

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 1 June 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, M L Jordan (Substitute for C Softley), E J MacTiernan,
R J Stanley, M G Sztymiak and R J E Vines

EX.1 ANNOUNCEMENTS

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

EX.2 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

2.1 Apologies for absence were received from Councillors D J Harwood, C Softley and R J E Vines. Councillor M L Jordan would be acting as a substitute for the meeting.

EX.3 DECLARATIONS OF INTEREST

3.1 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.

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

EX.4 MINUTES

4.1 The Minutes of the meeting held on 30 March 2022, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.5 ITEMS FROM MEMBERS OF THE PUBLIC

5.1 There were no items from members of the public.

EX.6 EXECUTIVE COMMITTEE FORWARD PLAN

6.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-14. Members were asked to consider the Plan.

6.2 Accordingly, it was

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

EX.7 INTERIM MEDIUM TERM FINANCIAL STRATEGY

7.1 The report of the Head of Finance and Asset Management, circulated at Pages No.

15-30, set out an interim Medium Term Financial Strategy for 2023/24-2024/25 which Members were asked to recommend to Council for adoption.

- 7.2 The Finance Manager explained that the Council usually agreed a five year Medium Term Financial Strategy with it being good practice to have financial planning over the medium to long term. However, unfortunately, the Council did not have the information required from central government to make it possible to plan in that way this year. The document before Members set out the Council's estimates of its commitment expenditure, identified spending pressures faced and the budget savings needed to achieve the recommended Council Tax levels for each of the three years of the plan which was based on assumptions of government funding levels during the period. With the uncertainty about spending plans from the government, the war in Ukraine and increasing inflation, it was extremely difficult to predict the Council's future finances but at the moment it was looking at a possible £2.94million deficit in the next two years. In the spending review in October 2021, the government had given no new money to local government except for social care and, as there had been no announcements for next year, it was assumed there would be another roll-over year with a lot of 'stop gap' grants – one-off funding to plug the gaps. The Council had expected a business rates reset scheme but that had not transpired – this was good for the Council as it would have redistributed the Borough's growth to other areas; however there was still uncertainty about when the reset would happen. The double roll over position would leave the Council better off although in an uncertain position going forward. It was hoped projects such as the solar canopy, trade waste and the triannual valuation of the pension fund would help bridge the budget gap over the next three years.

- 7.3 It was proposed, seconded and

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the Interim Medium Term Financial Strategy 2023/24-2024/25 be **ADOPTED**.

EX.8 HIGH LEVEL SERVICE PLAN SUMMARIES

- 8.1 The report of the Head of Corporate Services, circulated at Pages No. 31-79, attached service plans for each service group for 2022/23. Members were asked to consider and endorse the service plans.

- 8.2 The Head of Corporate Services explained that each service group had produced a high-level service plan for 2022/23. The plans, which tended to detail non-Council Plan actions, contained key operational projects and activities which were to be carried out during the year. The Council Plan actions were allocated to individual services through the Council Plan performance tracker delivery of which were monitored by the Overview and Scrutiny Committee and their observations considered by the Executive Committee. The actions were stated as currently known and inevitably things would occur within the year that were unexpected. Delivery of the Service Plans would form part of the Lead Member Portfolio Briefings as well as team meetings with Officers.

- 8.3 Accordingly, it was

RESOLVED: That the 2022/23 Service Plans be **ENDORSED**.

EX.9 COUNCIL PLAN 2020/24 REFRESH

- 9.1 The report of the Head of Corporate Services, circulated at Pages No. 80-102, attached the refreshed Council Plan which Members were asked to recommend to

Council for adoption.

