

TEWKESBURY BOROUGH COUNCIL

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

Present:

Vice Chairman in the chair Councillor D J Waters

and Councillors:

R E Allen, R A Bird, Mrs G F Blackwell (Substitute for R J E Vines), D M M Davies, M Dean,
Mrs E J MacTiernan, J R Mason and Mrs P E Stokes (Substitute for Mrs K J Berry)

also present:

Councillors P W Awford and Mrs J Greening

EX.25 ANNOUNCEMENTS

- 25.1 The evacuation procedure, as noted on the Agenda, was advised to those present.
- 25.2 The Chairman welcomed Councillors P W Awford and Mrs J Greening as observers to the meeting.

EX.26 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

- 26.1 Apologies for absence were received from Councillors Mrs K J Berry and R J E Vines (Chairman). Councillors Mrs G F Blackwell and Mrs P E Stokes would be acting as substitutes for the meeting.

EX.27 DECLARATIONS OF INTEREST

- 27.1 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.
- 27.2 There were no declarations of interest made on this occasion.

EX.28 MINUTES

- 28.1 The Minutes of the meeting held on 15 July 2015, copies of which had been circulated, were approved as a correct record and signed by the Chairman.

EX.29 ITEMS FROM MEMBERS OF THE PUBLIC

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

EX.30 EXECUTIVE COMMITTEE FORWARD PLAN

- 30.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 14-17. Members were asked to consider the Plan.
- 30.2 A Member raised concern about the Volunteering Policy. She understood there was some resistance to it from staff who already felt overwhelmed with their workload and felt that if they wished to volunteer they would do so in their own time and did not want to feel pressured to do so during the working day. In response, the Chief Executive indicated that it was a Volunteering Policy and as such would not be compulsory. He understood there were a range of issues to be looked at and this would be debated when the report came forward to the Committee.
- 30.3 Having considered the information provided, it was

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

EX.31 GLOUCESTERSHIRE DEVOLUTION PROJECT

- 31.1 The report of the Chief Executive, circulated at Pages No. 18-34, set out the latest position in respect of the Gloucestershire Devolution Project. Members were asked to note the progress undertaken to date; to agree the establishment of a Devolution Working Group; and to recommend to Council that it note the progress undertaken and that it supports, in principle, further devolution development work together with Leadership Gloucestershire partners.
- 31.2 In introducing the report, the Chief Executive advised that Members would be well aware of the content and thrust behind the project which was in line with the national debate about the need for the Government to pass significant powers down to Local Government in England to match the powers devolved to the Parliament in Scotland and National Assemblies in Wales and Northern Ireland. The purpose of the submission of an Expression of Interest was that the Government and local public sector partnerships could explore what policy/budget areas might advantageously be devolved to enable more local control. The current position in Gloucestershire was that an Expression of Interest had been made to the Government and further work was now being undertaken on the workstreams identified within it; these included economic growth; strategic planning and infrastructure; health and wellbeing; community safety; and governance. At the meeting of Leadership Gloucestershire which had been held that morning, there had been a unanimous decision to make a further representation to Government which would 'sharpen up' the Expression of Interest document and offer a clearer view of what Gloucestershire wanted in terms of devolution. The deadline for the submission of the further representation was Friday 4 September. The feeling of Leadership Gloucestershire had been that, even if the County was unsuccessful in its current bid, it would wish to continue to look at devolution as it was an Agenda that the Government would be pushing for some time to come. The Chief Executive was clear that the Council was not in a position to sign up to any formal agreement at this stage but that, if and when this was appropriate, it would be a decision for Members. In offering further clarification, the Chairman indicated that 11 organisations had been present at the earlier Leadership Gloucestershire meeting and all had clearly recognised that they had not yet signed up to anything but at this stage were happy to make a representation to Government to indicate what the County would like to talk about. He had been impressed at how keen all of the parties were to work together for the benefit of the people of Gloucestershire.

