

# TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,  
Gloucester Road, Tewkesbury on Wednesday, 25 April 2018 commencing at  
2:00 pm**

**Present:**

Vice Chair in the Chair

Councillor R A Bird

**and Councillors:**

K J Berry, G F Blackwell, M Dean, R Furolo, J Greening, E J MacTiernan and J R Mason

**also present:**

Councillors R E Allen and P W Awford

**EX.107 ANNOUNCEMENTS**

- 107.1 The evacuation procedure, as noted on the Agenda, was taken as read.
- 107.2 The Chair welcomed Councillors Allen and Awford to the meeting. Councillor Allen was in attendance as an observer and Councillor Awford was attending as Chair of the Overview and Scrutiny Committee for Agenda Item 7 – Performance Management Report – Quarter Three 2017/18.

**EX.108 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

- 108.1 An apology for absence was received from Councillor D J Waters (Chair). There were no substitutions on this occasion.

**EX.109 DECLARATIONS OF INTEREST**

- 109.1 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.
- 109.2 There were no declarations of interest made on this occasion.

**EX.110 MINUTES**

- 110.1 The Minutes of the meeting held on 14 March 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

**EX.111 ITEMS FROM MEMBERS OF THE PUBLIC**

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

**EX.112 EXECUTIVE COMMITTEE FORWARD PLAN**

- 112.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-14. Members were asked to consider the Plan.
- 112.2 Accordingly, it was

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

**EX.113 PERFORMANCE MANAGEMENT REPORT - QUARTER THREE 2017/18**

- 113.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 15-57, asked Members to review and, if appropriate, take action on the observations of the Overview and Scrutiny Committee following its review of the 2017/18 quarter three performance management information.
- 113.2 Attention was drawn to the observations made by the Overview and Scrutiny Committee, attached at Appendix 1 to the report, and to the Council Plan Performance Tracker, attached to the report at Appendix 2.
- 113.3 The Chair of the Overview and Scrutiny Committee advised that Members had noted the key actions achieved since the last update, the majority of which the Executive Committee had been central to. Those included the preparation and approval of the annual budget and Medium Term Financial Strategy – although 'routine' business this was a significant piece of work undertaken during the course of the year; the success of commercial property investment had been built upon with Council having approved a further £12 million; the main phase of the public services centre refurbishment had commenced and, in December, one third of the top floor had been let; the Joint Core Strategy had been adopted; the new garden waste project had entered its final stages with the renewal of 15,000 customers to date; and Council had approved the adoption of Public Space Protection Orders. The Committee had also noted that, due to the complex nature of some of the actions, there had to be recognition some would not progress as smoothly or quickly as envisaged. These were transparently reported through the performance tracker and included the regeneration of Spring Gardens; the production of a vision for Junction 9; working with partners to progress the Healings Mill site; and working with partners to increase the heritage offer at the Battlefield site – the revised dates for the project milestones had been noted. In terms of Key Performance Indicators (KPIs), the Committee had noted the improved performance across all planning processing indicators compared to the previous year; the reduced number of reported enviro crimes; and that the Council's recycling rate remained strong. Following its continued scrutiny, a short workshop had been held for Overview and Scrutiny Members on how sickness absence was managed which Members had found helpful. A number of questions had been raised, for information purposes, around the financial information which had been provided. This had included questioning around business rates retention; funding of, and associated risk in relation to, improvements to the Longford roundabout; planning income not meeting target; and a general query around the amount of income from the leisure centre contract. Overall, the scrutiny of the report had been fairly high level as the previous quarter the Committee had gone through it page by page.
- 113.4 In addition, the Overview and Scrutiny Committee Chair indicated that the previous evening a special meeting of the Committee had been held to enable questioning of partners as part of the Scrutiny review in respect of the water supply outages which had occurred during 2017. He offered his thanks to the Members and Officers involved with the review which, to date, had been extremely successful. The initial questions asked by Members had been scripted but he felt the supplementary questions asked had been of an extremely high quality. The

Executive Committee Chair thanked the Overview and Scrutiny Committee and Officers for the work that had gone into the review – he felt it showed how well the scrutiny process could work. He did, however, express concern that there had been no media attendance at the meeting. In response, the Chief Executive indicated that the Committee still had work to do on its report so there was still time for press involvement. He agreed that the review to date had been an excellent piece of work with a challenging but fair style of questioning. He felt the partners involved had welcomed the opportunity to have their say in the public arena which had helped the way the review had run.

