

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 12 December 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 M Cody, M Dimond-Brown, S R Dove, P A Godwin, M A Gore, D W Gray, S Hands, D J Harwood, E J MacTiernan, G C Madle, J R Mason, H C McLain, C E Mills, J P Mills, K Pervaiz, E C Skelt, J K Smith, P E Smith, R J G Smith, R J Stanley, M R Stewart, H Sundarajoo, M G Sztymiak, R J E Vines and M J Williams

CL.68 ANNOUNCEMENTS

- 68.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 68.2 The Mayor indicated how sorry he was to hear of the recent passing of Honorary Alderman Pearl Stokes who had been a great servant of both the Borough Council and Churchdown Parish Council; she was well known and well loved and would be missed. These sentiments were echoed by Members and the Leader of the Council, Councillor Vines and Councillor Sztymiak shared their memories of Honorary Alderman Stokes. It was agreed that the Mayor would send a letter of condolence to her family on behalf of the Council.

CL.69 APOLOGIES FOR ABSENCE

- 69.1 Apologies for absence were received from Councillors C L J Carter, C F Coleman, A Hegenbarth, M L Jordan, P D McLain, P W Ockelton and G M Porter.

CL.70 DECLARATIONS OF INTEREST

- 70.1 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.
- 70.2 There were no declarations made on this occasion.

CL.71 MINUTES

- 71.1 The Minutes of the meeting held on 26 September 2023 and the Extraordinary meeting held on 21 November 2023, copies of which had been circulated, were approved as correct records and signed by the Mayor.
- 71.2 The Minutes of the Special meeting, held on 7 November 2023 was approved as a correct record, subject to an amendment to record apologies for Councillor P D McLain, and signed by the Mayor.

CL.72 ITEMS FROM MEMBERS OF THE PUBLIC

72.1 There were no items from members of the public.

CL.73 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

73.1 The following question was received from Councillor Cody to the Lead Member for Clean and Green Environment, Councillor Sarah Hands. The answer was given by the Lead Member for Clean and Green Environment and was taken as read without discussion.

Question 1

The Gloucestershire Local Nature Partnership held a Whole Partnership Gathering on 28 November 2023. The Forest of Dean, Stroud, Cheltenham and Cotswold Districts, plus County all had officers present.

Additionally, GFirst LEP held a Gloucestershire Net Zero Conference on 29 November at which Tewkesbury Borough Council didn't appear to have any officers either.

As we have now extended our climate emergency to include the whole borough as well as an ecological emergency, please could we make sure that there is officer representation and engagement at events such as these in the future.

Answer

The Council will always endeavour to ensure attendance at partner led meetings by appropriate officers from across the Council where resources are available and existing commitments do not take priority.

73.2 The Mayor invited a supplementary question and the Member asked the following which was answered by the Lead Member for Clean and Green Environment:

Supplementary Question

I appreciate it may not always be possible to send representation; however, it was quite embarrassing to hear that it is often Tewkesbury Borough Council and Gloucester City Council who do not send Officers to these types of events, the merits of which are many: collaboration, sharing ideas and best practice, support and information. Nature, ecology and the climate emergency have no borders; we need to work together and forge good relationships. Tewkesbury Borough Council has some excellent new initiatives to share, therefore, I implore the Council to make sure that Officers are present; learning and showing that we understand the importance of what we have signed up to. What assurances can the Lead Member give me please?

Answer

In January, Tewkesbury Borough Council will be advertising for a new Climate Officer to add to the team and, with these additional resources, the Council will be better able to ensure Officers can attend these events. Officers are in regular contact so, whilst the resources may not always be available to send someone to meetings, there is collaboration before and after events.

CL.74 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE**Medium Term Financial Strategy**

