

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 26 January 2016 commencing at 6:00 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor R E Allen
Councillor Mrs G F Blackwell

and Councillors:

P W Awford, Mrs K J Berry, R A Bird, G J Bocking, K J Cromwell, D M M Davies, Mrs J E Day, M Dean, R D East, A J Evans, D T Foyle, R Furolo, R E Garnham, Mrs P A Godwin, Mrs M A Gore, Mrs J Greening, Mrs R M Hatton, B C J Hesketh, Mrs S E Hillier-Richardson, Mrs A Hollaway, Mrs E J MacTiernan, J R Mason, Mrs H C McLain, A S Reece, T A Spencer, Mrs P E Stokes, P D Surman, M G Sztymiak, H A E Turbyfield, R J E Vines, D J Waters, M J Williams and P N Workman

CL.49 APOLOGIES FOR ABSENCE

49.1 Apologies for absence were received from Councillors R Bishop, J H Evetts and V D Smith.

CL.50 DECLARATIONS OF INTEREST

50.1 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.

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

CL.51 MINUTES

51.1 The Minutes of the meeting held on 8 December 2015, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.52 ANNOUNCEMENTS

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

52.2 The Mayor informed the Council of the death of Honorary Alderman Harry Workman, father of Councillor Philip Workman, who had sadly passed away last Friday evening. He advised that Honorary Alderman Workman had been a Member of the former Municipal Borough of Tewkesbury upon which he had served as Mayor on two occasions. Following reorganisation in 1974 he was bestowed with the honour of Honorary Alderman by Tewkesbury Borough Council for his meritorious service with a constituent authority. The Mayor invited Members to participate in a minute's silence as a mark of respect. Following that the Mayor extended his best wishes to Councillors Greening and Smith who had both recently lost family members.

52.3 Members were introduced to the representatives of the Independent Remuneration Panel; Richard Blamey (Chairman), Hugh Laird, Sue Lambert and Andrew Turner.

The Mayor welcomed them to the meeting and explained that they were in attendance for Item 7 on the Agenda.

CL.53 ITEMS FROM MEMBERS OF THE PUBLIC

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

CL.54 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

54.1 The following question had been received from Councillor Mrs S E Hillier-Richardson to the Lead Member for Finance and Asset Management. The answer was given by the Lead Member for Finance and Asset Management, Councillor D J Waters, but was taken as read without discussion.

Question:

Of the £150,000 set aside, from New Homes Bonus, for Community grants/projects each year, please could you let me know how much has been granted to the residents of communities in the Borough and how much has been granted to the residents of Bishop's Cleeve in the current financial year? Please could I have a breakdown of the amounts for each project or individual or organisation and the names of those receiving them?

Answer:

The 2015/16 financial year was the first year where New Homes Bonus had supported community grants. Prior to this year, community grants had been provided through capital reserves. To date, £113,132 of New Homes Bonus had been allocated by the Grants Working Group to successful applicants. Of that sum, £20,800 had been granted to the St Michael's Centre in Bishop's Cleeve which represented 18.4% of New Homes Bonus currently allocated. The balance of the allocation, £92,332, had been granted to the following groups:

| | |
|--|---------|
| Winchcombe Skate Park | £47,339 |
| Woodmancote Village Hall Changing Rooms | £23,000 |
| TRAC Twyning, Fence | £2,799 |
| Prior's Park Community Garden | £3,000 |
| Gloucester Young Carers- Tea Room Volunteering | £396 |
| Twyning Short Matt Bowls, equipment | £3,000 |
| Fair Shares | £2,798 |
| Rugby World Cup Legacy Grant | £10,000 |

54.2 The following questions had been received from Councillor Mrs S E Hillier-Richardson to the Lead Member for Built Environment. The answers were given by the Lead

Member for Built Environment, Councillor D M M Davies, but were taken as read without discussion.

Question:

For each of the last 3 years:

1. How many affordable housing units were completed and available in the Bishop's Cleeve area?
2. How many residents with a declared connection to Bishop's Cleeve were allocated these homes?
3. How many residents with a declared connection to Bishop's Cleeve remain on the Housing Register?
4. How many affordable housing units are projected to be completed and available over the forthcoming year (2016-17)?

Answers:

1. How many affordable housing units were completed and available in the Bishop's Cleeve area in 2013/14, 2014/15 and 2015/16?

| Bishop's Cleeve | 2013/2014 | 2014/2015 | 2015/2016 | Total |
|---|---|--|---|--|
| Completed new build affordable homes | 39 Homelands 1 | 36 Homelands 1 21 Garage Site | 23* Homelands 1 | |
| Of which rented | 15 <i>(7 allocated with Local Connection to B/C)</i> | 33 <i>(6 were allocated with Local Connection to B/C)</i> | 9 <i>(5 were allocated with Local Connection to B/C)</i> | 57 <i>(18 allocated with local connection to B/C)</i> |
| Of which shared ownership | 24 | 3 | 14 | 41 |

Homelands 1 development had a Section 106 which stated a local connection was required for the whole of Tewkesbury Borough. However, the Local Lettings Plan on Homelands 1 required that 50% of the properties would be allocated to those with a local connection to Bishop's Cleeve.

