

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Wednesday, 25 March 2015 commencing at  
2:00 pm**

## **Present:**

Chairman  
Vice Chairman

Councillor R J E Vines  
Councillor A L Keyte

## **and Councillors:**

R E Allen (Substitute for D J Waters), D M M Davies, Mrs S E Hillier-Richardson, J R Mason,  
Ms A E Ricks, M G Sztymiak and Mrs C Wright

### **EX.84 ANNOUNCEMENTS**

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

### **EX.85 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

85.1 Apologies for absence were received from Councillors Mrs J M Perez and D J Waters. Councillor R E Allen would be acting as a substitute for the meeting.

### **EX.86 DECLARATIONS OF INTEREST**

86.1 The Committee's attention was drawn to the Tewkesbury Borough Council Code of Conduct which was adopted by the Council on 26 June 2012 and took effect from 1 July 2012.

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

### **EX.87 MINUTES**

87.1 The Minutes of the meeting held on 11 February 2015, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

### **EX.88 ITEMS FROM MEMBERS OF THE PUBLIC**

88.1 There were no items from members of the public on this occasion.

### **EX.89 EXECUTIVE COMMITTEE FORWARD PLAN**

89.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No.14-17. Members were asked to consider the Plan.

89.2 Accordingly, it was

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

### **EX.90 PERFORMANCE MANAGEMENT REPORT - QUARTER THREE 2014/15**

90.1 The report of the Chairman of the Overview and Scrutiny Committee, circulated at

Pages No. 18-73, asked Members to review and, if appropriate, take action against the observations of the Overview and Scrutiny Committee following its review of the 2014/15 quarter three performance management information.

- 90.2 In the absence of the Chairman, the Vice-Chairman of the Committee explained that the Overview and Scrutiny Committee had met on 24 February to discuss the quarter three performance information. The main emphasis at the meeting had been the underlying issues of sickness absence in respect of the capacity and performance at the Council. Members had questioned whether there was a link between not meeting targets and the increased reliance on agency staff etc. The Committee had also asked about the morale of staff and, in response, the Chief Executive had indicated that there seemed to be no common underlying issue in terms of sickness absence and that trends in the statistics were monitored and were not related to performance delivery. A number of the long term sickness absences were not work related. There had been an increase in the use of agency staff in some areas but this was largely connected to the transfer of the waste service to Ubico with a number of vacant posts being kept open until that transfer had been completed. There were similar issues in One Legal where vacant posts were being kept open until the expansion of One Legal with Gloucester City Council was complete. It was felt that there was a lot of positive staff morale around the building at the moment; particularly in Revenues and Benefits where the recent systems review had been undertaken which had led to great improvements in the service. In addition, the Policy and Performance Group Manager had confirmed that morale in his team, and the teams close to him, seemed good; even though the Democratic Services Team was currently very busy with the forthcoming Election. The Peer Review Team had confirmed the views on staff morale by saying that the Council had had the most positive staff focus group they had seen. One Member expressed the view that the Council was now a 'very lean ship' and she felt that the wellbeing of staff did need to be monitored closely; particularly since long term sickness absence could impact on staff in other areas as well as the areas directly affected. The Vice-Chairman of the Overview and Scrutiny Committee also noted that the other main concern that the Committee had was with the targets related to planning applications; Members had been advised that, although targets were not necessarily being achieved, five of the six indicators related to planning processing times were reporting improved performance on the previous year which was encouraging.
- 90.3 Referring to KPI 34, the total number of homeless prevention cases, a Member advised that there was currently much work ongoing in relation to the avoidance of homelessness wherever possible. Homeless people with no local connection were assisted with fares back to their hometown; consideration was being given to reinstating the rent deposit scheme; and Officers were meeting with staff from the Benefits Section and Severn Vale Housing Society to look at discretionary payments for clients in under-occupied properties and offer them advice. Referring to Page No. 25, a Member drew attention to the sentence which stated that 'The Environmental Health Manager was of the opinion that the increase in enviro-crimes generally was a direct result of the Scrutiny review'; the Member was advised that this should state that 'the increase in reports of enviro-crimes generally was a direct result of the Scrutiny review'. In terms of the increase in flytipping which was a national trend, the Member expressed the view that there should be some investigation into the reasons for the surge as this was a trend that should not be allowed to continue. In response, the Deputy Chief Executive advised that Officers were aware of the surge and were working with Parishes to improve resilience at a local level. She was of the view that the raising of the profile of enviro-crimes and increased reporting as a result of the Scrutiny review was excellent news. There was some disappointment at the news that flytipping was increasing and the Lead Member for Clean and Green Environment indicated that this was an issue which was due to be looked at by the Gloucestershire Joint