113.5 Referring to sickness absence targets, a Member questioned how many staff were currently absent due to long term ill health. In response, the Head of Corporate Services confirmed that there were approximately six people affected at the moment; some with significant illnesses. He reminded Members that, as a small authority, the Council was affected by long term absences quite badly. The Vice-Chair of the Overview and Scrutiny Committee explained that he had recently attended the Overview and Scrutiny workshop to review the absence management policy and he felt the Members involved had been pleased with the steps being taken to address the issues and the procedures which were in place.

113.6 Referring to KPI 14 – Percentage of ‘minor’ applications determined – a Member questioned whether a target of 90% was actually realistic. The Head of Development Services responded by advising that this was a “stretch” target which was significantly higher than the national target of 65% but she felt that an aspirational target was a good thing to aim for. There were improvements that would be implemented following the review of the Development Management service so she felt the 90% target would be achievable in future. The Member also questioned what the start date would be for the improvements at Longford roundabout. The Head of Development Services advised that she was currently looking at the programme and Members would be updated as the project progressed; it was envisaged that the work would commence during the 2020/21 period.

113.7 Accordingly, it was

**RESOLVED:** That the Overview and Scrutiny Committee’s comments on the Performance Management Report for Quarter Three of 2017/18 be **NOTED**.

#### **EX.114 COUNCIL PLAN UPDATE 2016/17 - YEAR THREE**

114.1 The report of the Head of Corporate Services, circulated at Pages No. 58-75, attached the revised Council Plan for 2016/20. The report asked Members to recommend the Plan to Council for adoption, subject to any amendments the Committee felt necessary.

114.2 The Head of Corporate Services explained that Members were well versed on the process of refreshing the Council Plan to ensure the document remained relevant. 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 required to work towards that vision. The Plan was attached to the report at Appendix 1 and Members were advised that it reaffirmed the four priority themes but two had been slightly reworded to reflect a broader remit and relevance, the themes were: Finances and Resources; Promoting and Supporting Economic Growth (this had replaced Economic Development); Growing and Supporting Communities (this had replaced Housing); and Customer-Focussed Services. The priorities were supported by key objectives and actions and a small number of those objectives had also been reworded so they adequately supported the wider

remit of the renamed themes; the Plan also reflected feedback from Lead Members at a recent Corporate Leadership Team/Executive Committee away day that the Council needed to retain its ambition to be an authority that 'punches above its weight' and is the economic engine for Gloucestershire's growth