- 31.3 Particular attention was drawn to Paragraph 1.5 of the report which set out that there were significant potential benefits associated with devolution which included: support and devolved Government funding to encourage economic growth and infrastructure provision; better use of public funds in areas such as health and wellbeing which would allow cross sector investment to reduce demand on services; and more coordinated decision-making in respect of major issues such as strategic planning, strategic housing and infrastructure delivery.
- 31.4 Referring to the draft document before them, a Member expressed the hope that it would be thoroughly proof read before submission as she had found a number of typographical and grammatical errors just by glancing at it. In response, she was assured that there was a workstream which would be responsible for proof reading the document to ensure it all made sense, currently it was a little disjointed because so many different people had been working on it but this would be addressed. In addition, the Chief Executive indicated that he would circulate the document to all Members after it was sent to the Government on Friday. In terms of the content of the document, Members were advised that the feedback so far had been encouraging; given the amount of time that the County had had to get it ready, and the amount of people involved, it was felt that this was a very impressive piece of work.
- 31.5 The Chief Executive explained that Gloucestershire was in a fortuitous position as all of the partners involved shared a boundary which meant there was no cross County working involved. This certainly should make Gloucestershire's bid easier. The Chief Executive understood that there had been disagreements in other areas that were combining cross County partners. It was important that all partners 'owned' the work undertaken as that was the only way it would truly be effective. A Member noted that there had already been two seminars on the subject, to which all Members had been invited, and he questioned what the general view of Members following the second seminar was. In response, the Chairman indicated that, overall, the view had been that it was better for the Council to be involved at this stage. There was, however, still a lot of concern and nervousness about the future. His sense from the Leadership Gloucestershire meeting that morning had been that the other Districts felt exactly the same and that there needed to be a lot of work done before anyone would feel comfortable signing up to anything. In respect of the point about a coterminous boundary, a Member indicated that a small part of the NHS Trust was based in Herefordshire so whoever was writing the 'health' section of the document would need to word it carefully.
- 31.6 One Member expressed concern that the ideas discussed to date could result in a decline in services. In response, the Chief Executive indicated that he understood those concerns but offered assurance that the idea of devolution was that Councils would have larger 'pots' of funding to direct at the services that really needed it. It was more about making better use of what they had and creating additional funding by doing things differently/better. Another Member indicated that the Expression of Interest document mentioned Community Infrastructure Levy funding quite a lot and she was concerned that, since it was not possible to have one Community Infrastructure Levy amount across the County as it was market driven, sharing of this would not work. In response, the Chief Executive explained that there would be elements needed to fund local work but there would also be a need to fund projects for the benefit of the wider community in Gloucestershire. At the moment there was no arrangement for working together to make those decisions happen but, if there was such an arrangement, it would largely be to the benefit of the Borough as this was where much of any new growth was happening. In offering an example, he explained that funding for projects around the M5 motorway could come from the Government but there would be a need for some local money to improve local roads; in those cases a Community Infrastructure Levy funding pool could assist.

31.7 The Chief Executive indicated that the Government was open to suggestions about what the County might want devolved to it. It was also clear that the Government wanted to work with areas which were larger than Local Authorities as it was looking for local partnerships to deliver its Agenda, i.e. the skills agenda; which the Government would like to be delivered in conjunction with local business needs rather than as a nationwide training project.

31.8 Having considered the information provided, it was

RESOLVED:

1. That the progress undertaken to date by Leadership Gloucestershire in respect of the devolution agenda be **NOTED**.
2. That a Member Devolution Working Group be established, in accordance with the Terms of Reference set out at Appendix 2 to the report, with the political composition being determined by the Leader and Deputy Leader of the Council and Group Leaders being invited to make nominations to the Group as appropriate.
3. That it be **RECOMMENDED TO COUNCIL** that it notes the progress undertaken by Leadership Gloucestershire in respect of the devolution agenda and that it supports, in principle, further devolution development work together with Leadership Gloucestershire partners.

EX.32 STROUD DISTRICT LOCAL PLAN - FURTHER POST SUBMISSION PROPOSED CHANGES

32.1 The report of the Development Group Manager, circulated at Pages No. 35-40, asked Members to approve the comments set out at Paragraph 2 of the report as the Council's submission to the public consultation on the Stroud District Local Plan.

32.2 Members were advised that the Stroud District Local Plan had been prepared to cover the period to 2031. Tewkesbury Borough had previously made comments in respect of the Plan at the 'alternative strategies', 'preferred strategies', 'consultation on polices' and 'pre-submission' stages and had also sought greater clarity on the emerging proposals. At the last stage, Tewkesbury Borough had supported the overall distribution strategy which Stroud had set out and the principle of extending the Gloucester urban area; however, concerns had been raised that the duty to cooperate had not been discharged with respect to cross boundary development, in particular helping to meet the unmet needs of Gloucester City. The Inspector conducting the Examination into the Stroud District Local Plan had considered that the Council had discharged its legal requirements in relation to the duty to cooperate and it was not for this report to reopen that debate.