The "garage site developments" had a Section 106 which stated that a local connection to Tewkesbury Borough was required. There was no local lettings plan.

For Homelands 2 and Cleevelands a local lettings plan would be put in place for 50% of the properties.

*a further 12 were expected to complete in quarter four (four rented/eight shared ownership), totalling 35 for the current year.

2. How many residents with a declared connection to Bishop's Cleeve were allocated these homes?
18 applicants.

3. How many residents with a declared connection to Bishop's Cleeve remain on the Housing Register?

242 applicants are registered on Gloucestershire Homeseeker as at today's date.

Of which:

140 applicants are in Bronze band (which indicated that there was no, or extremely low, housing need);

70 applicants were in Silver Band;

27 applicants were in Gold Band; and

5 applicants were in Emergency Band.

4. How many affordable housing units are projected to be completed and available over the forthcoming year (2016-17)?

2016/17 projected completions on Homelands 2 and Cleveland's = 76 properties.

- 54.3 The Mayor invited any supplementary questions and, in response, the Member asked the following:

How is fairness and accessibility for all residents to grants ensured with advertising of the Grants Scheme throughout the Borough?

- 54.4 The Lead Member advised that the Scheme was publicised on the Council's website and in the Borough News so it was available to all and advertised well.

- 54.5 The Member also asked:

In view of the answers to my original questions three and four, is it true that Section 106 money for affordable housing from a development could be used to provide rural housing in a village some eight to ten miles from that development? If this is true, where and when was this decided?

- 54.6 The Lead Member advised that he would investigate and provide a detailed response following the meeting.

CL.55 REPORT OF THE INDEPENDENT REMUNERATION PANEL

- 55.1 The report of the Democratic Services Manager, circulated at Pages No. 7-23, set out the report of the Independent Remuneration Panel on the Council's Scheme of Members Allowances. Members were asked to consider the advice of the Panel and determine the Scheme of Allowances to take effect on 1 April 2016 following expiry of the existing arrangements.

- 55.2 The Chair of the Independent Remuneration Panel, Richard Blamey, explained that the Independent Remuneration Panel was established through government regulation but it had no power to enforce and was there merely to consider the evidence and make its recommendations to the Council. In introducing himself he advised Members that, in addition to chairing the Independent Remuneration Panel at Tewkesbury he had also chaired Gloucestershire County Council's Panel for the last two years. He expressed his pleasure that all of his fellow Panel members were in attendance at the evening's meeting. He explained that the whole Panel had been appointed in February last year; at which time they had only had chance to undertake a 'light touch' review for the 2015/16 Scheme. In preparing the recommendations for the 2016/17 Scheme, the Panel had interviewed approximately 20 Councillors and analysed an enormous amount of data. The Panel had noted that Tewkesbury Borough Council had among the highest Basic Allowance but it was not felt this should be cut; particularly as the Special Responsibility Allowances were relatively low. With this in mind the Panel's recommendations sought to increase the Special Responsibility Allowances slightly

and to see Members being paid for each Special Responsibility Allowance that they were entitled to. The full details of the Panel's recommendations could be found at Pages No. 21 and 22 of the report attached to the Agenda.

55.3 The Mayor thanked Mr Blamey for his introduction and for the Panel's recommendations.

55.4 The Leader of the Council thanked the Panel for their hard work and the effort they had put in, particularly interviewing so many Members. He felt the report was a fair analysis of the work undertaken by Councillors and he could see that a lot of evidence had been assessed. He noted that the proposed Scheme was for a one year period only and he expressed a hope that the current Panel would feel able to remain in place for the forthcoming year. He felt that the Panel had taken the time to really understand the work of the Council and that was to be commended as it was not an easy task.

55.5 Upon being proposed and seconded, it was

RESOLVED

That the recommendations of the Independent Remuneration Panel for the 2016/17 Scheme of Allowances be **AGREED** as follows:

- That the Basic Allowance payable to all Councillors remain at £7,200.
- That the following Special Responsibility Allowances be payable:

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| Leader of the Council | £8,400 |
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| Deputy Leader | £6,300 |
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| Lead Members (7) | £4,200 |
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| Committee Chairmen (5) | £2,100 |
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Planning Committee

Licensing Committee

Overview and Scrutiny Committee

Audit Committee

Standards Committee

| | |
|-------|--------|
| Mayor | £2,100 |
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|--------------|--------|
| Deputy Mayor | £1,300 |
|--------------|--------|

- That the provision which states that Councillors who carry out more than one role which would attract a Special Responsibility Allowance are only entitled to claim the highest applicable Special Responsibility be deleted from the Scheme and that any Member carrying out a role subject to a Special Responsibility Allowance should receive payment for each role undertaken.