- 114.3 The Chief Executive indicated that, unfortunately, there had not been time to circulate the draft Plan to Members prior to it being published with the Agenda for the meeting so he had agreed with the Leader and Deputy Leader of the Council that the Committee would use this opportunity to go through the document thoroughly and make any amendments prior to it being considered by the Council. During the discussion which ensued, a Member drew attention to Page No. 67 and questioned why 'Develop our customer service ethos to ensure that we deliver to the needs of residents' was no longer included under the heading "Customer-Focused Services". The Head of Corporate Services explained that it was felt this was covered within the priority itself; the ethos would always remain embedded in the culture of the organisation so it was not felt it would be detrimental to remove it. Referring to the same page, another Member asked that the last bullet point under the second heading be amended to read 'Promote the Borough as a visitor attraction' to make it consistent with the way the other bullet points on the page were written. She also felt it was not accurate to say the Council would 'Achieve a five year supply of land' and that it should be changed to 'Maintain a five year supply of land' – this would also need to be changed on Page No. 70 of the Plan.
- 114.4 In relation to Page No. 68, a Member noted that the old Plan set out that the Council would 'Produce a balanced budget in light of elimination of the revenue support grant' and she queried why there was no mention of delivering a balanced budget in the amended version. In response, the Chief Executive explained that the Council had to produce a balanced budget by law which was why it had been omitted; however, he undertook to add some wording to point a) under the heading "Seek to be financially independent of the government's core grants" to read 'Deliver the Council's transformation programme to deliver a balanced budget'. Drawing attention to Page No. 70, the Member expressed the view that the title should read 'Growing and supporting homes and communities' rather than just communities. In response, the Chief Executive explained that 'growing communities' was intended to reflect housing too. In addition, the Chair indicated that Members had discussed the point at a previous meeting and had agreed not to include housing in the title because it was referenced throughout the text on the page. Referring to the same page, the Member also suggested that a target for the provision of affordable homes ought to be included. In response, the Head of Corporate Services indicated that there were KPIs that supported the Plan and those were monitored so it was felt that was where the target should be referenced. In addition, the target may change in-year so it was sensible not to include it in the actual Council Plan. Other Members agreed that they would not like to see a target for affordable homes specified within the Council Plan as they felt the Council should aim to build as many affordable homes as possible. Referring to the same page, another Member expressed concern about point d) under the heading "Deliver affordable homes to meet local need". She felt it implied the Council preferred to work with Severn Vale Housing Society over other housing providers. In response, the Chief Executive indicated that the point had been included as it was a fact that Severn Vale Housing Society was looking to merge with Bromford and Merlin and this was significant to the Borough Council as it would result in quite a lot of work for Officers in terms of legal agreements etc. It was also anticipated that the new organisation would have the ability to deliver significantly more affordable homes in the Borough than Severn Vale Housing Society would have – the Council had already agreed to support the merger so it had been felt appropriate to include it in the Plan. The Council did work with other social housing providers but this was a specific piece of work regarding Severn Vale Housing Society. The Member felt the point only provided half of the story

regarding the merger as there was no mention of the other two housing providers involved. The Chief Executive indicated that this was because the Council had a contractual agreement with Severn Vale; however, it could be amended to refer to Bromford and Merlin specifically. He also suggested the wording could be changed from 'work to support the merger' to 'work to facilitate the merger'. Another Member indicated that the Plan was structured such that there were four priorities, underneath those there were specific objectives and then the actions to meet those objectives. He felt, therefore, that to remove a significant piece of work would defeat the purpose of having the actions and would make it harder to hold Officers to account. The Chief Executive explained that the action aimed to increase and improve the number of affordable homes that could be delivered in the Borough. The action was dependent upon the decision of the Severn Vale Housing Society Board but it was a Council action to take; he suggested that the bullet point could be amended to 'work with Severn Vale Housing Society, Bromford Housing Group and Merlin Housing Society in respect of their merger in accordance with the programme' and that point b) could be amended to 'Achieve the Council's affordable homes target by working with local housing providers'.

114.5 Attention was drawn to Page No. 71, and a Member noted that the previous Council Plan had included a statement that the Council would 'Deliver the enviro-crimes action plan, with a particular focus on fly-tipping and dog fouling' and she questioned why this important issue was not included in the current version. In response, the Head of Corporate Services understood this was a subject which Members felt exceptionally strongly about but the Overview and Scrutiny Committee had undertaken a lot of work on the subject and received six-monthly updates on the enviro-crimes action plan so the Council was now very proactive in that regard; as such, it was considered to be an operational priority but not necessarily something to be included in the Council's overall priorities as part of the Council Plan. A number of Members felt it was important that this was included in the Plan as it was one of the main issues raised by residents in their communities and it was suggested the point read 'To continue to proactively enforce against enviro-crimes, including fly-tipping and dog fouling, in accordance with the action plan. The Head of Corporate Services confirmed that, when the document was published on the website, links would be provided to the various action plans and other documents referred to throughout. Referring to the same page, it was agreed that the final point would be changed to 'Investigate digital methods to improve customer engagement' rather than 'Look at digital methods to improve customer engagement'.