32.3 In terms of the current consultation, the Stroud District Core Strategy was now at an advanced stage of its preparation and the main changes to the Plan at this stage included: increasing the housing requirement from 9,500 to 11,400 dwellings; increasing the Hunts Grove extension site at Hardwicke from 500 to 750 dwellings; increasing the employment requirement from 38 to 58 hectares; introducing a new affordable housing policy which reflected amended Government policy; making detailed changes to policy wording as a result of the examination process; and proposing an early review of the Plan within five years of adoption or by December 2019, whichever was sooner. The increases in the requirement for both housing and employment land were noted and the pressure for development

within Stroud District Council was recognised. Members were advised that the increase in housing numbers had come from the Inspector stating that Stroud District Council's housing numbers should be more aligned to the Joint Core Strategy and Stroud had subsequently employed Neil MacDonald to work on this. It was felt this was a good sign for the Joint Core Strategy's housing numbers.

32.4 The suggested response to the consultation was set out at Paragraphs 2.1-2.6 of the report and the closing date for the consultation was Wednesday 9 September 2015. Members were advised that the comments as set out accorded with the Memorandum of Understanding that the Joint Core Strategy Authorities had with Stroud District Council.

32.5 In respect of the housing numbers, a Member questioned whether the uprating of the requirement was purely based on an assessment of Stroud's own housing need. In response, he was advised that this was based on the needs of the Planning Authority area which was just Stroud District. In terms of the duty to cooperate, Members were advised that this had been debated early in the Examination and, whilst Tewkesbury Borough and Cheltenham Borough Councils had raised concerns to the Examination, the Inspector had indicated that it was a duty to cooperate and not to agree so on that basis they had been satisfied that the test had been met. In terms of the change in housing numbers from 9,500 to 11,400, Officers were of the view that Stroud would consider this fairly significant; however, it was felt that they would satisfy the Inspector when the Examination reopened. A Member asked whether it would be possible to put together a 'league table' of where different authorities were with their Core Strategies as this may help the Borough Council understand where the Joint Core Strategy lay. In response, he was advised that different Plan areas had very different challenges therefore a 'league table' would not really be helpful in understanding where the Joint Core Strategy was in comparison to others; particularly given the fairly unique and complex nature of the Joint Core Strategy.

32.6 Having considered the information provided, it was

RESOLVED: That the comments set out at Section two (Paragraphs 2.1-2.6 inclusive) of the report be **APPROVED** for submission to the public consultation on the Stroud District Local Plan.

EX.33 CHANGES TO THE DISCRETIONARY HOUSING PAYMENT POLICY FOR HOUSING BENEFITS

33.1 The report of the Revenues and Benefits Group Manager, circulated at Pages No. 41-52, set out a revised Discretionary Housing Payment Policy and asked Members to adopt the revised Policy as attached to the report.

33.2 Members were advised that the Council had the power to award a discretionary housing payment where a tenant was having difficulties in meeting their rent liabilities and in some other cases where it was appropriate to do so. It could also make appropriate payment towards other housing costs. The existing Policy had been reviewed by the Overview and Scrutiny Committee following the impact of the welfare reform and the Chancellor's budget of 8 July 2015; the work done on financial inclusion; and the completion of the transformation project in the Benefits Team. If the changes were adopted they would greatly assist both the Benefits Team and Housing Services in the administration of discretionary housing payments and would help in reducing discretionary housing payment expenditure by assisting clients to move into cheaper alternative accommodation thereby reducing the need for the claimant to make further applications for discretionary housing payments. In addition, there would be further reductions in welfare benefit awards for some recipients and it was important that the Council was in a position

to react and assist housing benefit recipients who could be facing further reductions in benefit.