- 74.1 At its meeting on 29 November 2023, the Executive Committee considered the Medium Term Financial Strategy 2024/25-2028/29 and recommended to Council that it be adopted.
- 74.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 28-50.
- 74.3 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and it was seconded by the Lead Member for Finance and Resources. The Leader of the Council indicated that Members would be well aware of the financial challenges faced by all local authorities and Tewkesbury Borough Council, having a particularly low Council Tax, was no exception to this. It was important to understand that, although the report referred to a budget deficit of £6.14m over the next five years, that was based upon a set of assumptions which at this point were unknown. Many Members would have attended other sessions in the past two weeks on this key piece of financial planning for the Council, either in a stand-alone briefing, at Executive Committee or the Transform Working Group. It was very important at this point to note the comment at Page No. 31, Paragraph 1.5 of the report, which stated that the Council was not in immediate danger of a S114 notice being required and that the next two budgets looked manageable as long as a range of sensible and careful decisions were made. The Lead Member went on to explain that this was an update to the MTFS approved at Council in January 2023 and reflected the latest information and financial assumptions. The strategy had been brought forward to set the scene for Members ahead of the 2024/25 budget round which was about to begin in earnest. He stressed that it was merely a financial forecast and its approval did not bind the Council to anything, for example, setting Council Tax for the next five years or staffing budgets. Local government funding continued to remain uncertain with no assurance over any funding stream in the medium term and the MTFS focused on a 'likely' funding scenario based on previous government communication and consultations which resulted in a £3.5m funding 'cliff edge' in 2026/27. Given uncertainties, there were potentially many different scenarios – some worse but many better. Costs had been projected forward using latest estimates of inflation and reflecting known unavoidable cost increases such as external audit and the Materials Recovery Facility (MRF) gate fee. Whilst the Council had a £3m reserve which could support the financial challenges faced, 2026/27 going into 2027/28 looked particularly challenging based on current funding projections. This Council, along with many others, would be reliant on the government finding a longer term solution for funding. The Chancellor's Autumn Statement had indicated that no additional funding would be coming forward to help local government and an article in The Times on Monday had focused on the "Council crisis being faced in an election year" which made claims that the Local Government Association had written to the Chancellor sharing that 90% of Councils would need to dip into reserves to maintain statutory services; since 2010, Council budgets had been cut by an average of 27%; and a wave of local authorities were expected to declare in 2024 that they could not balance the books – Tewkesbury Borough Council was clearly not alone in facing this and Nottingham City Council had effectively declared itself bankrupt when this item was being discussed by the Executive Committee last month; undoubtedly, more would follow.

- 74.4 A Member asked how this information would be communicated to the wider public and what communication strategy was proposed in that regard. In response, the Leader of the Council advised that this question had been raised in other arenas and it had been recognised it would need to be handled sensitively. Challenges were faced across the board after many years of austerity and there were other Councils making the point that this was not over for local authorities. Tewkesbury Borough Council did have reserves so, whilst the position was not comfortable, it was not at immediate risk of collapse as some Councils would be facing. The Executive Director: Resources confirmed that a press release would be issued immediately, should the MTFS be approved by Members this evening, followed up by a further press release in the New Year, with communications further built up as budget approval approached.
- 74.5 During the debate which ensued, a Member commended Officers on this extremely important piece of work and felt that the rolling programme of work in terms of looking at the Council's strategy and finances was important for residents to know that the Council took its duties extremely seriously and invested the appropriate time in assessing its position. There was nationally recognised uncertainty and a debate about how Council services would be financed in the future whatever the political landscape. He felt it was worth recognising that Tewkesbury Borough Council was in a position of relative strength with a sound financial position having been wise in its past judgements of not exposing the authority to risks others had in terms of investments. The overall message in his view was that there was financial uncertainty but the Council was starting from a strong position and needed to continue to be wise in its decision making and not take risks which would benefit short term finances but expose it to greater uncertainty in the long term. The Leader of the Council agreed that Tewkesbury Borough Council certainly had long term challenges, particularly due to the low Council Tax which dated back to the 1990s and had also been a problem for the previous administration and lost planning appeals which had cost the Council over £500,000 in the last year. Some decisions were external and faced by all Councils but others had been made by Tewkesbury Borough Council, albeit in good faith at the time, and it was important they did not take their eye off the ball and to take care regarding finances going forward.
- 74.6 Upon being put to the vote, it was
RESOLVED That the Medium Term Financial Strategy be **APPROVED**.

Tewkesbury Garden Town Programme Delegations

- 74.7 At its meeting on 29 November 2023, the Executive Committee considered the Tewkesbury Garden Town programme delegations and recommended to Council that authority be delegated to the Chief Executive to prepare bids for external revenue funding to support the delivery of the Garden Town programme; accept grants of external revenue funding of up to £50,000 and agree any terms and conditions associated with those awards; seek specific Council approval for the acceptance of grants of external revenue funding of over £50,000 and any terms and conditions associated with those awards; deploy the revenue resources in line with the funding bids and the Garden Town programme following the Council's normal procedures for procurement and the appointment of staff; ensure continued stakeholder engagement related to the programme takes place informed by production of a Tewkesbury Garden Town Charter for subsequent, specific approval by Council in February 2024; undertake activities to progress the Garden Town programme, including sourcing potential partner capital funding, whilst seeking specific Council approval for: acceptance of any partner grant for capital works and acting as lead for delivery of infrastructure elements of the programme where

necessary; and in consultation with the Leader of the Council and the Lead Member for Built Environment, provide quarterly update reports to Council on progress with the Garden Town programme.