114.6 Accordingly, it was

**RESOLVED:** That it be **RECOMMENDED TO COUNCIL** that the Council Plan be **ADOPTED**, subject to the following amendments:

- 'Our priorities and objectives 2016-20' – second bullet point entitled 'Promoting and supporting economic growth' amend fifth point to read '~~Promoting~~ **Promote** the borough as a ~~visiting~~ **visitor** attraction';
- 'Our priorities and objectives 2016-20' – third bullet point entitled 'Growing and supporting communities' amend second point to read 'Achieve **Maintain** a five year supply of land';

- 'Why this is a priority – Finance and resources' – first bullet point entitled 'Seek to be financially independent of the government's core grants' amend point a) to read 'Deliver the Council's transformation programme **to deliver a balanced budget**';
- 'Why this is a priority – Growing and supporting communities' – amend second bullet point heading to read 'Achieve **Maintain** a five year supply of land';
- 'Why this is a priority – Growing and supporting communities' – amend point b) under the fourth bullet point to read 'Achieve the council's affordable homes target **by working with local housing providers**';
- 'Why this is a priority – Growing and supporting communities' – amend point d) in the fourth bullet point to read '~~Work to support the Severn Vale Housing Merger with its partners in accordance with the programme.~~ **Work with Severn Vale Housing Society, Bromford Housing Group and Merlin Housing Society in respect of their merger**';
- 'Why this is a priority – Customer focussed services' – amend first bullet point to add '**To continue to proactively enforce against enviro-crimes including flytipping and dog fouling in accordance with the action plan**';
- 'Why this is a priority – Customer focussed services' – amend point d) under the third bullet point – to read '~~Look at~~ **Investigate** digital methods to improve customer engagement'.

#### EX.115 2018/19 SERVICE PLANS

- 115.1 The report of the Head of Corporate Services, circulated at Pages No. 76-113, attached the 2018/19 service plan for each service group. Members were asked to consider and endorse the plans as circulated.
- 115.2 The Head of Corporate Services explained that the service plan template was as simple as possible; it gave a brief overview of the purpose of the service, an update on the actions from the previous year and the actions for the year ahead. Each service produced a plan and it was expected that Lead Members would receive updates at their portfolio briefings.
- 115.3 During the brief discussion which ensued, a Member referred to Page No. 104 and questioned why there was currently no data sharing agreement in place with the Department for Work and Pensions (DWP) and why the General Data Protection Regulation (GDPR) would make it impossible to put one in place. In response, the Head of Community Services explained that the Council was looking to share data better with other government organisations and, whilst he did not think it would be impossible, there were other data sharing agreements that would need to be implemented as a priority, such as for tackling crime and fraud, so those would need to be put into place first. The Chief Executive indicated that the Council could share data for certain reasons, for example, if there was imminent harm i.e. for safeguarding. Another Member referred to Page No. 101 and the fact that, whilst

relationships between the Council and the Joint Waste Team and the Joint Waste Committee were good, work was ongoing in terms of the Council's relationship with Ubico. In response, the Chief Executive explained that there was generally a good relationship with Ubico but there were still performance issues that needed to be resolved. In terms of car park signage, as noted on Page No. 112, the Member questioned which signs needed to be replaced. In response, the Head of Corporate Service confirmed it was referring to the signage for the Council's off-street car parks as it was not as customer focussed as it could be; this was something that had come out of the Car Parking Strategy action plan. Another Member agreed that this was an issue as often visitors did not know where the car parks were – he felt it may be helpful for the Borough Council to work with Town and Parish Councils to agree where the most suitable places for the signage would be.