- 9.2 The Head of Corporate Services explained that the Council Plan was a key strategic document which established the overarching vision for the Borough and set out, in broad terms, the priorities, objectives and actions that the Council would focus upon to work towards the vision. The current Plan was approved by the Council on 28 January 2020 but, to ensure it remained a 'live' document, it was reviewed on an annual basis and, where appropriate, updated. In respect of the current review, the overall vision and values remained unchanged, and the Council's six priority themes were reaffirmed as finance and resources; economic growth; housing and communities; customer first; garden communities; and sustainable environment. Each of the priorities was supported by a series of key objectives and underneath each objective were supporting actions to be delivered or progressed during the year. The main purpose of the annual refresh was to review the Council Plan actions under each of the priority objectives and establish the status of each one. There may be a range of outcomes, for example, an action may have been delivered during the year and therefore could be removed from the plan; new actions may have emerged to support the delivery of the priority; an action may need to be amended to reflect its changing nature; and an action may need to be removed as it was no longer relevant or had been deferred. There were examples of that within the Council Plan refresh, for example, the action to ensure that Ubico resources made available as a result of the bulky waste review be redeployed had been removed as the action was complete; the action to introduce a shop-front grant scheme through the Tewkesbury High Street Heritage Action Zone had been amended to deliver projects as part of the Tewkesbury High Street Heritage Action Zone, including a shop front scheme, upper floors scheme and traditional skills to reflect the wider workstreams of the project; and a range of new actions had been added including to recommence the regeneration of Tewkesbury Town projects, deliver an Empty Homes Strategy, carry out a review of the licensing service and deploy CCTV cameras in fly tipping hotspots.
- 9.3 It was intended that the COVID recovery plan actions would be transitioned back into the Council Plan – this would not dilute the Council's approach to recovery, and there would continue to be a thread related to COVID-19 within the Council Plan refresh. There were also actions within the Council Plan, for example through the formulation of strategies such as the Economic Development and Tourism Strategy and the Medium Term Financial Strategy which would recognise and reflect the impact the pandemic had on the Council, its residents, communities and businesses.
- 9.4 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the refreshed Council Plan be **ADOPTED**.

EX.10 COUNCIL TAX ENERGY REBATE DISCRETIONARY SCHEME

- 10.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 103-114, sought approval for the Council Tax Energy Rebate Discretionary Scheme 2022/23.
- 10.2 The Revenues and Benefits Manager explained that in February 2022, the government had announced a package of support known as “Support for Energy Bills – The Council Tax Rebate 2022/23” to help households with rising energy bills. This included a £150 non-repayable rebate for households in England in Council Tax bands A to D and further discretionary funding for billing authorities to support households who were not eligible for the main scheme. Tewkesbury Borough Council had been allocated discretionary funding of £152,400 to support other energy bill payers who were not eligible under the terms of the core scheme. The Council could determine locally how to use the funding to make payments to other households who were energy bill payers – this could include households living in properties in Council Tax bands E to H who were on income related benefits or those where the energy bill payers were not liable for Council Tax – allocations from the discretionary fund must be spent by 30 November 2022. Discussions had taken place between the six Gloucestershire districts to agree some broad common principles which were incorporated in the proposed Council Tax Energy Rebate Discretionary Scheme 2022/23.
- 10.3 The proposed eligibility criteria was detailed in full in the scheme documentation attached at Appendix A to the report and included households living in property bands E to H who were in receipt of Council Tax reduction on 1 April 2022; households in Bands F* to H eligible for Disabled Band Reduction on 1 April 2022; households with occupiers where increased energy costs were likely to be felt more significantly including those where all occupiers were under the age of 18, severely mentally impaired, care leavers, students and elderly dependent relatives; people in supported / emergency accommodation; and people who lived in houses of multiple occupation and other properties where the resident was not the liable party for Council Tax. The aim was to support people as quickly as possible so Officers would be looking to make the immediate awards as soon as feasible. In response to a query regarding the number of households which were likely to receive payments, this was relatively unknown but it was hoped there would be sufficient funding.
- 10.4 The Revenues and Benefits Manager confirmed that, if the scheme was agreed by Members, residents would be alerted through social media, press releases and Parishes. Accordingly, it was

RESOLVED:

1. That the Council Tax Energy Rebate Discretionary Scheme 2022/23, as attached to the report at Appendix A, be **ADOPTED**.
2. That authority be delegated to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to make technical amendments to the scheme if further, or revised, government guidance is issued.

EX.11 ASHCHURCH BRIDGE OVER RAIL (ABOR)

- 11.1 The report of the Garden Town Programme Director, circulated at Pages No. 115-121, updated Members regarding the progress on a key workstream within the Tewkesbury Garden Town programme. Members were asked to note the progress made.
- 11.2 The Garden Town Programme Director explained that the Ashchurch Bridge over Rail was being funded by a capital grant of £8,132,465 from the government's Housing Infrastructure Fund which was an investment programme promoted by the Department for Housing, Levelling Up and Communities to support housing delivery, through the funding of vital physical infrastructure such as roads and bridges, deemed to be challenged with marginal viability concerns. Planning permission for the bridge had been granted in March 2021 and work continued, focusing on the detailed design and the selection of a construction partner, with the aim of commencing construction work on site this autumn. It was also noted that the bridge scheme related to the bridge structure only and did not include a permanent connection to the public highway. Any associated link roads and residential development would be the subject of future separate planning applications. There had been an unsuccessful challenge to the planning permission by way of a judicial review with the High Court dismissing all three grounds of challenge – an appeal had been made to the Court of Appeal with permission to appeal being granted which would be heard at an oral hearing.
- 11.3 In terms of progress to date, Members were advised that negotiations on land assembly for the bridge were ongoing but were moving into the final stages; consistent with the terms of the planning permission, the project team's focus over the last few months had been on working through the pre-contract planning conditions (site survey work and ground investigations) as well as preparing for the project construction phase; and scheduled for agreement at the next project Board meeting was the proposal to launch the tender for a fixed price, design and build construction contract. Attention was drawn to the key delivery risks of the project which included the planning challenge; project costs; and Network Rail asset protection agreement liabilities. The project's technical consultants were confident that the original cost estimates for the project remained valid; however, a further cost review exercise was planned prior to procurement of the construction contractor noting that any 'estimates' would remain untested until the contract tender returns were received – should the tender returns exceed the funding envelope available then the contract would not be awarded. A further report on the progress of the project would be brought to the Committee, once a construction contractor was selected, with an update regarding the final costings and projected delivery timeline.
- 11.4 Accordingly, it was