- 74.8 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 51.54.
- 74.9 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and it was seconded by the Lead Member for Clean and Green Environment. The Leader of the Council indicated that Members would be aware that delegations had been brought back to Council following the gateway review of the Garden Town. Since that time, a significant amount of work had been undertaken as part of the Council's new approach, with community engagement at its heart; the Garden Town team was now reporting to a new Executive Director: Place and there was a new governance structure, which gave openness and transparency to the key stakeholders, including the local Parish Councils. Community groups and landowners/developers were also represented via specific liaison groups. He was pleased to report there had been a huge amount of work undertaken by the team, led by the Chief Executive working closely with the Associate Director: Transformation, and he thanked them for their hard work on this. The Assurance Board and the Oversight Board had both had their first meetings and the new draft charter outlining Council and community expectations of any new garden communities was now out for consultation. The Charter was an important part of creating a vision and set of expectations that could be measured against any proposals brought forward by developers. It was a positive sign of the renewed confidence from Homes England that it had recently awarded the Council £214,000 which would continue funding the project at its current capacity until March 2024. This recent progress stood the Council in good stead for future funding but, to ensure it was prepared for all outcomes, as Lead Member he had asked that Officers bring a paper to Members setting out the options post-March to debate at that point. Homes England had recently met with the Garden Town team, senior Officers, the Lead Member for Built Environment and himself as Leader where they had expressed their support and acknowledged the significant positive changes in the project. The work to build trust and confidence was an ongoing process and he accepted that some Members may have continued concerns about aspects of the project and the challenges around infrastructure and the Council's housing position. Those challenges remained but the Council was now on a firmer footing to be able to face them. Tonight Members were being asked to approve the delegations to the Chief Executive in order that the project could continue to progress. The Lead Member for Clean and Green Environment pointed out that the Garden Town Member Engagement Forum was being held the next evening and would be an opportunity for Members to raise any questions so far regarding the Garden Town.
- 74.10 A Member noted that the recommendation on the Agenda was slightly different to that outlined in the Executive Committee report and sought clarification on this. In response, the Chief Executive advised that an additional delegation had been included at the request of the Executive Committee to ensure that specific Council approval was sought for the acceptance of grants of external revenue funding of over £50,000 and any terms and conditions associated with those awards in order for all Members to determine how that was spent and it was now proposed for the quarterly progress reports to Council to be done in consultation with the Leader of the Council and the Lead Member for Built Environment. Another Member drew attention to Page No. 52, Paragraph 1.1 of the report which gave a definition of a Garden Town and he asked where that was taken from as there was no footnote to that effect. The Leader of the Council confirmed this was the Homes England definition. In response to a question as to how Members would debate the options paper regarding future financing of the Garden Town and if that would be taken in separate business at Council, the Leader of the Council indicated it was too early to

say – all that had been done to date was to request that the options paper be brought forward for Members in order to avoid a situation where funding ran out and there was a risk that the project could not continue. The Chief Executive explained that work had been undertaken looking at a range of options for further external funding; Members needed to know how it was intended to maintain momentum depending on the level of available funding. The message from Homes England was positive as it was not awarding funding across the board, only to those projects moving forward at pace, so he did not believe the risk was high; however, it would be remiss not to furnish Members with all options depending on the level of funding available. The Leader of the Council indicated that he had requested this paper prior to the Homes England meeting and whilst it may not get to that point, it was prudent for Members to have the information necessary to make that decision if necessary.

74.11 Upon being put to the vote, it was

RESOLVED

That authority be delegated to the Chief Executive to:

- i) prepare bids for external revenue funding to support the delivery of the Garden Town programme;
- ii) accept grants of external revenue funding of up to £50,000 and agree any terms and conditions associated with those awards;
- iii) seek specific Council approval for the acceptance of grants of external revenue funding of over £50,000 and any terms and conditions associated with those awards;
- iv) deploy the revenue resources in line with the funding bids and the Garden Town programme following the Council's normal procedures for procurement and the appointment of staff;
- v) ensure continued stakeholder engagement related to the programme takes place informed by production of a Tewkesbury Garden Town Charter for subsequent, specific approval by Council in February 2024;
- vi) undertake activities to progress the Garden Town programme, including sourcing potential partner capital funding, whilst seeking specific Council approval for:
 - acceptance of any partner grant for capital works; and
 - acting as lead for delivery of infrastructure elements of the programme where necessary; and
- vii) in consultation with the Leader of the Council and the Lead Member for Built Environment, provide quarterly update reports to Council on progress with the Garden Town programme.

Infrastructure Funding Statement and Annual Community Infrastructure Levy Rate Summary Statement

74.12 At its meeting on 29 November 2023, the Executive Committee considered the Infrastructure Funding Statement (IFS) relating to the financial year ending 31 March 2023 and the Annual Community Infrastructure Levy (CIL) Rate Summary Statement and recommended to Council that their publication, by 31 December 2023, be approved.

