

9 May 2023

Committee	Council (Resumption)
Date	Wednesday, 17 May 2023
Time of Meeting	6:00 pm
Venue	Tewkesbury Borough Council, Severn Room

ALL MEMBERS OF THE COUNCIL ARE REQUESTED TO ATTEND

Agenda

1. ANNOUNCEMENTS

1. 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. To receive any announcements from the Chair of the Meeting and/or the Chief Executive.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

Pursuant to the adoption by the Council on 24 January 2023 of the Tewkesbury Borough Council Code of Conduct, effective from 1 February 2023, as set out in Minute No. CL.72, Members are invited to declare any interest they may have in the business set out on the Agenda to which the approved Code applies.

4. MINUTES

1 - 5

To approve the Minutes of the meeting held on 9 March 2023.

5. ITEMS FROM MEMBERS OF THE PUBLIC

- a) To receive any questions, deputations or petitions submitted under Council Rule of Procedure.12.

(The deadline for public participation submissions for this meeting is 11 May 2023).

- b) To receive any petitions submitted under the Council's Petitions Scheme.

6. ELECTION OF LEADER OF THE COUNCIL

To elect a Leader of the Council (who will also be the Chair of the Executive Committee) for the ensuing Municipal Year.

7. ELECTION OF DEPUTY LEADER OF THE COUNCIL

To elect a Deputy Leader of the Council (who will also be the Vice-Chair of the Executive Committee) for the ensuing Municipal Year.

8. MEMBERSHIP OF COMMITTEES AND OUTSIDE BODIES**(a) Number of Lead Members**

In accordance with the Constitution, to agree the number of Lead Members and Portfolios.

(b) Appointment of Lead Members

To appoint the Lead Members (with portfolios) who will form the Executive Committee.

(c) Appointment of Support Members

To appoint the Support Members to the Lead Members.

(d) Committee Membership

To determine the numbers on, and Membership of, the:

- Overview and Scrutiny Committee.
- Audit and Governance Committee.
- Planning Committee.
- Licensing Committee.
- Standards Committee.

Any papers available prior to the meeting will be circulated to all Members.

(e) Membership of Ad-Hoc Committees

To determine the Membership of the Ad-hoc Committees:

- Employee Appeals Committee;
- Employee Appointments/Disciplinary Committee

Any papers available prior to the meeting will be circulated to all Members.

(f) Appointment of Representatives to Panels and Liaison Groups

To appoint representatives to the following Panel and Liaison Groups:

- Gloucestershire Police and Crime Panel (1 plus 1 reserve);
- Shared Legal Services Joint Monitoring and Liaison Group (2 plus 2 substitutes); and
- Shared Building Control Joint Monitoring and Liaison Group (2).

(g) Appointments to Outside Bodies

To determine the Outside Bodies to which the Council should make appointments and the representation on those Bodies.

(h) Report from Leader of the Council

In accordance with the Constitution, to receive a report from the Leader of the Council which could cover Lead Member Portfolios, Working Groups and Panels etc.

(i) Appointment of Chairs, Vice-Chairs and County Groups

6 - 10

The Council will at this stage adjourn for a brief period to allow each Committee, as set out below, to hold a formal meeting to conduct the business set out in the enclosed Agenda:

1. Overview and Scrutiny Committee including appointment (and reserves) to the Gloucestershire Health Overview and Scrutiny Committee and Gloucestershire Economic Growth Scrutiny Committee.
2. Audit and Governance Committee.
3. Planning Committee.
4. Licensing Committee.
5. Standards Committee.

9. MAYOR OF TEWKESBURY'S APPEAL FUND

To appoint three Members of the Council as Trustees of the Mayor of Tewkesbury's Appeal Fund for the ensuing Municipal Year.

The Mayor and Chief Executive are automatically Trustees and as such cannot be one of the named Trustees for this year. The current Trustees are Councillors Gore, MacTiernan and Mason.

NB: The Fund is officially called the Mayor of Tewkesbury's Appeal Fund but this does of course refer to Tewkesbury Borough.

