

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 20 June 2023 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor I Yates
Councillor P N Workman

and Councillors:

N D Adcock, C Agg, H J Bowman, T J Budge, C L J Carter, C M Cody, C F Coleman, M Dimond-Brown, S R Dove, P A Godwin, M A Gore, D W Gray, S Hands, D J Harwood, A Hegenbarth, M L Jordan, G C Madle, J R Mason, H C McLain, P D McLain, J P Mills, P W Ockelton, K Pervaiz, G M Porter, E C Skelt, J K Smith, P E Smith, R J G Smith, R J Stanley, H Sundarajoo, M G Sztymiak, R J E Vines and M J Williams

CL.20 ANNOUNCEMENTS

- 20.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 20.2 The Mayor introduced the Council's new Monitoring Officer who would take up his position on 1 July 2023.

CL.21 APOLOGIES FOR ABSENCE

- 21.1 Apologies for absence had been received from Councillors E J MacTiernan, C E Mills and M R Stewart.

CL.22 DECLARATIONS OF INTEREST

- 22.1 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.
- 22.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
N D Adcock	Item 11 – Woodmancote Neighbourhood Plan to be made part of the Development Plan for Tewkesbury.	Is a Woodmancote Parish Councillor.	Would speak and vote.

L C Agg	Item 11 – Woodmancote Neighbourhood Plan to be made part of the Development Plan for Tewkesbury.	Is a Woodmancote Parish Councillor.	Would speak and vote.
D W Gray	Item 11 – Woodmancote Neighbourhood Plan to be made part of the Development Plan for Tewkesbury.	Is the Gloucestershire County Councillor for the area.	Would speak and vote.

22.3 There were no further declarations made on this occasion.

CL.23 MINUTES

23.1 The Minutes of the meeting held on 16 and 17 May 2023, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.24 ITEMS FROM MEMBERS OF THE PUBLIC

24.1 There were no items from members of the public.

CL.25 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

25.1 There were no Member questions.

CL.26 APPOINTMENT OF DEPUTY MAYOR

26.1 It was proposed by Councillor M G Sztymiak, and seconded by Councillor R J Stanley, that Councillor P N Workman be, and is hereby appointed, Deputy Mayor of the Borough of Tewkesbury for the ensuing Municipal Year.

26.2 The Motion was put to the meeting and, it was

RESOLVED That Councillor P N Workman be the Deputy Mayor of the Borough for the ensuing Municipal Year.

26.3 Councillor Workman expressed thanks to his fellow Councillors for their kind words and support and indicated that he looked forward to supporting the Mayor during the year. He took his seat next to the Mayor.

CL.27 SCHEME OF ALLOWANCES 2023/24

27.1 The report of the Head of Democratic Services, circulated at Pages No. 15-16, asked Members to determine whether to amend the Council's Scheme of Allowances 2023/24 after considering the recommendation of the Council's

Independent Remuneration Panel that no amendment should be made.

- 27.2 In presenting the report, the Lead Member for Corporate Governance offered his thanks to those involved in ensuring the Council was able to determine this matter as its earliest possible convenience. He noted that, at the annual meeting in May, the Council had increased the membership of the Executive Committee from 11 to 12 which allowed for representation from all groups on the Council, broadened the experience of Members on the Committee and reflected the geography of the Borough. At the same time the portfolios had been reduced back to nine which was where they had been historically. As a result, the Independent Remuneration Panel had met to consider that change and make a recommendation on whether those Members of the Executive Committee without a portfolio should be remunerated. The Panel had considered the matter and recommended no change to the scheme meaning those Members without a portfolio would not receive remuneration. He felt it was important to consider carefully the Panel's recommendation and take it into account. The alternative would be to instruct the Leader to artificially increase the number of portfolios but, in his view, this would leave the Council in a difficult position which would be challenging to defend to residents. He therefore proposed that no amendment should be made to the Council's Scheme of Allowances 2023/24. The Leader of the Council seconded that proposal. He understood that his previous proposal to increase the Membership but decrease the portfolios had resulted in disappointment for some Members but he felt that was the right thing to do for the Council.
- 27.3 During the discussion which ensued, a Member noted that the Independent Remuneration Panel usually sought Members' views when they met and he questioned why that had not been the case on this occasion. In response, the Head of Democratic Services explained that the Panel had not felt it necessary to meet Members to consider the current issue – when it undertook its annual review of allowances it would most likely wish to speak to Members at that point. Another Member indicated that, whilst he had no concerns or objections about reducing costs on allowances, he was concerned about the decision to increase the Membership and decrease the portfolios as he felt it had resulted in a two tier Executive Committee which was not what he felt the aim should be.
- 27.4 Upon being put to the vote, it was
- RESOLVED** That no amendment be made to the Council's Scheme of Allowances 2023/24.