Waste Committee. A Member also suggested that there may be a need for a report back to the Overview and Scrutiny Committee about the matter. One Member expressed the view that there was a cultural change required within the United Kingdom to make people realise that they should not leave their waste behind. In reference to Page No. 49, the Member felt there was some confusion within the comment and clarified that the bid of £20,000 had been made to the Police and Crime Commissioner for developing a Countywide Domestic Homicide Review Procedure; that bid had unfortunately been unsuccessful. However, a different bid of £20,000 had been successful for targeting current issues. In respect of Page No. 27, Objective 2 a), the Member questioned why the objective had a smiley face when it was not on target. In response, the Finance and Asset Management Group Manager advised that the target in the current year was the clearance of the top floor of the Council Offices and that had been achieved. The full year income target was in effect from 2015/16; Officers were confident this would be met as soon as the top floor was cleared again following the Election.

90.4 Having considered the information provided, it was

**RESOLVED:** That the Overview and Scrutiny Committee's comments on the Performance Management Report for Quarter Three of 2014/15 be **NOTED**.

**EX.91 COUNCIL PLAN REFRESH YEAR 4 (2015-16)**

91.1 The report of the Policy and Performance Group Manager, circulated at Pages No. 74-98, set out the proposed Council Plan for 2015/16. Members were asked to recommend the refreshed Plan to the Council for adoption.

91.2 Members were advised that the Council Plan was a key strategic document which established an overarching vision for the Borough and set out, in broad terms, the priorities, objectives and actions that the Council would focus upon to work towards the vision. The 2012-16 Plan had been approved at Council in May 2012 and had been subject to an annual refresh. 2015-16 was the last year of the current Council Plan and a new Plan would be developed during the coming year. The Plan had five priority themes which stated that, in delivering the overall vision, the Council would use resources effectively and efficiently; promote economic development; improve recycling and care for the environment; provide customer focussed community support; and develop housing relevant to local needs. Each of the five priorities was supported by a series of key objectives and actions which would focus activity on delivery of the priorities. Similar to the priority themes it was proposed that the key objectives would remain unchanged.

91.3 In terms of the actions, which tended to be of an operational nature, the Policy and Performance Group Manager advised that these needed to be updated where appropriate to reflect the progress made in the year and any amendments or new actions were clearly shown at Appendix 2. A performance tracker was in place to monitor the delivery of Council Plan actions and this was reported to the Overview and Scrutiny Committee on a quarterly basis. At the end of the Plan period, the previous four years would be assessed and the achievements made over that period would be confirmed.

91.4 Accordingly, it was

**RESOLVED:** That the Council Plan be **RECOMMENDED TO COUNCIL** for adoption.

**EX.92 REVIEW OF ABSENCE MANAGEMENT PROCEDURE**

- 92.1 The report of the Business Transformation Group Manager, circulated at Pages No. 99-127, set out a proposed amended Absence Management Procedure. Members were asked to consider the Procedure and resolve that it be adopted from 26 March 2015.
- 92.2 Members were advised that the Absence Management Procedure had been reviewed to ensure that it remained fit for purpose and to allow management to intervene at an earlier stage by reducing one of the absence management triggers from four periods of absence to three periods of absence in a rolling 12 month period. The Procedure had previously been reviewed in August 2012 and as such it now required another review. The idea of the changes was to ensure the Council was properly monitoring the wellbeing of its staff as well as encouraging an improvement in attendance and improving the management of absence. There were also some changes needed to reflect the new management structure.
- 92.3 Having considered the report, and information provided, it was