- 74.13 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 55-105.
- 74.14 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and it was seconded by the Lead Member for Clean and Green Environment. The Leader of the Council advised that the Executive Committee had recommended that the Council approve the publication of this year's IFS for the financial year ending 31 March 2023; and the annual CIL Rate Summary Statement, stating the impact that inflation has had on the rates for the calendar year ahead. The CIL Regulations required both to be published by 31 December each year. The IFS contained three chapters: the CIL Report – answering set questions on income and expenditure during the reported year; the Section 106 Report – answering questions set in the regulations on agreements entered into and undertakings made, contributions received and spent; and non-financial obligations secured and delivered; and an infrastructure list – a statement of the infrastructure projects or types of infrastructure which the charging authority intended would be, or may be, wholly or partly funded by CIL. A summary of CIL and Section 106 income and expenditure was provided at Page No. 57, Paragraph 2 of the report, with greater detail at Appendix 1. The Leader stressed that the purpose of this report was not to forensically examine specific Section 106 income or projects, nor Section 106 processes or approach. Any queries about specific Section 106 Agreements could be taken away from the meeting. An internal audit had recently been carried out in relation to Section 106 processes and Officers were considering the draft findings with a view to reporting back to the Audit and Governance Committee early in 2024. It should be borne in mind that the infrastructure list included was not exhaustive or definitive; the projects had been compiled by Officers at Cheltenham Borough, Gloucester City and Tewkesbury Borough Councils and decisions around CIL spend would be made by the Joint CIL Governance Committee which was in the process of being set up with a separate report due for consideration by the Executive Committee and Council in January 2024. Finally, it was important to point out the new Strategic and Local Plan would be underpinned by a lot of detailed work on infrastructure planning and would identify the long term infrastructure requirements to support planned development. This would include working with communities to understand aspirations. CIL charges would also be reviewed to ensure that the Councils were maximising the planning gain that could be secured through new developments.
- 74.15 A Member asked how much CIL money was available for offsite affordable housing and what plans were in place for spending that. The Executive Director: Place indicated that a written response would be provided outside of the meeting. Another Member noted that the training session on CIL and Section 106 included in the Member Induction Programme had been postponed and she asked when this would now take place. The Executive Director: Place provided assurance that a programme was underway and a new date for the session would be arranged early in the New Year.
- 74.16 Upon being put to the vote, it was
- RESOLVED**
1. That publication of the Infrastructure Funding Statement, relating to the financial year ending 31 March 2023, by 31 December 2023, be **APPROVED**, subject to appropriate amendments to the IFS if necessary to clarify what had been brought forward, received, spent and allocated for future maintenance thereby arriving at the closing balance.
 2. That the Annual Community Infrastructure Levy Rate Summary Statement be published alongside the Infrastructure Funding Statement by 31 December 2023.

CL.75 NOTICES OF MOTION**Ban on Pets as Prizes**

75.1 The Mayor referred to the Notice of Motion, as set out on the Agenda, and indicated that, in accordance with the Rules of Procedure, it was necessary for the Council firstly to decide whether it wished to debate and determine the Motion at this evening's meeting, or whether it wished to refer the Motion, without debate, to a Committee for consideration with authority either to make a decision on the matter or bring a recommendation back to Council.

75.2 Upon being proposed and seconded, it was

RESOLVED That the Motion would be discussed at this evening's meeting.

75.3 It was proposed and seconded that England's local authorities have the opportunity to ban the giving of live animals as prizes on Council-owned land to ensure the welfare of these animals is not compromised. They can also assist by raising public awareness of the issue and can lead the way in terms of prohibiting this outdated practice. Animal ownership is a big responsibility - one that should be planned and well thought out. Animals often do not have their welfare needs met prior to, during and after being given as prizes. Because of this, the Council actively discourages people against taking on an animal in a spontaneous, ill-planned manner. Prospective owners should have a clear understanding of their responsibilities involved in animal ownership, they should carefully consider whether they have the necessary facilities, time, financial means and level of interest to care for these animals. This is often not the case when an animal is suddenly thrust into your hand as a prize. Being given away as a prize can be extremely detrimental to the welfare of an animal. Sadly, many goldfish will die before even getting back to their new homes, or shortly after. RSPCA England believes the current legislative provisions under the Animal Welfare Act 2006 do not go far enough, and would like to see England introduce legislation similar to Scotland's. The Animal Health and Welfare (Scotland) Act 2006 makes it an offence to give an animal as a prize to anyone, regardless of their age, except within the family context - such as a parent rewarding their child's achievements with a new pet, for example. By issuing an outright ban of such activities on Council-owned or operated land, or their properties, the Council will send a clear message of its commitment to ensure the welfare of animals and help reinforce the message that these practices are no longer desirable in our community, these small changes could make a big difference; 36 of England's local authorities have already taken this step. As a local authority, Tewkesbury Borough Council has an ideal opportunity with this Motion to ban the giving of live animals as prizes on all Tewkesbury Borough owned land. This Council is concerned about the number of cases reported to the RSPCA each year regarding pets given as prizes via fairgrounds, social media and other channels; is concerned about the welfare of those animals being given as prizes; recognises that many cases of pets being as prizes may go unreported each year; and supports a move to ban the giving of live animals as prizes, in any form, in Tewkesbury Borough. The Council therefore agrees to ban outright the giving of live animals as prizes, in any form, on Tewkesbury Borough land and write to the UK Government, urging an outright ban on the giving of live animals as prizes on both public and private land.