10. NOTICE OF MOTION: TO WIDEN THE SCOPE FOR OUR CLIMATE EMERGENCY TO INCLUDE THE WHOLE BOROUGH, TO DECLARE A NATURE (ECOLOGICAL) EMERGENCY AND SUPPORT THE CLIMATE AND ECOLOGY BILL

Councillor Cody will propose and Councillor Dimond-Brown will second:

This motion contains two intrinsically linked urgent necessities.

In July 2019, I brought a motion to Tewkesbury Borough Council to declare a climate emergency and do all in its powers to make the Borough carbon neutral by 2030.

Tewkesbury Borough Council was the last district in Gloucestershire to declare a Climate Emergency and this finally passed on 1st October 2019, but was at the time reduced to only include tackling emissions created by the Council itself and a few other public service properties it owns within the Borough:

“The Council has committed to become carbon neutral by 2030 by addressing greenhouse gas emissions from our operations, including:

- Electricity, gas and water use in our buildings that are used to provide a public service
- The Council's vehicle fleet
- Travel by employees and Councillors in vehicles or by public transport for Council purposes
- Office waste”

An excellent start has been made and I would like to give credit to officers who have worked incredibly hard gathering data, applying for funding and creating a carbon reduction programme. We now have the impressive solar canopy and several other initiatives, however, it is time to widen our reach to include the whole borough, we even say so on our website:

“Having looked at the Council’s own Carbon footprint the next steps will then be to support residents, businesses, community groups and other organisations to tackle greenhouse gas emissions across the Borough.”

I believe that we can do both at the same time, in fact it will be beneficial; that residents, businesses, community groups and other organisations increasingly want to be involved and will in turn support the whole borough on our collective journey to carbon neutrality.

Climate Emergency UK has been working on Council Climate Plan Scorecards. The average Council is scoring 43% but, Tewkesbury is currently on just 10%. Climate Emergency UK say;

“Engagement and support from residents is essential in carrying out your Climate Action Plan. Involving a diverse range of residents from all sectors of your community from the beginning will help ensure that a wider variety of ideas are heard and that solutions to problems can be found collectively.”

Businesses also want to get involved by sharing their ideas and examples of best practice, we don’t need to be doing this alone. Widening our scope could encourage private investment and unite our Borough in achieving carbon neutrality.

Here’s another quote from TBC’s website:

“Without increased and urgent mitigation ambition in the coming years, leading to a sharp decline in greenhouse gas emissions by 2030, global warming will surpass 1.5°C in the following decades, leading to irreversible loss of the most fragile ecosystems, and crisis after crisis for the most vulnerable people and societies.” (Source: IPCC, 2018: Global Warming of 1.5°C.)”

In order to reduce the chance of runaway Global Warming and limit the effects of Climate Breakdown, it is imperative that we as species reduce our CO₂eq (carbon equivalent) emissions from their current 6.5 tonnes per year to less than 2 tonnes as soon as possible;

Carbon emissions result from both production and consumption. In Gloucestershire the consequences of no action include:

- Increased risk of flash flooding and the resulting damage to buildings, crops, farmland and infrastructure as a result of more extreme rainfall events.
- Health problems due to increased heat stress particularly for vulnerable adults and children.
- Increased costs associated with changes to crops and biodiversity.
- Higher energy costs.

- Crop failures associated with extreme heat, such as was experienced in 2018 and 2022.

The government believes that a shift to a very low carbon energy future represents the best course for the country's economic development while lowering the risk of fuel poverty and reducing air pollution.

The second element of this motion is intrinsically linked and recognises the need for a declaration of a nature, (ecological) emergency. This can be found on Tewkesbury Borough Council's website:

Biodiversity

"Tree planting activity has been undertaken on the Council's land and we are working with Gloucestershire County Council to identify further opportunities to support carbon capture through nature."

But that's the only mention of nature recovery, ecology or biodiversity.

Humans have already caused irreversible climate change, the impacts of which are being felt in the UK and around the world. Global temperatures have increased by 1.2°C from pre-industrial levels and the natural world has reached crisis point, with 28% of plants and animals currently threatened with extinction.

Unless we drastically change course, the world is set to exceed the Paris Agreement's safe 1.5°C limit. Pledges like the Paris Agreement and updated emissions targets are not legally binding. The gap between pledges and policies leaves the world on course for catastrophic warming of near 3%. As the 2018 report by the Intergovernmental Panel on Climate Change (IPCC) made clear, every half a degree makes a world of difference: severe climate impacts with 1.5°C of warming, such as extreme weather patterns causing flooding and heat waves, get significantly worse with 2°C. According to the IPCC, limiting heating to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society, the private sector and local communities.