- 33.3 In terms of the proposed changes to the Policy, Members were advised that the Revenues and Benefits Team and the Housing Team were working closely together on claims for discretionary housing payments. To assist the claimant in moving it was suggested that the Council would offer help by being able to pay towards the rent deposit when moving into a new home; and assist with removal costs. When considering the application, the decision-maker must take into account whether the property was affordable for the tenant; and the tenant has a valid reason to move; and the deposit or removal cost is reasonable. Currently, the Borough Council had five housing benefit claimants, not in receipt of a discretionary housing payment, whose benefits were being capped. It was likely that the numbers would increase following the Chancellor's announcement in his budget speech. With this in mind it was important that the Council was in a position to offer assistance where there was a need and the housing benefit recipient was: in temporary accommodation; an individual or family fleeing domestic violence; someone with kinship care responsibilities; or individuals or families who could not move immediately for reasons of health, education or child protection. Finally, there was a need to update the introduction of the Discretionary Housing Payment Policy to include the fact that local authorities may also make payment awards towards other housing costs and that the level of payment awarded must not exceed the eligible rent, taking into consideration the claimant's overall financial and personal circumstances. For lump sum payments, such as deposits and or removal costs, those limits did not apply.
- 33.4 A Member expressed concern that there were many vulnerable people who did not seek advice from the Council when they needed it and he questioned to what extent Officers were proactive in looking for people in those situations. He was of the view that Housing Associations should be telling the Council about rent arrears so that the Council could speak to those people immediately to offer advice. In response, the Revenues and Benefits Group Manager indicated that it was a problem that people did not seek help at an early stage. On all of the Council's documentation, discretionary housing payments were mentioned and it was made clear that the Policy was in place to assist people if they were having difficulty in meeting their rent. Housing Associations in the Borough were also aware of the Policy and so should also be telling residents that it was available. The Council had a good working relationship with Severn Vale Housing Society and it was hoped that this would continue to develop; particularly in terms of information sharing between the two organisations. In respect of the funding provided by Government, the Revenues and Benefits Group Manager explained that if the Council did not use the funding from the Government then it did have to repay it. However, it was felt to be unlikely that this would happen given the cuts expected in welfare payments. In particular, significant cut backs in benefits to working age claimants were expected and, with the Government indications that this was likely to increase, discretionary housing payments were likely to be even more necessary.
- 33.5 Accordingly, it was

RESOLVED: That the revised Discretionary Housing Payment Policy be **ADOPTED**.

EX.34 COMMUNITY GRANTS

- 34.1 The report of the Finance and Asset Management Group Manager, circulated at Pages No. 53-68, suggested an amended grant criteria that reflected the financing changes to the grant scheme and dealt with a number of issues that had been encountered under the current criteria. Members were asked to approve the new Community Grants Information Guide as attached to the report at Appendix B.
- 34.2 The Finance and Asset Management Group Manager explained that the current Grants Working Group had been set up in 2009 to offer a more systematic approach to the approval of grants. Over the last six years 55 grants totalling £1.38million had been approved. However, due to the use of capital reserves to fund the grants scheme all of the grants awarded were to support projects of a physical nature with an average grant level of around £25,000. The Council had had a heavy capital programme in recent years which had led to a substantial reduction in the capital reserves available and, for this reason, the Council had agreed to refinance the grants scheme from New Homes Bonus which was a revenue stream. This would give more flexibility to the grants awarded if the Scheme itself was extended to also allow applications for items which were not purely capital in nature. In addition, the Council had now employed a Funding Officer with the aim of supporting organisations across the Borough in finding and applying for grants from regional, national and European sources which would help to reduce the burden on the Council to fund large grants.
- 34.3 Members were advised that the direction of travel that the Council wished to see for its grants programme was for there to be less direct financial dependence on it and an increased enabling function which aimed to draw external funds into the area. This direction therefore needed to be reflected in the new criteria. The current criteria was attached to the report at Appendix A whilst the proposed new criteria, in the form of a Community Grants Information and Guidelines Document, was attached at Appendix B. The main amendments to the capital grants and the new detail of the revenue grants included: a new maximum for capital grant awards from £70,000 to £30,000 or 50% of project costs; the minimum lease period for a building type application being amended to 10 years; new revenue grants limited to £3,000 and 80% of project costs; revenue grants to be awarded on a yes/no basis with capital grants continuing to be awarded against a scoring matrix based on the Council's priorities; revenue grants to be paid as a one-off advance with capital grants being paid in arrears based on expenditure; further clarification on the types of grant the Council would and would not support as well as the types of organisation that could apply; successful applicants could not reapply for further grants until two years had passed between the completion of the original project and submission of another application; and there being a discretion to support applications in excess of the scheme limits resting with the Executive Committee if required.
- 34.4 The Finance and Asset Management Group Manager explained that the current Grants Working Group had considered the new information and guidelines document and had only suggested a few minor amendments which had been incorporated into the document. He indicated that he was aware of some minor wording changes required to make it clear that the Grants Working Group would not actually make the decision on any applications itself but that, in line with the current procedure, the award of the grant would be delegated to the appropriate Officer as required in Law.
- 34.5 During the discussion which ensued, a Member expressed concern at the maximum grant limits that were proposed. He was concerned that, as costs kept rising, it was likely that the grants offered by the Council would be too small. In response, the Finance and Asset Management Group Manager advised that this