75.4 In speaking to the Motion, the proposer of the Motion advised that the Animal Welfare Act was introduced in England and Wales in 2006 in a bid to improve animal welfare across the two countries and, whilst this legislation remained one of the most important pieces of legislation ever introduced for animals, it could go further in protecting the welfare of pets currently issued as prizes. Under Section 11 of the Act - Transfer of animals by way of sale or prize to persons under 16 - it was

an offence to give an animal as a prize to anyone under the age of 16, unless they were accompanied by someone over the age of 16 or it was within the family context. Animals were being kept and transported in conditions which did not meet their needs, often resulting in their death before the new owners even got them home. As such, she advocated a law which stated that it was an offence for an animal to be given as a prize regardless of age, except where given within the family context. Despite the current law, many were also being given to individuals aged under 16, potentially highlighting issues around enforcement of the existing provision and the need to rethink. Whilst a range of animals were given as prizes each year, goldfish were the animal most commonly associated with pets as prizes. Goldfish were easily stressed and, very often, fish won as prizes suffered miserably from shock and oxygen starvation, or died from changes in water temperature. As someone who owned tropical fish and had previously worked in the aquarist sector she knew how to look after fish properly and people who were given goldfish as prizes did not normally have an aquarium set up so may keep them in unsuitable environments, such as fish bowls, and some fish may even get illegally dumped in local waterways. Unsuitable environments provided limited or no opportunities for enrichment, shelter, company or a stable temperature, all of which were important factors in providing fish with a suitable living environment. Local authorities had the opportunity to ban the giving of live animals as prizes on Council owned land, ensuring the welfare of these animals was not compromised, as well as raising public awareness of the issue. Due to strong public opinion, the licence for the Mop Fair was updated in 2019 to ban the use of pets as prizes but this did not change policy.

- 75.5 The seconder of the Motion indicated that animal ownership was a big responsibility that needed to be planned and well-thought out in order to help provide the best quality of life for that animal, not a spur of the moment event resulting from a game. To put it into context, 57% of UK households were pet owners so this issue was important to a lot of constituents. Acquiring an animal to be kept as a pet should be the result of careful planning and prior consideration. The prospective owner should have a clear understanding of the responsibilities involved and carefully consider whether they had, and would continue to have, the facilities, time, financial means and level of interest necessary to ensure a satisfactory standard of care for their animal prior to acquiring it. Ultimately, the introduction of an outright ban on animals as prizes on both public and private land by the UK government was the most effective means to prevent animals being given thoughtlessly as prizes and therefore ensuring the welfare of these animals; however, in implementing a ban on Council-owned land, local authorities could deliver a powerful message to the local community, the government and their counterparts elsewhere on the importance of this issue. Councils not only had the opportunity to ban the giving of live animals as prizes on their land, but also, in the process, to raise wider public awareness as to the impact that this practice has on the welfare of the animals.
- 75.6 A Member asked whether it was possible to write to Town and Parish Councils to ask them to extend this to Parish-owned land. The Leader of the Council suggested that the letter to the UK government should go out in his name and this could be shared with Town and Parish Councils to ask for their support and potentially put their names to the letter. Another Member felt that Gloucestershire County Council should also be included given that Winchcombe Mop Fair was on County Council land. The Leader of the Council indicated that he had spoken to the Mop Fair organisers who had confirmed they had stopped the practice of offering pets as prizes some time ago due to concerns over animal welfare so this would not be putting any of the local travelling community in a difficult position. The proposer and seconder of the Motion confirmed they were happy with that approach and this subsequently became part of the substantive Motion. Another Member asked if there were issues in any particular parts of the borough and the Leader of the Council advised that there were no operators offering pets as prizes within the

borough as far as he was aware so this Motion was more about sending a very strong message

75.7 During the discussion which ensued, a Member indicated that she had previously received many complaints from residents regarding the Mop Fair offering goldfish as prizes and she was pleased this was no longer the case; however, there were other events, such as circuses, and she felt it was important to note that the Council did not allow any live animals in circuses in the borough.