RESOLVED: That the progress being made on the delivery of the grant funded Ashchurch over Rail Bridge Project and the current forward delivery plan be **NOTED**.

EX.12 THE LEIGH NEIGHBOURHOOD DEVELOPMENT PLAN REFERENDUM

- 12.1 The report of the Head of Development Services, circulated at Pages No. 122-161, set out the process for The Leigh Neighbourhood Development Plan to proceed through the process and, accordingly, Members were asked to approve its progress to a community referendum.
- 12.2 The Interim Planning Policy Manager explained that, following the Localism Act 2011, Parish Councils and other qualifying bodies had been empowered to put together their own Neighbourhood Development Plans which, once 'made', would sit alongside the Borough Council's local plan. Local planning authorities had a statutory duty to advise and assist communities in the preparation of Neighbourhood Development Plans. The Leigh Neighbourhood Development Plan was submitted to Tewkesbury Borough Council on 19 July 2021 and an examination of the plan was undertaken by an Independent Examiner during March and April 2022. The Examiner's final examination report concluded that, subject to the modifications recommended, the Leigh Neighbourhood Development Plan met the basic conditions and may proceed to referendum; the Examiner also recommended the referendum boundary was the designated Neighbourhood Plan area. Having regard to the Examiner's conclusions, Officers were not aware of any reasons why the Plan should not proceed to referendum in accordance with the Examiner's report and the Committee was therefore recommended to approve that the plan be sent for referendum. If the Committee's decision was to send the plan for referendum, the Council was required to publish a decision statement within 56 days and the Borough Council was responsible for organising a referendum of those people in the neighbourhood area who were entitled to vote in local elections.
- 12.3 Accordingly, it was

RESOLVED:

1. That the Leigh Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, be formally **APPROVED** to progress to Community Referendum, as prescribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended.
2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to referendum.

EX.13 ASHCHURCH RURAL NEIGHBOURHOOD DEVELOPMENT PLAN REFERENDUM

- 13.1 The report of the Head of Development Services, circulated at Pages No. 162-191, set out the process for Ashchurch Rural Neighbourhood Development Plan to proceed through the process and, accordingly, Members were asked to approve its progress to a community referendum.
- 13.2 The Interim Planning Policy Manager advised that, as with The Leigh Neighbourhood Development Plan, the Ashchurch Rural Neighbourhood Development Plan had been submitted to the Council in July 2021. A different Examiner had been appointed and had undertaken the examination during March and April 2022. The examination report concluded that, subject to the modifications recommended, the Ashchurch Rural Neighbourhood Development Plan met the basic conditions and may proceed to referendum. The Examiner also

recommended that the referendum boundary was the designated Neighbourhood Plan area.

13.3 In terms of the strategic site at Fiddington, a Member questioned whether, as it had been allowed on appeal, it was a strategic site in the Joint Core Strategy and could the Council challenge that and get the planning permission on appeal revoked. In response, the Interim Planning Policy Manager explained that the Examiner had passed no judgement on the merits of the site and had recommended it should not be included as a site allocation on the basis it was not the role of the Neighbourhood Plan to make strategic allocations. Consequently, there was no scope to revoke or amend the terms of the extant planning permission through the Neighbourhood Plan.

13.4 Officers had been working with Ashchurch Rural Parish on the Garden Town and the person leading on the Neighbourhood Development Plan had been attending the Garden Town meetings, so she was fully aware of the principles. Accordingly, it was

RESOLVED:

1. That the Ashchurch Rural Neighbourhood Development Plan, modified according to the Examiner's recommended amendments, be formally **APPROVED** to progress to Community Referendum, as prescribed by Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended.
2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to make any necessary minor amendments prior to referendum.

The meeting closed at 3:05 pm