**RESOLVED:** That the amendments to the Absence Management Procedure be **APPROVED** for adoption from 26 March 2015.

**EX.93 PARKING ORDER**

- 93.1 The report of the Development Services Group Manager, circulated separately at Pages No. 1-7, provided the representations received in response to the consultation in respect of the Tewkesbury Borough Council (Off Street Parking Places) Order 2015. Members were asked to consider the representations made and agree that the Order be made as published without modification.
- 93.2 The Finance and Asset Management Group Manager advised that, at its meeting on 27 January 2015, the Council had agreed to delegate the responsibility of considering any representations received, and objections not withdrawn, to the Executive Committee following the formal consultation period.
- 93.3 In offering clarification, the Finance and Asset Management Group Manager explained that, in developing the new Parking Strategy, an Overview and Scrutiny Review Working Group had been set up to carefully look at the whole issue of parking within Tewkesbury Borough's car parks. The Working Group had looked at a wealth of information and had also received feedback from two focus groups which had been held in both Tewkesbury and Winchcombe as well as following a public consultation period which had run from 22 October to 12 November 2014. The Overview and Scrutiny Committee, the Executive Committee and the Council had considered the final Strategy and, before making the Parking Order, the Council had published a notice of proposals in the newspaper circulating in the area to which the Order relates; posted a notice in all Council-owned car parks; and provided details of the proposed Order to the County Council, the Police, the Road Haulage Association and the Freight Transport Association. Copies of the proposed Order and Public Notice had also been available for inspection at the Council Offices until the close of the consultation period on 18 March 2015.
- 93.4 As at the close of the 21 day consultation period, four objections had been received. Since that date another four objections had been received along with a petition containing 50 names which objected to the first two items on the Order.

Those objections had been made after the closure of the consultation period and therefore were not taken into account. The validly made objections, along with the Officer's responses, had been provided at Appendix B to the report and, taking those into account, the recommendation was that that the Order be made without modification.

- 93.5 A Member expressed his disappointment that the further consultation responses had not been provided for consideration. He also indicated that, in terms of Rails Meadow car park, the charges for a 3-4 hour stay was doubling. He understood that the local Tewkesbury Town Member had suggested to the Working Group that the charge be £2 for four hours and he questioned why this had not been considered. In response, the Finance and Asset Management Group Manager advised that such a proposal had been made and had been considered, but discounted, by the Working Group. In terms of costs, it was difficult to know how many people would choose to park for 3-4 hours but on the basis that the number equated to 10-15% this would in turn equate to a cost to the Council of around £8,000 for all three car parks that were affected in that way.
- 93.6 A number of Members expressed the view that the review of the Parking Strategy, and subsequently the proposed Parking Order, had been extremely thorough, fair and professional. They felt that the proposals should be agreed unchanged and that they should then be subject to review after 12 months to ensure they remained relevant.
- 93.7 Having considered the report and representations received, it was

**RESOLVED:** That the Tewkesbury Borough Council (Off Street Parking Places) Order 2015 be made as published without any modification.

#### **EX.94 REVIEW OF DEVELOPMENT MANAGEMENT SCHEME OF DELEGATION**

- 94.1 The report of the Acting Development Services Group Manager, circulated at Pages No. 128-146, set out proposed amendments to the Development Management Scheme of Delegation which Members were asked to recommend to Council for adoption.
- 94.2 The Development Manager explained that the current Scheme of Delegation to Officers on Development Management matters had been largely unchanged since 1998 and it resulted in a significantly larger number of applications being referred to Planning Committee when compared to other Districts in Gloucestershire; this had an impact on the effectiveness and efficiency of the planning service. The current Scheme had been reviewed by a Workshop of the Overview and Scrutiny Committee and Planning Committee Members with the suggested changes receiving a favourable reaction from many. It was considered that increased delegation would not only provide benefits to the Council in terms of value for money in respect of the efficiency of decisions from a resource and cost perspective, but also to customers and other stakeholders who were keen to see a quick resolution to planning and related applications. For business particularly, the speed of decisions could be crucial to making investment decisions. The proposed revisions to the Scheme would raise the thresholds which triggered certain types of development being referred to the Planning Committee. Only Parish Council objections would automatically trigger a Committee decision and, as with the current Scheme, any Councillor would be able to request that an application be referred to the Committee. The main changes were set out at Paragraph 4.2 of the report where it was also detailed that the new Scheme was founded on a 'by exception' approach which would be much simpler for all parties to read and understand.