CL.28 COUNCIL CONSTITUTION - AMENDMENT TO RULE OF PROCEDURE 13.2 - MEMBER QUESTIONS

- 28.1 The report of the Head of Democratic Services, circulated at Pages No. 17-19, asked Members to consider making a permanent amendment to the Council's Rules of Procedure in respect of Member Questions to reflect the informal arrangement currently in place.
- 28.2 In presenting the report, the Lead Member for Corporate Governance explained that the current temporary change had occurred by agreement during Covid to enable Officers more time to prepare the answers to questions and that arrangement had been working effectively for all involved. Whilst it meant that Members had to remember to ask questions further in advance of the meeting, having Officers give full answers on the day before, rather than an hour before, the meeting meant the questioners had time to properly consider their supplementary questions and this was extremely helpful to Councillors. He suggested, if agreed, the arrangement could be reviewed after 12 months to ensure it was working well for all involved. The Lead Member drew attention to Paragraph 2.4 of the report and indicated that the

review could be undertaken in line with a detailed review of the whole Constitution which he would like to undertake with a Working Group comprised of one representative from each Group on the Council. He had found the Council's Constitution both hard to find and hard to follow and he felt a review of the whole document, and particularly how the public engaged with the Council, would be helpful. He intended to bring a report to the next meeting of the Council to establish a Working Group to undertake that work.

- 28.3 The Leader of the Council seconded that proposal and suggested that the way Member questions had been working informally to date had been successful so there seemed to be no reason not to make it a permanent arrangement. In respect of the review of the Constitution, he confirmed this was not something to vote on this evening but it was important that it was reviewed and that residents had a proper right of reply – in his time as a Councillor he had seen very few questions to Council from members of the public and he felt the Council should not be afraid of scrutiny from residents.
- 28.4 A Member questioned why the matter would be brought back at a later meeting rather than being concluded now with the setting up of a Working Group at the current meeting. In response, the Lead Member for Corporate Governance, explained that Officers needed time to support him to write the Terms of Reference for the Group and Group Leaders needed time to nominate their representatives, accordingly, it was

RESOLVED That Rule of Procedure 13.2 – Member Questions to Council, be amended as follows:

Questions to be submitted by 10am six working days before the meeting, not including the day of the meeting, and that replies be circulated by 5pm on the working day before the meeting.

CL.29 HONORARY ALDERMAN

- 29.1 Attention was drawn to the Agenda which asked the Council whether it wished to recommend the award of the distinction of Honorary Alderman to immediate past Members of the Council.
- 29.2 The Leader of the Council expressed his thanks to all Councillors who had stood previously and thanked them for their service. He indicated that he had looked at the length of service and their particular roles in making his proposal.
- 29.3 Accordingly, it was proposed, seconded and

RESOLVED That, in accordance with S249 of the Local Government Act, an Extraordinary meeting of the Council be convened, on a date to be agreed, to confer the title of Honorary Alderman on former Members Rob Bird, Gill Blackwell, Mike Dean, John Evetts, John Murphy, Andrew Reece, Philip Surman and Vernon Smith in recognition of their eminent service to the Council.

CL.30 WOODMANCOTE NEIGHBOURHOOD PLAN TO BE MADE PART OF THE DEVELOPMENT PLAN FOR TEWKESBURY

- 30.1 The report of the Interim Planning Policy Manager, circulated at Pages No. 20-104, set out the result of the recent referendum on the Woodmancote Neighbourhood Development Plan and Members were asked to agree that the Plan be 'made' part of the Development Plan for Tewkesbury Borough with authority delegated to the Interim Planning Policy Manager, in consultation with the Lead Member for Built Environment, and in agreement with the qualifying body (Parish Council), to correct any minor errors such as spelling, grammar, typographical or formatting errors that

did not materially affect the substantive content of the plan.