The UK is one of the most nature-depleted countries in the world and more than one in seven of our plants and animals face extinction and more than 40% are in decline. We have lost 95% of our hedgehogs. The UK needs a legally-enforceable nature target so that by 2030 nature is visibly and measurably on the path of recovery, in line with the Global Goal for Nature and the Leaders' Pledge for Nature.

Investing in wildlife gives at least a three-fold economic return. Protecting biodiversity and nature pays.

Council notes that:

Many local authorities are playing an important role in the UK taking action to achieve net zero carbon emissions, and to protect and revitalise local wildlife and natural habitats. Parliament in May 2019 declared an Environment and Climate Emergency and this Council has declared a Climate Emergency.

We further note that:

There is a Bill before Parliament - the *Climate and Ecology Bill* - which, if it becomes law, would require the UK Government to develop a strategy to address the climate-nature crisis that would ensure:

- A. that the ecological crisis is tackled shoulder to shoulder with the climate crisis, in a joined-up approach;
- B. that the Paris Agreement is enshrined into law to ensure that the UK does its fair share of the global carbon budget to limit planetary temperature rise to the safest end of the Paris Agreement (1.5°C);
- C. the Leaders' Pledge for Nature, echoed in the Montreal Agreement reached at the UN Biodiversity summit, COP15, is enshrined into law to ensure that nature loss and degradation is in reverse by 2030;
- D. that the UK takes responsibility for our entire greenhouse gas footprint (i.e. consumption emissions, plus shipping, flights and land-based transport) by accounting for all of the emissions that take place overseas to manufacture, transport, and dispose of the goods and services we import and consume;
- E. that the UK takes responsibility for our ecological footprint, so that we protect health and resilience of ecosystems along both domestic and our global supply chains;
- F. an independent, temporary 'Climate and Nature Assembly' is set-up, representative of the UK's population, to engage with the UK Parliament and UK Government to help develop the strategy.

Council therefore resolves to:

- I. Extend our current scope and declare a Borough wide "Climate and Ecological Emergency";
- II. Commit to doing all in its power to make Tewkesbury Borough carbon neutral by 2030, taking into account both production and consumption emissions;
- III. Commit to doing all in power eliminate the council's scope 3 emissions through the development of a carbon neutral procurement strategy.
- IV. Continue its Climate Action and Flood Risk Working Group;
- V. Call again upon the UK Government to provide additional powers and resources to support local and national action towards the 2030 target;
- VI. Commit again to working with partners in Gloucestershire to achieve county-wide carbon neutrality aims;

The Council further resolves to:

- VII. Declare a nature (ecological) emergency; recognising that the threat to continued human wellbeing from the loss of biodiversity and healthy habitats, whilst linked to the climate emergency, requires specific emergency measures for nature recovery.
- VIII. Declare our support for the Climate and Ecology Bill; inform the local media of this decision.
- IX. Write an open letter to Laurence Robertson MP, shared with our residents through local and social media, urging him to sign up to support the CE Bill; and
- X. Write to the Zero Hour, the organisers of the campaign for the CE Bill, expressing its support (councils@zerohour.uk).

11. SEPARATE BUSINESS

The Chair 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.

12. SEPARATE MINUTES

11 - 18

To approve the separate Minutes of the meeting of the Committee held on 9 March 2023.

13. MONITORING OFFICER

To Follow

(Exempt – Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to any individual)

To appoint a Monitoring Officer to the Council with effect from 1 July 2023.

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 Mayor 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.

**Head of Democratic Services for
Corporate Director**

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Thursday, 9 March 2023 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor J W Murphy
Councillor A S Reece

and Councillors:

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

CL.84 ANNOUNCEMENTS

- 84.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 84.2 The Mayor indicated that he had used his discretion to accept an urgent item of business which would be considered at Agenda Item 8a. The item related to the recruitment of the Executive Director: Place and was urgent as the process needed to begin as soon as possible to recruit to this important new post.