- 94.3 The Development Manager explained that the main point raised by the Overview and Scrutiny Committee was around the proposal that objections would only result in a Committee determination where submitted by the Parish Council. The response to the concerns had been around whether it was a good use of the Planning Committee's time to look at all of the applications where only a single objection had been received from a neighbour. During the discussion which ensued, a Member expressed the view that call-in of applications by Members would begin to become more and more important. He also expressed concern that there could be a situation where many local people made an objection but the Parish Council did not and he felt this could be a problem. Another Member advised that it would be important to give proper publicity to the Scheme so people were fully aware that the best way to make representations would be through the Parish Council or their local Borough Councillor. He also felt that making good use of the Tewkesbury Borough News would be helpful, as would ensuring all new Members were advised of the changes through their Induction Programme training.
- 94.4 In offering an alternative view, a Member advised that he was not in favour of the changes proposed. He felt that one of the biggest criticisms of the Council was that residents did not feel that they had enough involvement and, for this reason, he was of the view that if an objection was made then it should be considered by the Planning Committee. Another Member expressed similar concerns in that she felt there should be some threshold by which a certain number of objections should trigger a Committee report. She felt it would be unwise to entirely rely on a Parish Council to put forward objections as the timing of their meetings could be a problem. In response, it was confirmed that the proposed arrangements would not rely solely on Parish and Ward Councillors to call-in applications; any Borough Councillor would be entitled to call-in any application.
- 94.5 Accordingly, it was

**RESOLVED:** That it be **RECOMMENDED TO COUNCIL** that the proposed Development Management Scheme of Delegation be **ADOPTED**.

**EX.95 FLOOD RISK MANAGEMENT GROUP TERMS OF REFERENCE AND ACTION PLAN - ANNUAL REVIEW**

- 95.1 The report of the Environmental and Housing Services Group Manager, circulated at Pages No. 147-158, sought to review the Terms of Reference of the Flood Risk Management Group, along with the Group's draft Action Plan. Members were asked to adopt the Terms of Reference for the next 12 months and to agree that progress on the Action Plan be monitored by the Overview and Scrutiny Committee on a quarterly basis.
- 95.2 Members were advised that the Action Plan provided a summary of the work to be undertaken over the year. Tewkesbury Borough Council owned various parcels of land across the Borough and some of those had watercourses either running through them or adjacent to them. This meant that the Council was a 'riparian owner' with responsibilities to maintain those watercourses in a good condition. In 2010, the Council had agreed to increase the land drainage revenue budget in order to allow for routine maintenance work to be carried out. In addition, the Council continued to be successful in drawing money from various sources, including the Lead Local Flood Authority, Gloucestershire County Council, and Flood Defence Grant in Aid monies to help fund further major capital projects. Officers continued to identify and apply for further funding so there would be a constant, continuing process of working with local communities to identify land drainage and flood alleviation projects, applications for funding where appropriate and overseeing the progress and completion of work on such schemes. The Flood

Risk Management Group Action Plan was a 'living' document which had funding opportunities added when appropriate and completed schemes removed after they had been reported. The current Terms of Reference of the Flood Risk Management Group were attached to the report at Appendix 2 and it was felt that, if the Flood Risk Management Group was to continue, no issues had arisen in the past twelve months that would require the wording of the Terms of Reference to change.

95.3 A Member expressed the view that the Flood Risk Management Group had undertaken a lot of useful work and he saw no reason that it would be disbanded. He felt that flooding was unfortunately not an issue that would go away and as such it was important for the Council to keep its finger on the pulse in that regard. He was of the view that this was done well by the Flood Risk Management Group. A number of other Members fully endorsed this view and accordingly it was

- RESOLVED:**
1. That the Terms of Reference of the Flood Risk Management Group, and its Action Plan, be **ADOPTED** for the next 12 months; and
  2. that progress on the Flood Risk Management Group Action Plan be **MONITORED** on a quarterly basis by the Overview and Scrutiny Committee.