30.2 In presenting the report, the Lead Member for Built Environment explained that, under the Localism Act 2011, Parish Councils had been empowered to prepare Neighbourhood Development Plans – these were powerful documents that, when ‘made’, had equal status to local plans and core strategies. The Borough Council had a duty to support and advise Parish Councils in preparing and making their plans and this is what Officers had done with Woodmancote Parish. The plan had been subject to all statutory procedures and a referendum had been held on 4 May 2023 which had resulted in 88.1% of votes being in favour of the plan. The Borough Council now needed to formally resolve that the plan be ‘made’ and added to the local development framework documents. She proposed, and it was seconded, that the Woodmancote Neighbourhood Development Plan be ‘made’ part of the Development Plan for Tewkesbury Borough with authority delegated to the Interim Planning Policy Manager, in consultation with the Lead Member for Built Environment, and in agreement with the qualifying body (Parish Council), to correct any minor errors such as spelling, grammar, typographical or formatting errors that did not materially affect the substantive content of the plan.

30.3 A Member offered her congratulations to the team responsible for putting together such a comprehensive plan. She knew a tremendous amount of work went into Neighbourhood Development Plans and she felt they should be extremely pleased with the high percentage of votes cast in favour at the referendum.

30.4 Accordingly, it was

RESOLVED

1. That the Woodmancote Neighbourhood Development Plan be ‘made’ part of the Development Plan for Tewkesbury Borough.
2. That authority delegated to the Interim Planning Policy Manager, in consultation with the Lead Member for Built Environment, and in agreement with the qualifying body (Parish Council), to correct any minor errors such as spelling, grammar, typographical or formatting errors that did not materially affect the substantive content of the plan.

CL.31 WEBCASTING OF COUNCIL MEETINGS

31.1 The report of the Executive Director: Resources, circulated at Pages No. 105-108, asked Members to consider a proposal for the webcasting of Council meetings.

31.2 In presenting the report, the Lead Member for Corporate Governance advised that this matter had last been considered in December 2022 and, at that time, it had been decided not to proceed with the introduction of webcasting. In his view, this had given the impression of the Council not moving with the times as well as not opening itself up to proper scrutiny from the public. The introduction of webcasting would be more transparent, improve scrutiny and engage residents in what the Council did in its meetings. He was pleased that the tender exercise was in place and ready to go if the Council decided to go ahead this time. The Lead Member indicated that he had advised Officers of three additional things which he would like to see included as part of the system 1) that the system would broadcast all meetings and, where confidential matters were dealt with, there was a clear explanation to anyone watching of what was happening; 2) that the system could be used by outside groups so other organisations using the room could make use of the equipment on a commercial basis; and 3) that a recording was made of the meetings that could be used by the communications team and was kept available for as long into the future as possible for anyone to watch. On that basis he proposed that the Council approved, in principle, to introduce webcasting and that the funding and tender exercise be discussed in confidential business with a final

decision being made when Members had been advised of that information. In response to a query regarding the procedure, the Corporate Director confirmed that it would be feasible to make an 'in principle' decision subject to the financing now and then defer the conversation about finances to be considered in confidential business. A Member proposed, and it was seconded, that the whole item should be taken in confidential business but he later withdrew that proposal. In response to a query as to whether the original proposal on the papers had already been amended, the Corporate Director confirmed that the proposal was that, subject to the Council being satisfied as to the financial implications to be discussed in separate business at this meeting, a decision be taken in principle to introduce webcasting – this was the first proposal and therefore was not an amendment. The recommendation in the report was a recommendation only not a proposal. In respect of the fact that there were no members of the public observing the meeting, the Corporate Director confirmed that there being no public present was irrelevant to the financial information needing to be discussed in confidential business. If that information was debated in public, it would be minuted as such and that could prejudice the tender process. This was the reason the financial information should be debated in private. She reiterated the proposal that, subject to the Council being satisfied as to the financial implications to be discussed in separate business at this meeting, a decision be taken in principle to introduce webcasting.