115.4 Accordingly, it was

**RESOLVED:** That the 2018/19 service plans be **ENDORSED**.

#### **EX.116 DRAFT REVISED NATIONAL PLANNING POLICY FRAMEWORK CONSULTATION**

- 116.1 The report of the Head of Development Services, circulated at Pages No. 114-193, informed Members of the government's consultation on a draft revised National Planning Policy Framework (NPPF) and set out Tewkesbury Borough Council's proposed response to the consultation. Members were asked to approve the response for submission on behalf of the Council and to delegate authority to the Head of Development Services, in consultation with the Lead Member for Built Environment, to add further comments to the response prior to its submission.
- 116.2 The Head of Development Services advised that, since its publication, the National Planning Policy Framework had been a material consideration in decisions and planning policy making. The consultation on the revised Framework sought to bring it up-to-date and in line with a number of other documents published by the government in respect of housing, along with other previous government announcements/proposals and new policy changes. A summary of the key changes was set out at Paragraph 2.0 of the report and indicated that the main areas included: presumption in favour of sustainable development; plan-making (including neighbourhood plans); housing requirements; affordable housing; housing supply; housing mix and density; and Green Belt. A proposed response to the consultation was attached to the report at Appendix 2 and covered the issues that Officers felt were pertinent to Tewkesbury Borough Council. It was intended that the response would form part of a joint response with the other Joint Core Strategy authorities.
- 116.3 During the discussion which ensued, a Member expressed concern about the Green Belt and the exceptional circumstances required for housing development. In response, the Head of Development Services explained that the National Planning Policy Framework review suggested that any new local development plans, as adopted, would have to adhere to a change of emphasis whereby, before concluding that exceptional circumstances existed, the authority should have examined fully all reasonable options for meeting its identified need for development, including whether the strategy optimised the density of development, and that it had been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development. It also detailed that amendments to Green Belt boundaries may be in neighbourhood plans as well as local plans where the need for changes had been demonstrated through a strategic plan. There was also particular provision for limited infilling in

respect of affordable housing where it was under policies in the development plan but also on previously developed land where it would either not have a greater impact on the openness of the Green Belt than the existing development or it contributed to an identified local affordable housing need and would not cause substantial harm to the openness of the Green Belt. In respect of how any changes to the Framework would affect the Joint Core Strategy, the Head of Development Services explained that the Strategy had been adopted and, as such, the new Framework would not apply; however, if sites were not built out before the Joint Core Strategy review, the new Framework would need to be considered.

116.4 Accordingly, it was

- RESOLVED:**
1. That the response to the draft National Planning Policy Framework consultation, as attached to the report at Appendix 2, be submitted on behalf of Tewkesbury Borough Council.
  2. That authority be delegated to the Head of Development Services, in consultation with the Lead Member for Built Environment, to add further comments to the response prior to its submission on behalf of Tewkesbury Borough Council.

#### **EX.117 ALDERTON NEIGHBOURHOOD PLAN REFERENDUM**

117.1 The report of Planning Policy Manager, circulated at Pages No. 194-325, set out the Alderton Neighbourhood Plan, along with the modifications proposed by the examiner and the Committee was asked to consider whether the Plan, as modified according to the examiner's recommended amendments, should progress to a community referendum in accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012 as amended.

117.2 The Head of Development Services explained that the examiner had recommended that the Alderton Neighbourhood Plan, if modified according to their recommendations, would meet the basic conditions required and should therefore proceed to a referendum. The Borough Council had a duty to consider each of the examiner's recommendations and publish a decision statement on whether the amended plan met the basic conditions and whether it should proceed to a referendum. Following the Council's decision to go to a community referendum it had 56 days to organise it. As required, consultation had been undertaken and the qualifying body, Alderton Parish Council, had confirmed that it accepted the proposed amendments.

117.3 Accordingly, it was

- RESOLVED:**
- That, in accordance with Regulation 18 of the Neighbourhood Planning (General) Regulations 2012, as amended, the Alderton Neighbourhood Plan, as modified according to the Examiner's recommended amendments, be **APPROVED** to progress to Community Referendum.



**EX.118 SEPARATE BUSINESS**

118.1 The Chair 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 12(A) of the Act.

**EX.119 SEPARATE MINUTES**

119.1 The separate Minutes of the meeting held on 14 March 2018, copies of which had been circulated, were approved as a correct record and signed by the Chair.

The meeting closed at 3:35 pm