloucestershire Health Overview and Scrutiny Committee reported regularly to the Overview and Scrutiny Committee, as well as disseminating information to the wider membership as necessary, and the Overview and Scrutiny Committee felt that if there were any issues with the way the County Committee was operating they would be picked up through that process rather than needing to be considered annually.
- 96.3 During the brief discussion which ensued, the Borough Solicitor made it clear that the Executive Committee was being asked whether the annual requirement to review the effectiveness of the Gloucestershire Health Overview and Scrutiny Committee was still required as opposed to whether the payment should be made. The Council's representative reported back after each meeting so it would be possible to assess quickly if the Council felt it was no longer getting value for money that way rather than reviewing the position on an annual basis.
- 96.4 Accordingly, it was

RESOLVED: That, subject to the Overview and Scrutiny Committee representative's continued monitoring and regular reporting to the Overview and Scrutiny Committee, the specific consideration of the payment of the Council's contribution to the Gloucestershire Health Overview and Scrutiny Committee on an annual basis no longer be required.

EX.97 SEPARATE BUSINESS

- 97.1 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.98 IRRECOVERABLE DEBTS WRITE-OFF REPORT

(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))

98.1 The Committee considered and approved the write-off of irrecoverable debts.

The meeting closed at 3:20 pm