31.3 The Lead Member advised that the report indicated that the funding was available within budget should the Council decide to go ahead with webcasting so the decision in principle seemed to him to be straightforward as Members should be either in favour of it or not and there seemed to be no reason why that decision could not be made in open business. Several Members felt the decision would have to be one in principle and subject to the consideration of finances since the Council did not currently have the financial information it needed to be able to confirm that the funding for webcasting was available. The Corporate Director agreed this would have to be the case, as had been advised earlier in the meeting. A Member suggested that he had no issue with webcasting being introduced as it enabled many more people to watch the Council's meetings and the recordings could be used by Councillors to confirm what they had said at meetings if it came into question; however, he questioned how long the recordings would be retained for. In response, the Executive Director: Resources and S151 advised that a protocol would have to be put into place and that would include the length of time the recordings would be retained for; the general principle would be to keep them as long as possible but the protocol would be developed should Members decide to support the introduction of webcasting. Another Member advised that she had recently watched a webcast of a Council meeting in another authority and had noted that the voting came up on screen and she wondered if this was something that could be included in the Council's specification. She also questioned if the introduction of webcasting would be a step towards hybrid meetings. In response, she was advised that electronic voting was common among webcasting systems so it was something that could be considered. In terms of hybrid Committee meetings, this was not currently permitted by law in England.

31.4 A Member expressed her delight at this issue being brought back to Council at the earliest opportunity. She had concerns that many residents could not afford to travel to the offices, due to the Borough being so large and spread out over a wide area and public transport from many rural areas being poor, therefore she welcomed the opportunity for those people to be able to see the Council making decisions via the web – she hoped this would result in better engagement from residents in local democracy. Another Member indicated that he was all for modern technology and believed in transparency and people seeing what the Council did but he had concerns now, as he had in December, that the cost of living crisis was such that this kind of money would be better directed at helping people that could not afford to feed themselves rather than on a webcasting system for the Council. He also noted

that the Council had made its most important decisions in February on Council Tax setting and the budget and no one had attended to watch the meeting so he wondered how many people would watch webcasts of the meetings. A Member shared the concerns expressed about the cost of living crisis but felt there was no better time to be transparent and engage in different ways with residents.

- 31.5 A Member asked that the 'question be put'. The Corporate Director reiterated the proposal that, subject to the Council being satisfied as to the financial implications to be discussed in separate business at this meeting, a decision be taken in principle to introduce webcasting. Having been proposed and seconded, a recorded vote was requested and, upon receiving the appropriate level of support, voting was recorded as follows:

For	Against	Abstain	Absent
N D Adcock		P A Godwin	E J MacTiernan
L C Agg			C E Mills
H J Bowman			M R Stewart
T J Budge			
C L J Carter			
C Cody			
C F Coleman			
E M Dimond-Brown			
S R Dove			
M A Gore			
D W Gray			
S J Hands			
D J Harwood			
A Hegenbarth			
M L Jordan			
G C Madle			
J R Mason			
H C McLain			
P D McLain			
J P Mills			
P W Ockelton			
K Pervaiz			

G M Porter

E C Skelt

J K Smith

P E Smith

R J G Smith

R J Stanley

H Sundarajoo

M G Sztymiak

R J E Vines

M J Williams

P N Workman

G I Yates

31.6 Accordingly, it was

RESOLVED That, subject to the Council being satisfied as to the financial implications to be discussed in separate business at this meeting, a decision is taken in principle to introduce webcasting.

CL.32 REPRESENTATION ON OUTSIDE BODIES

32.1 Attention was drawn to the Agenda which explained that, at the last meeting of the Council, vacancies had remained on both the A48 meeting and the Parking and Traffic Regulations Outside London (PATROL) Joint Committee outside bodies. Further investigation had identified that the A48 meeting is no longer in existence but, in terms of the PATROL Joint Committee, it was mandatory for the authorities in England and Wales operating civil parking enforcement to provide a Councillor nomination even if the representative was unable to attend the annual meeting. On that basis, after consultation with the Group Leaders, it had been agreed that representation on the PATROL Joint Committee should form part of the Finance and Asset Management Portfolio. Members were asked to note this approach and, accordingly, it was

RESOLVED That the representation on the PATROL Joint Committee form part of the Finance and Asset Management Portfolio.

CL.33 SEPARATE BUSINESS

33.1 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.34 SEPARATE MINUTES

- 34.1 The separate Minutes of the meeting held on 17 May 2023, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.35 WEBCASTING - FINANCES

(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))

- 35.1 Having considered the principle of introducing webcasting earlier in the meeting, the Council agreed that the budget already allocated should be sufficient and that the tender process could commence for a webcasting system.

CL.36 APPOINTMENT OF EXECUTIVE DIRECTOR : PLACE

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

- 36.1 Members considered the recommendation of the Executive Director: Place Appointment Committee and agreed an offer of appointment.

The meeting closed at 7:40 pm