75.8 Accordingly, the substantive Motion was proposed and seconded and it was

RESOLVED

That it be **AGREED** that:

- i. the outright the giving of live animals as prizes, in any form, be banned on Tewkesbury Borough land; and
- ii. the Leader of the Council write to the UK Government urging an outright ban on the giving of live animals as prizes on both public and private land and the letter be sent to Town and Parish Councils and Gloucestershire County Council asking for their support and to add their names to the letter.

Ban on Puppy Farms

75.9 The Mayor referred to the Notice of Motion, as set out on the Agenda, and indicated that, in accordance with the Rules of Procedure, it was necessary for the Council firstly to decide whether it wished to debate and determine the Motion at this evening's meeting, or whether it wished to refer the Motion, without debate, to a Committee for consideration with authority either to make a decision on the matter or bring a recommendation back to Council.

75.10 Upon being proposed and seconded, it was

RESOLVED

That the Motion would be discussed at this evening's meeting.

75.11 It was proposed and seconded that Tewkesbury Council believes puppy farms – in which dogs are bred purely for profit with little concern for their welfare – are cruel and inhumane. They are often run illegally without the correct licensing and monitoring from the local Council. Dogs on puppy farms are more likely to be over-bred, kept in poor conditions and not receive adequate food or vet care. Research from the Naturewatch Foundation estimates that 400,000 farmed puppies are brought every year in the UK. Tewkesbury Borough Council fully supports efforts to crack down on illegal puppy farms, such as the introduction of 'Lucy's Law' in 2020 banning the third-party sale of puppies in the first six months of their life. Tewkesbury Borough Council expresses its disappointment in the Government's decision in May 2023 to break its promise to introduce a 'Kept Animals Bill' to add further protections to prevent dogs from being exploited on puppy farms. Tewkesbury Borough Council recognises the legal role it has to provide licenses to all dog breeders who sell puppies for a profit. Tewkesbury Borough Council further believes it can help make sure those wishing to buy puppies do so from reputable, licensed breeders. The Council therefore agrees to publish an up to date list of locally licensed dog breeders on its website so local residents who wish to buy a puppy are signposted to reputable breeders; undertake a dedicated publicity campaign to raise awareness of illegal puppy breeding and signs to look for when buying a puppy that suggest it might come from a puppy farm, and how to report suspicious activity and instruct the Chief Executive to write to the Secretary of State for Environment, Food and Rural Affairs calling for the Kept Animals Bill to be revived to make it more difficult for puppy farmers to operate.

- 75.12 In speaking to the Motion, the proposer of the Motion stated that the UK was a nation of animal lovers and many of her fellow Councillors in this room would have a pet; they brought them into their homes and most treated them like one of the family. As an owner-servant of rescued animals she could not imagine the trauma they may have faced in their young lives and the lack of understanding of what was happening to them. Dogs in puppy farms could lose their fur from the stress and their teeth from horrific neglect. Female dogs often spent their entire lives in puppy farms, knowing no love and being able to give no love as their puppies were often taken immediately after birth. Puppy farms were a money-making machine only, the pups and parents were often, if not always, cared for improperly and ended up with behavioural issues and other medical issues. This was an appalling way to treat animals and must not be allowed to continue. It was estimated that up to 25% of puppies sold in the UK were born in puppy farms according to the RSPCA. Illegal breeders could make millions of pounds rearing pups in dirty conditions, without food or water. They would not have seen a vet or had important preventative healthcare like vaccines or treatment for fleas and worms. There had been cases involving sick or dying puppies that were sold to unsuspecting members of the public for hundreds of pounds each. Members could help point potential dog owners in the right direction towards certified breeders and support Lucy's Law which stated that anyone wanting to get a new puppy or kitten in England must now buy direct from a breeder, or consider adopting from a rescue centre instead; they could help put puppy farmers, who put their profit before the welfare of their animals, out of business. She felt Members must also push for the revival of the Kept Animal Bill; they had a duty of care to animals and wildlife in this country, in their homes or legal businesses and that duty care must be enshrined in law.
- 75.13 The seconder of the Motion felt it was imperative that Members supported the public as they made decisions on where to get their pets and support Lucy's Law in guiding them to certified breeders. The main animal welfare problems associated with puppy farms included, but were not limited to, lack of safety, space, basic essentials, housing and care which could lead to lasting trauma. Due to lack of testing and the intense breeding these dogs suffered incurable conditions such as heart and kidney disease, joint disorders, respiratory disorders, epilepsy and neurological disorders, all of which had a high risk of being passed onto their puppies. Furthermore, puppy farmers sold the puppies at an early age to third party suppliers without the presence of their mother. This could put mother and her puppies through a lot of stress, meaning many developed social and behavioural problems later in life. Studies also showed that over a third of puppies bought after viewing online, or from a newspaper, were a spur of the moment decision. Soon after, owners had a change of heart and realised they were not suitable and the dog was taken to the rescue centre, or worse. If they could support people in making better decisions and put those farms out of business it would help stop this barbaric business.
- 75.14 A Member questioned what checks were carried out by the Council in order for a licence to be issued and whether that was evidence they were a reputable breeder. The Lead Member for Clean and Green Environment indicated that she would obtain a written answer following the meeting. The Member indicated that, having carried out her own investigations, she was concerned that the Council was signposting people to reputable breeders when it was not necessarily best placed to do so. The Kennel Club had an excellent website which listed reputable breeders along with information to help people decide whether it was right for them to have a puppy; whilst it did not cover mixed breeds, that information was available from the RSPCA or Dog's Trust websites. The Leader of the Council indicated that he had sought assurance from the Director: Communities prior to the meeting and he had confirmed he was happy with the Motion and felt it was a good proposal. The Member raised concern that the conditions of premises inspected by Council Officers once a year could change over time, as could the number of dogs etc.