(In respect of the current Mayor particularly, who was also a Lead Member; this provision should be back-dated so that he receives both Special Responsibility Allowances during his Mayoral Year. Accordingly, it is recommended

that the provision in the 2015/16 Scheme restricting claims to one Special Responsibility Allowance be removed).

- That no reference to IT be included in the Council's Scheme of Allowances.
- That the arrangements for travel allowances remain unchanged except that the reference to 'journeys exceeding 50 miles in total will be payable at a mileage rate of 1p per mile after the first 50 miles' be deleted as the Panel cannot see any rationale for this to remain in the Scheme.
- That the arrangements for subsistence allowances remain unchanged except that the Democratic Services Group Manager be given delegated authority to approve increased amounts in special circumstances, such as visits to London, subject to them being reasonable and upon the production of receipts.
- That the Dependent Carers' Allowance remains in place but that the maximum amount payable be increased from £6 per hour to £7.20 in line with the living wage.
- That it be noted that, from 1 April 2014, the entitlement of local Councillors to join the Local Government Pension Scheme was abolished.
- That the repayment provision within the Scheme remain unchanged.
- That the Scheme be introduced for one year from 1 April 2016 to 31 March 2017, during which period the Panel will meet to review the Scheme and recommend any amendments if necessary.
- That no other changes be made to the Scheme of Allowances, including the Schedule of Approved Duties.

CL.56 APPOINTMENT OF CIVIC HEADS FOR THE MUNICIPAL YEAR

Mayor

56.1 Upon being proposed and seconded, it was

RESOLVED That Councillor Mrs G F Blackwell, be appointed Mayor for the ensuing Municipal Year.

Deputy Mayor

56.2 Upon being proposed and seconded, it was

RESOLVED That Councillor H A E Turbyfield be appointed as Deputy Mayor for the ensuing Municipal Year.

CL.57 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE**Contract Procedure Rules**

- 57.1 At its meeting on 13 January 2016 the Executive Committee had considered revised Contract Procedure Rules and recommended to Council that the updated Rules, as appended to the report, be approved.
- 57.2 The report that had been considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 24-51.
- 57.3 The Mayor reminded Members that they had been asked to agree an amendment to the Rules which had been recommended by the Executive Committee; to delete the last sentence at Paragraph 12.2 which stated that 'Where tenders are submitted electronically via the Authority's e-procurement system, Authorised Officers shall ensure that they are kept secure and un-opened until the specified date and time'.
- 57.4 The recommendation from the Executive Committee, including the amendment as requested by Officers, was proposed and seconded. During the brief discussion which ensued, a Member expressed the view that Councillors ought to be involved with the tender process and he questioned whether Officers would consider informing Lead Members when large contracts were released and tender bids were accepted. He felt that, currently, quite rightly, the process was very much Officer led but he felt there should be a duty for Lead Members to be involved. In response, the Borough Solicitor advised that the Contract Procedure Rules set out the procedural side of the tender process and the awarding of contracts; since the Council did not have individual Councillor decision-making, Members were not included in that process. She agreed that Lead Members should be aware of large contracts that were being let and she felt that this was probably already done informally through the Lead Member Briefings. However, if it was considered to be necessary this could be spelt out in the appropriate place and she undertook to consider what that might be.
- 57.5 Accordingly, it was
- RESOLVED** That the updated Contract Procedure Rules, as appended to the report, be **APPROVED** subject to an amendment at Paragraph 12.2 to delete the last sentence that reads 'Where tenders are submitted electronically via the Authority's e-procurement system, Authorised Officers shall ensure that they are kept secure and un-opened until the specified date and time'.

CL.58 REVISION OF STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT

- 58.1 At its meeting on 26 November 2015 the Licensing Committee had considered the revision of the Statement of Principles under the Gambling Act and recommended to Council that the Gambling Act 2005: Statement of Principles 2016-2019 be adopted with effect from 31 January 2016.
- 58.2 The report that had been considered by the Licensing Committee had been circulated with the Agenda for the current meeting at Pages No. 52-98.