CL.85 APOLOGIES FOR ABSENCE

- 85.1 Apologies for absence were received from Councillors G J Bocking, R D East, H C McLain, C E Mills, P W Ockelton, J K Smith and R J Stanley.

CL.86 DECLARATIONS OF INTEREST

- 86.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.
- 86.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
K J Cromwell	Item 10 – Tewkesbury Garden Town – New Development Corporation Competition.	Family members have an interest in land in the area.	Would not speak or vote and would leave the room for the consideration of the item.

P N Workman	Item 10 – Tewkesbury Garden Town – New Development Corporation Competition.	A family member has an interest in land in the area.	Would not speak or vote and would leave the room for the consideration of the item.
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86.3 There were no further declarations made on this occasion.

CL.87 MINUTES

87.1 The Minutes of the meeting held on 21 February 2023, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.88 ITEMS FROM MEMBERS OF THE PUBLIC

88.1 There were no items from members of the public.

CL.89 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

89.1 There were no Member questions on this occasion.

CL.90 AMENDMENT TO SCHEME OF DELEGATION

90.1 The report of the Head of Democratic Services, circulated at Pages No. 12-14, asked Members to agree an amendment to the Constitution to enable appropriate delegation arrangements for re-designating Polling Places and Stations outside of a full Polling District Review. Members were asked to agree an amendment that authority be delegated to the Returning Officer/Electoral Registration Officer and their deputy to keep Polling Places and Stations under review and amend any such arrangements where there was an operational need prior to the next full review of Polling Places.

90.2 The Head of Democratic Services explained that the recent Community Governance Review had resulted in a need to make minor amendments to the Polling Places and changes to Polling Stations. Normally, Polling Stations were changed as a matter of course where required as a function of the Returning Officer but the Association of Electoral Administrators had advised that it was best practice to include a delegation within the Constitution for this purpose. A full review of Polling Places was to be undertaken between October 2023 and January 2025 and that would incorporate public consultation – including with interested parties – and would take account of revised Parliamentary boundaries. The results of that review would be brought to the Council as that was not a decision which could be made under delegation.

90.3 A Member questioned whether the full Constitution would be published on the website following the addition of this delegation and was advised that the Constitution was already published and this amendment would be made, if agreed, following the meeting.

90.4 Accordingly, it was

RESOLVED That authority be delegated to the Returning Officer/Electoral Registration Officer and their deputy to keep Polling Places and Stations under review and amend any such arrangements where there was an operational need prior to the next full review of Polling Places.

CL.91 CONTINUATION OF GLOUCESTERSHIRE ECONOMIC GROWTH JOINT COMMITTEE - TO 30 SEPTEMBER 2023

91.1 The report of the Chief Executive, circulated at Pages No. 15-18, asked Members to consider extending the operation of the Gloucestershire Economic Growth Joint Committee for a further six months, with the Council's participation as a member authority, from 31 March 2023 to 30 September 2023 under the terms set out in the associated Inter Authority Agreement; to delegate authority to the Director of One Legal to agree and complete the appropriate legal documentation to allow the Inter Authority Agreement to be extended until 30 September 2023; and to delegate authority to the Chief Executive, in consultation with the Lead Member for Economic Development/Promotion, to agree the Gloucestershire City Region Board Partnership Terms of Reference for approval by the Council.

91.2 The Chief Executive explained that the intention was that the Gloucestershire Economic Growth Joint Committee would be stood down when the Gloucestershire City Region Board was established; however, the new City Region Board had been delayed so all Gloucestershire authorities were looking to agree an extension to the Gloucestershire Economic Growth Joint Committee for six months pending the establishment of the Gloucestershire City Region Board.

91.3 A Member sought assurance that, if the Tewkesbury Borough Council representative could not attend the Gloucestershire Economic Growth Joint Committee meetings, a substitute would be sent in their place. She was advised that this was what currently happened and that would continue to be the case.

91.4 Accordingly, it was

RESOLVED

1. That the operation of the Gloucestershire Economic Growth Joint Committee be extended for a further six months, with the Council's participation as a member authority, from 31 March 2023 to 30 September 2023 under the terms set out in the associated Inter Authority Agreement
2. That authority be delegated to the Director of One Legal to agree and complete the appropriate legal documentation to allow the Inter Authority Agreement to be extended until 30 September 2023.
3. That authority be delegated to the Chief Executive, in consultation with the Lead Member for Economic Development/Promotion, to agree the Gloucestershire City Region Board Partnership Terms of Reference for approval by the Council.