which was why she was concerned the Council could be giving the impression they were reputable breeders when they may not be. Another Member questioned what enforcement measures were available to the Council as she was aware of a puppy farm in her area which had been reported but no action had been taken. The Leader indicated that this Motion would not address that issue in and of itself as national change and resource was needed to enforce. The seconder of the Motion explained that the Motion intended to influence the buyer – if they were aware of the concerns when puppies were being sold, they were more likely to go to a better establishment. A Member indicated that, whilst the Motion was commendable and she was passionate about how animals were looked after, she raised concern that, even if people were being encouraged to go to reputable breeders, some puppy farmers were very good at covering up what was going on behind closed doors so she asked how it could be monitored. The Leader of the Council explained that he did not think it could be monitored as such, and he was not suggesting this Motion would solve all of the issues, but supporting it with its best endeavors was as much the Council could do at this point.

75.15 The Leader of the Council went on to suggest an amendment to the Motion in order for the letter to the Secretary of State for Environment, Food and Rural Affairs to be written by himself, rather than the Chief Executive, and the proposer and seconder of the Motion confirmed they were happy with that. Another Member indicated that she felt it would be more appropriate for the Council to signpost local residents to relevant websites, such as the Kennel Club and the Dog's Trust which were experts on these matters, rather than publishing a list of breeders and suggested an amendment to the Motion on that basis. The proposer and seconder of the Motion confirmed they were also happy to make that change. A Member raised concern there was a suggestion that the Council's licensing arrangements were inadequate and he asked if that was the case. In response, the Lead Member for Clean and Green Environment indicated that it was not the case that the processes in place were inadequate; however, the Council could inspect a premises and issue a licence one day but there was no way of knowing that breeder would remain reputable until it was next inspected, unless a breach was reported.

75.16 A Member was delighted to see this Motion come forward and happy to support it. She noted that part of the Motion was in relation to a dedicated publicity campaign to make sure people knew the signs to look for when buying a puppy to suggest it may have come from a puppy farm. She pointed out that veterinary practices did a lot of good work around this as when puppies and dogs became unwell they were usually taken to the vets who were able to better identify the signs they may be from a puppy farm. She felt it was important to encourage people to do the right thing but agreed that a licence was akin to a Disclosure and Barring Service check in that it was only accurate at a particular point in time. A Member indicated that, although he was supportive of the Motion, as a separate matter he would like to know how many licences had been rescinded by the Council and what follow-up procedures were in place once a licence had been granted. Another Member asked whether breeders could be made to register with the Kennel Club etc. as part of the conditions of their licence and the Lead Member for Clean and Green Environment advised that it was not possible to force people to register with other bodies but she undertook to seek responses to the queries raised regarding licensing procedures and the number of licences granted and rescinded etc.

- 75.17 The substantive Motion was proposed and seconded and, upon being put to the vote, it was

RESOLVED

That it be **AGREED** that the Council:

- i. signpost local residents who wish to buy a puppy to relevant websites, such as the Kennel Club and Dog's Trust, in order for them to find reputable breeders;
- ii. undertake a dedicated publicity campaign to raise awareness of illegal puppy breeding and signs to look for when buying a puppy that suggest it might come from a puppy farm, and how to report suspicious activity; and
- iii. instruct the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs calling for the Kept Animals Bill to be revived to make it more difficult for puppy farmers to operate.