**EX.96 GLOUCESTERSHIRE'S LOCAL TRANSPORT PLAN REVIEW - CONSULTATION DOCUMENT**

96.1 The report of the Acting Development Services Group Manager, circulated at Pages No. 159-328, set out information about the County's Local Transport Plan Review and the consultation document was attached to the report for information. The Committee was asked to agree the Council's response to the consultation which was set out at Appendix 1 to the report.

96.2 Members were advised that, in addition to the two appendices attached to the report, there was also an addendum which set out further responses to the consultation document following meetings that had taken place regarding Ashchurch Rail Station. The Planning Policy Manager explained that the Local Transport Plan had been prepared by Gloucestershire County Council but it covered the whole of the County and set out the Transport Strategy for the area. The Current Strategy, Local Transport Plan 3, had been adopted in April 2011 in the context of the Regional Spatial Strategy and it was therefore important to update it to ensure it supported the development plan, the Joint Core Strategy and the Strategic Economic Plan for Gloucestershire. The Local Transport Plan was key in delivering infrastructure within the County and reflected the Government's desire for local transport based initiatives. The Plan was set around the 'Connecting Places' Strategy and was a fairly easy read document which it was felt complimented the Joint Core Strategy well.

96.3 There was a view expressed that the interest in the railway should be kept going as it was essential that the railway station at Ashchurch remained open. A Member indicated that he lived in the east of the Borough and he felt it was an issue that the public transport in the area went to Cheltenham rather than coming west towards Tewkesbury. He felt that, if the railway at Ashchurch was to be promoted properly, the Local Transport Plan should give some thought to this situation. In response, Members were advised that the County Council set out the Connecting Places Strategy and previously this had been themed by bus, rail etc. However, it was now geographical and looked at the key corridors. Tewkesbury Borough's Connecting Places Strategy went from west to east and the objectives in it set out an ambition to improve the bus and train services between rural areas. The

Council's response to the consultation could ask for this issue to be addressed more clearly should Members so wish. It was felt by some that the current system for transport solutions did not allow for enough integration and it was suggested that planning and transport needed to be considered at the same time. In response, the Planning Policy Manager indicated that the concerns raised were recognised. It was the responsibility of the Districts to prepare their own Development Plans and for the County Council to prepare the Local Transport Plan. It was felt that Tewkesbury Borough worked well with the County Council and that this had enabled a much better relationship than had existed previously. This was reflected within the document before Members and it was hoped that moving forward this relationship would only improve meaning a much better correlation between the Borough Plan, the Joint Core Strategy and the Local Transport Plan.

96.4 Having considered the issues raised, it was

**RESOLVED:** That the comments attached to the report at Appendix 1, and on the addendum circulated separately, be **AGREED** as Tewkesbury Borough Council's formal response to the Local Transport Plan consultation document.

#### **EX.97 SEPARATE BUSINESS**

97.1 The Chairman proposed, and it was

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

#### **EX.98 ACQUISITION OF LAND IN TEWKESBURY**

*(Exempt – Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 – Information relating to the financial or business affairs of any particular person (including the authority holding that information))*

98.1 Members considered the acquisition of land in Tewkesbury and agreed that the Finance and Asset Management Group Manager be authorised, in consultation with the Lead Member for Finance and Asset Management, to negotiate terms with the owner for the acquisition of the land in question; and that the Borough Solicitor be authorised, in consultation with the Finance and Asset Management Group Manager, to negotiate and complete all documents deemed necessary or advisable for the acquisition of the land.



**EX.99      TEWKESBURY TOURIST INFORMATION CENTRE AND TEWKESBURY  
HERITAGE AND VISITOR CENTRE**

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

- 99.1      The Committee considered the outcome of the review and the discussions about the Tewkesbury Tourist Information Centre and Heritage Visitor Centre, including the public consultation, and agreed a number of steps to enable efficiency savings to be realised while retaining the facility and its services.

**EX.100    RESTRUCTURE OF THE CHIEF EXECUTIVE'S UNIT**

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

- 100.1    Members considered suggested changes to the structure of the Chief Executive's Unit and made a recommendation to Council to enable changes in the structure to be implemented to meet the needs of the Council.

The meeting closed at 4:10 pm