CL.92 RECRUITMENT OF EXECUTIVE DIRECTOR: PLACE

92.1 The Chief Executive apologised for the late arrival of the report which had been circulated separately as an urgent item. He explained that Officers had been able to conclude the process of the new management structure earlier than anticipated and it would be helpful to agree the way in which the important Executive Director: Place post would be recruited to. He had now gone through the process and agreed all of the roles and the Officers who would slot into them so there would be a full complement of staff in the management structure to take forward apart from this role and that of Associate Director: Planning.

92.2 The Executive Director: Place was a Member appointment and, as such, there was a need to establish a Member Committee and Working Group to take that appointment forward. It was suggested the composition of the Committee and Working Group would be seven Members nominated by Political Group Leaders on the basis of four Conservative Group, one Liberal Democrat Group, one Brockworth First Group and one Tewkesbury and Twyning Independent Group. The membership would be the same for each group and the proposed Terms of Reference for each were set out within the report. The interview process would incorporate a meet and greet opportunity for all Members to participate and provide feedback which was similar to the approach taken during the recent appointment of the new Chief Executive. The recruitment for the Associate Director: Planning would run alongside the Executive Director: Place but was not a Member appointment.

92.3 A Member expressed the view that the timing was unfortunate given the local elections were in May and the new Council would not have input to this senior management role; however, she understood the need to be expedient.

92.4 Accordingly, it was

RESOLVED

1. That a Member Appointment Committee be established for the appointment of the Executive Director: Place with the composition and Terms of Reference set out in Paragraphs 3.1-3.3 of the report.
2. That a Member Appointment Working Group be established for the appointment of the Executive Director: Place with the same composition and Terms of Reference set out in Paragraphs 3.1-3.3 of the report.

CL.93 SEPARATE BUSINESS

93.1 The Mayor proposed, and it was

RESOLVED

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

**CL.94 TEWKESBURY GARDEN TOWN - NEW DEVELOPMENT CORPORATION
COMPETITION**

(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))

- 94.1 Members considered and agreed to submit an Outline Business Case for the Garden Town Development Corporation to the Department for Levelling Up, Housing and Communities.

CL.95 STAFF RETENTION AND RECRUITMENT PHASES 2 AND 3

(Exempt –Paragraph 1 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to any individual)

- 95.1 Members considered and approved phases 2 and 3 of the retention and recruitment project.

The meeting closed at 8:45 pm



9 May 2023

Committee	Overview and Scrutiny
Date	Wednesday, 17 May 2023
Time of Meeting	Not before 6:15 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the ensuing Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the ensuing Municipal Year.

3. NOMINATION TO GLOUCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE

To appoint one representative and one reserve to sit on the Gloucestershire Health Overview and Scrutiny Committee for the ensuing Municipal Year.

4. NOMINATION TO GLOUCESTERSHIRE ECONOMIC GROWTH SCRUTINY COMMITTEE

To appoint one representative and one reserve to sit on the Gloucestershire Economic Growth Scrutiny Committee for the ensuing Municipal Year.

9 May 2023

Committee	Audit and Governance Committee
Date	Wednesday, 17 May 2023
Time of Meeting	Not before 6:15 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the ensuing Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the ensuing Municipal Year.

9 May 2023

Committee	Planning
Date	Wednesday, 17 May 2023
Time of Meeting	Not before 6:15 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the ensuing Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the ensuing Municipal Year.



9 May 2023

Committee	Licensing
Date	Wednesday, 17 May 2023
Time of Meeting	Not before 6:15 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the ensuing Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the ensuing Municipal Year.

9 May 2023

Committee	Standards Committee
Date	Wednesday, 17 May 2023
Time of Meeting	Not before 6:15 pm
Venue	Tewkesbury Borough Council Offices, Severn Room

ALL MEMBERS OF THE COMMITTEE ARE REQUESTED TO ATTEND

Agenda

1. ELECTION OF CHAIR

To elect a Chair for the ensuing Municipal Year.

2. APPOINTMENT OF VICE-CHAIR

To appoint a Vice-Chair for the ensuing Municipal Year.

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