CL.76 STANDARDS COMMITTEE MEMBERSHIP

- 76.1 Attention was drawn to the report of the Monitoring Officer, circulated at Pages No. 106-107, which proposed to increase the number of independent persons and Parish Councillors on the Standards Committee. Members were asked to agree to increase the number of independent persons assisting the Monitoring Officer and Standards Committee from two to three and to increase the number of Parish Council members on the Standards Committee as non-voting members from one to three.
- 76.2 In proposing the recommendation in the report, the Chair of the Standards Committee advised that the Standards Committee currently had two independent persons, both of whom had indicated they would be stepping down over the next year or so. It was important to retain at least one Member who was knowledgeable in the field and therefore it was necessary to encourage new independent persons to come forward. It was also intended to increase the number of Parish Councillors from one to three and the Monitoring Officer had received a positive response from Parish Councils who had been approached to establish whether anyone would be interested in taking up a position, pending the outcome of tonight's meeting. It was intended there would be an interview process in the New Year carried out by the Monitoring Officer and the Chair and Vice-Chair of the Standards Committee. The Standards Committee currently met twice per year but a number of those meetings had been cancelled in recent years and, when the Committee had met in October, it was agreed the number of meetings should be increased to three per year going forward. It was important there was renewed focus on the Committee and there were currently insufficient members to achieve that, hence the recommendation today. The proposal was seconded by the Lead Member for Customer Focus.
- 76.3 A Member sought clarification as to the reason for the existing independent persons wanting to resign from their duties and the Monitoring Officer explained that the two current independent persons had been in their roles for a number of years and were ready to stand down. It was preferable to avoid a situation whereby they were replaced by two new independent persons with no experience so, by increasing the number at this stage, it would be a more gradual process of replacement. The Committee on Standards in Public Life had reported to the government in 2019 there should be two independent persons as a minimum, although more than two was preferable. There was one slot for a Parish Councillor on the Standards Committee but that was currently vacant so it was important to address that issue in order to have a Parish Council view when dealing with complaints. He stressed that the Standards Committee was not a political Committee.

76.4 A Member asked for the rationale behind the proposal to increase the number of Parish Councillors and the criteria for selection. In response, the Monitoring Officer advised that it would be preferable to have a spread through the borough but, as it stood there were four applicants so they may not have that luxury. Ideally they would have experience but ultimately they would all be interviewed and the best three candidates would be selected; should there be more interest a sifting process would be needed. A Member asked what would happen if the Parish Councillors were not considered to be appropriate when they were interviewed and assurance was provided that only those who were suitable would be appointed so it would be a case of readvertising. Another Member noted that the report stated that the independent persons were paid a small allowance and she asked how much that was and how often it was paid. The Monitoring Officer advised that it was an annual allowance of £500. In response to a query as to whether they would still be paid if they had no involvement over the course of the year, the Monitoring Officer confirmed that the legislation required him to consult with the independent persons every time there was a complaint; the independent persons did not sit on the Committee themselves but were a guide to him in his role as Monitoring Officer and could also be a guide to those making the complaint, or in receipt of a complaint. A Member indicated it would have been useful for the Minutes of the Standards Committee meeting on 16 October 2023 to have been appended to the report and the Monitoring Officer indicated that was usual practice but had not been possible on this occasion due to resource issues within the Democratic Services team which Members would be aware of. In response to a query regarding the status of the Parish Councillors on the Committee, the Monitoring Officer clarified they were non-voting members of the Committee. The independent persons did attend Committee meetings but were not technically members and could speak but not vote; the only voting members were the seven Borough Council Members. A Member suggested that the second part of the motion be amended to refer to Parish Councillors as opposed to Parish Council Members on the Standards Committee in order to make that clearer and the proposer and seconder of the motion indicated they were happy to make that change.

76.5 The Leader of the Council expressed the view that the proposal set out a move towards more openness and transparency which he supported. He recognised that the Chair of the Standards Committee had been required to propose the motion at short notice due to the absence of the Lead Member for Corporate Governance and he indicated that he would not like to see Members put in that position again.

76.6 Upon being put to the vote, it was

- RESOLVED**
1. That the number of independent persons assisting the Monitoring Officer and Standards Committee be increased from two to three.
 2. That the number of non-voting Parish Councillors on the Standards Committee be increased from one to three.

CL.77 APPOINTMENT TO LOWER SEVERN INTERNAL DRAINAGE BOARD

77.1 It was proposed, seconded and

- RESOLVED** That Councillor M J Williams be appointed as the Council's representative on the Lower Severn Internal Drainage Board.

The meeting closed at 7:40 pm