58.3 The Chairman of the Licensing Committee indicated that the Committee had considered the Statement of Principles as required and had approved two changes which were outlined at Page No. 53 and included: the optional inclusion of a Local Area Profile which was essentially a way of describing a process of gathering and presenting information about a locality and any particular areas of concern within that, to explain and underpin the approach that the licensing authority would apply, as set out in the policy statement; and a requirement from 6 April 2016 for all operators to assess local risk in terms of understanding the local environment and reflecting that awareness in their procedures and policies so that they mitigated any local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to share their risk assessments with their local licensing authority when applying for a new premises licence; varying an existing premises licence; or, upon request by the licensing authority. The document had been subject to six weeks consultation during which no comments had been received.

58.4 Accordingly, it was

RESOLVED That the Gambling Act 2005: Statement of Principles 2016-2019, as set out at Appendix B to the report, be **ADOPTED** with effect from 31 January 2016.

CL.59 SCHEDULE OF MEETINGS 2016/17

59.1 The report of the Democratic Services Group Manager, circulated at Pages No. 99-102, set out the proposed Schedule of Meetings for 2016/17. Members were asked to adopt the Schedule as set out at Appendix 1 to the report.

59.2 Accordingly, it was

RESOLVED That the Schedule of Meetings for 2016/17, as set out at Appendix 1 to the report, be **ADOPTED**.

CL.60 SYRIAN REFUGEE MOTION

60.1 The Mayor explained that the following Motion had been proposed and seconded at the last meeting of the Council and had stood referred to the Overview and Scrutiny Committee for consideration:

‘Tewkesbury Borough Council notes that more than six million Syrian people have been displaced by civil war within their homeland and three million have fled to neighbouring countries.

The Prime Minister and the United Kingdom government are keen to support twenty thousand refugees seeking sanctuary and have pledged £215m over the next five years to help rebuild their lives within this country.

I would ask Members of this Council to join with other agencies, including ‘Severn Vale Housing Trust’ and ‘GARAS’ to help coordinate and support limited numbers of displaced Syrian families settle within the County of Gloucestershire’

60.2 Accordingly, at its meeting on 19 January 2016, the Overview and Scrutiny Committee had considered a report, circulated at Pages No. 103-114 of the papers for the current meeting, which provided information to enable the consideration of the Motion; the Mayor also reminded Members that additional information about this issue had been circulated prior to the Council meeting.

- 60.3 On invitation from the Mayor, the Chair of the Overview and Scrutiny Committee explained that the Committee had had a lively debate on the Motion and asked some probing questions before deciding that it should be supported. However, it was his understanding that an amendment to the Motion was to be presented to the Council.
- 60.4 It was then proposed and seconded that 'Tewkesbury Borough Council acknowledges that the Prime Minister and the United Kingdom Government are keen to support twenty thousand vulnerable refugees seeking sanctuary from parts of Syria, and have pledged £215million over the next five years to do so. Tewkesbury Borough Council confirms it will fulfil its obligation to this programme by providing practical support when and where it is appropriate'.
- 60.5 Upon the amended Motion being proposed and seconded, the Mayor asked the proposer and seconder of the original Motion whether they wished to proceed with their original Motion or whether they were prepared to accept the amended version. The proposer and seconder confirmed acceptance of the amended version and, accordingly, this became the substantive Motion for debate.
- 60.6 During the discussion which ensued, a Member questioned whether the funding for refugees from the Government would be received by the Borough Council or the County Council and whether there would be careful management of the letting of properties to ensure no one already on the Homeseeker Register was disadvantaged. In response, the Deputy Chief Executive advised that the funding from the Government would be channelled through the County Council; the Borough Council had no housing stock and therefore would not receive any funding directly. In terms of property, she explained that, at the moment, there were no proposals to use a particular type of housing but the most likely approach at this stage was to use the private sector; this meant there would be no impact on families on the Housing Register. Severn Vale Housing Society had offered potential vacant units for use if needed and a 'wrap around' support package from a number of different organisations would be available to the families even if housing in the private sector was offered.
- 60.7 Accordingly, the substantive Motion was put to the vote and it was
- RESOLVED** That Tewkesbury Borough Council acknowledges that the Prime Minister and the United Kingdom Government are keen to support twenty thousand vulnerable refugees seeking sanctuary from parts of Syria, and have pledged £215million over the next five years to do so.
- Tewkesbury Borough Council confirms it will fulfil its obligation to this programme by providing practical support when and where it is appropriate.

CL.61 ROYAL GARDEN PARTY

- 61.1 It was
- RESOLVED** That Councillor Mrs H C McLain and partner accompany the Mayor and Mayoress as the Council's nominees at the Royal Garden Party in May 2016.
- 61.2 It was agreed that Councillor Mrs A Hollaway be nominated as a reserve to attend in the event that Councillor McLain should be unable to make the date.

CL.62 SEPARATE BUSINESS

62.1 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.

CL.63 SEPARATE MINUTES

63.1 The separate Minutes of the meeting held on 8 December 2015, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

The meeting closed at 6:45 pm