was a difficult issue but it needed to be borne in mind that there was only limited grant funding available and, therefore, if a higher grant limit was in place there would be less applications that could be considered. The Council just could not afford to keep being the main contributor to schemes across the Borough and this was the reason that a cap was being suggested and that the Funding Officer had been employed. If there were exceptional circumstances then there was always the Executive Committee's discretion should it be necessary. Another Member indicated that she fully appreciated the Council's grants scheme and understood the need for applicants to look for funding elsewhere as well. She also expressed the view that the addition of a revenue grants scheme was an excellent one which she fully supported. In response to a query regarding the use of the new criteria, the Finance and Asset Management Group Manager explained that, in order to allow a transition period, it was proposed that the application forms already sent to applicants were honoured and judged under the current criteria. Applications issued after the call-in period had expired for the Executive Committee would be considered under the new criteria. It was understood that initially this would lead to a mixture of applications but this would be managed by Officers and the Member Working Group. In order to make this issue less complicated a moratorium on issuing application forms had been in place from the middle of August.

34.6 Generally Members were pleased with the proposed new information and guidelines document. They understood that there was a need to encourage organisations to seek funding in other places rather than automatically asking the Borough Council and they thought that the changes suggested would help this. They were also pleased at the introduction of the revenue grants part of the scheme which it was felt would be extremely helpful to organisations across the Borough. A County Council Member also reminded Members that each County Councillor had a funding pot of £40,000 for schemes within their communities as part of the 'active together funding' and he encouraged residents to use their County Councillors as a source of funding if appropriate.

34.7 Accordingly, it was

RESOLVED: That the new Community Grants Information Guide be **APPROVED**.

EX.35 NAMING OF NEW LEISURE FACILITY

35.1 The report of the Finance and Asset Management Group Manager, circulated at Pages No. 69-72, suggested a name for the new Leisure Centre in Tewkesbury and asked Members to make a recommendation to Council thereon.

35.2 The Finance and Asset Management Group Manager explained that the new Centre was now seven months into being built and was progressing well. There would soon be a need to consider how the new facility would be promoted and for this it was important that a name was agreed. Both the Tewkesbury Swimming Bath Trust and the Council's Leisure Facility Member Reference Group had been consulted and Members had generally been in agreement that the name 'Tewkesbury Leisure Centre' would be the most appropriate. This was also the view of Places for People; the appointed operator of the new centre. When considering the new name a number of different options had been explored including names relevant to the area and to the history of the Borough as well as a more modern idea such as the use of a postcode. Places for People was clear that it preferred a simple name which said exactly what it did and where it was as it made it easily identifiable for customers as well as being easier in terms of promotion. Concern had been expressed by Members that the use of the word Borough in the title, although reflective of the wider customer base, could be time limited by any local government reorganisation as well as leading to uncertainty

over the exact location of the centre for customers; it had therefore been suggested that the most appropriate name would be Tewkesbury Leisure Centre.

35.3 During the discussion which ensued, some Members expressed a strong view that the use of the name Tewkesbury Leisure Centre gave the impression that it was a facility just for the Town rather than for the whole Borough. They felt this was wholly unacceptable and that the name should reflect the whole Borough or possibly be something that represented the history of the Borough. In response a Member, who was also a Member of the Swimming Bath Trust and the Leisure Facility Member Reference Group, explained that this had been considered very carefully but that Members had concluded that the name Tewkesbury Leisure Centre would give the facility a strong identity which would be easier for promotion purposes.

35.4 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the name for the new leisure facility at Gloucester Road, Tewkesbury be 'Tewkesbury Leisure Centre'.

The meeting closed at 4:50 pm