

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held remotely on
Wednesday, 3 March 2021 commencing at 4:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

M Dean, M A Gore, D J Harwood, E J MacTiernan, H S Munro (Substitute for C Softley),
R J Stanley, M G Sztymiak and R J E Vines

EX.89 ANNOUNCEMENTS

89.1 The Chair advised that the meeting was being held under the emergency provisions of the Coronavirus Act 2020 and, specifically, The Local Authorities and Police and Crime panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020. The meeting was being broadcast live via the internet, it was not being recorded by the Council but, under the usual transparency rules, it may be being recorded by others.

EX.90 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

90.1 Apologies for absence had been received from Councillors G F Blackwell and C Softley. Councillor H S Munro would be acting as a substitute for the meeting.

EX.91 DECLARATIONS OF INTEREST

91.1 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.

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

EX.92 MINUTES

92.1 The Minutes of the meeting held on 3 February 2021, copies of which had been circulated, were approved as a correct record.

EX.93 ITEMS FROM MEMBERS OF THE PUBLIC

93.1 There were no items from members of the public.

EX.94 EXECUTIVE COMMITTEE FORWARD PLAN

94.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 10-12. Members were asked to consider the Plan.

94.2 Accordingly, it was

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

EX.95 TREASURY AND CAPITAL MANAGEMENT

95.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 13-45, provided a range of strategies, policies and statements which the Council was required to adopt at the start of each financial year. The Committee was asked to recommend the adoption of the documents to the Council.

95.2 The Head of Finance and Asset Management explained that the strategies, policies and statements sought to provide clarity on the plans for the financial management of the Council for the forthcoming year. They were largely technical documents but in summary; the Capital Strategy, alongside a number of indicators, detailed a high-level overview of the Council's approach to capital expenditure, capital financing and treasury management activity and how that contributed to the provision of local public services and how associated risk was managed; the Investment Strategy came from the Ministry for Housing, Communities and Local Government (MHCLG) statutory guidance – it was not the Council's strategy for actual investment in either commercial or service property and it did not commit the Council to any future direction or expenditure; the Minimum Revenue Provision Statement detailed how the Council repaid its debt on borrowing; the Treasury Management Strategy set the framework within which the day to day and strategic treasury activities operated – the pooled funds were doing really well with returns of over 4% so Officers were pleased the decision had been taken to make them at the start of the COVID-19 pandemic; and the Flexible Use of Capital Receipts Policy detailed that the Council had no new requirements for flexible use in 2021/22 and did not have any known additional capital receipts which could be applied.

95.3 Referring to the Investment Strategy, a Member questioned whether the introduction could include an additional bullet point headed "To help support green recovery and fight climate change". In response, the Head of Finance and Asset Management confirmed that the headings in the document were specified so could not be amended or added to but the climate emergency was high on the Council's Agenda anyway so, even though it was not specified, it was always part of the work going forward. Another Member referred to the Capital Strategy and the statement that "the authority expects to remain borrowed above its liability benchmark" and questioned whether Councillors should be concerned about this. In response, the Finance Manager indicated that this was a complicated issue whereby the amount actually borrowed was compared against a different strategy to show the lowest level of borrowing. Essentially, the optimum position was to have the minimum amount of borrowing but the volatile nature of the Council's cashflow meant it needed to borrow above the minimum in order to ensure all its commitments could be met and there was no risk that it would run out of cashflow. The Member also queried why, in terms of 'borrowing in advance of need', the Council had chosen not to follow the government guidance. In response, the Head of Finance and Asset Management confirmed that going forward the Council would be operating in line with the guidance as it did not intend to make any more commercial property purchases; however, in the past it had not been possible to

follow the guidance as the Council needed to increase its income to balance its budgets. He undertook to add a note to the covering paragraphs to make that clearer. One Member queried who the Council had a service investment loan with and he was advised that was the Roses Theatre and the loan remained outstanding at this time. The Council stayed in discussions with the Roses Theatre Board and Director about its future but, in the short term at least, the Arts Council funding received should ensure it remained viable.

95.4 Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the following be **ADOPTED:**

- The Capital Strategy 2021/22.
- The Investment Strategy 2021/22.
- The Minimum Revenue Provision Statement 2021/22.
- The Treasury Management Strategy 2021/22.
- The Flexible Use of Capital Receipts Policy 2021/22.

EX.96 FINANCIAL UPDATE - QUARTER THREE 2020/21

96.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 46-59, provided the financial performance information for the third quarter of 2020/21 which Members were asked to consider.

96.2 The Committee was advised that the report highlighted a projected year-end surplus of £818,822 on the revenue budget and detailed the expenditure to date against both the capital programme and the approved reserves. The Head of Finance and Asset Management indicated that he was pleased to be able to report a projection of a year-end position surplus despite the impact of the COVID-19 pandemic. Staff savings had been generated through staff vacancies across all services meaning employee costs were showing a surplus of £870,155; and supplies and services was showing a surplus of £107,351 - most of which were linked to the change in working practices resulting from the pandemic. Balanced against this was a deficit of £867,605 against COVID costs and of £1,272,945 against income. In terms of the direct expenditure relating to COVID-19, the largest cost was as a result of the contractual requirement with Places Leisure for the Council to provide revenue support to cover the costs of operating the Leisure Centre as a result of the change in law which brought about operating restrictions. The Council's investment properties were performing well and the business rates were in surplus given that the Council had been paid in full by the government for certain sectors. In terms of the £818,822 surplus, a large amount of carry forward requests were expected which would utilise a large proportion of it.

96.3 Accordingly, it was

RESOLVED: That the financial performance information for the third quarter of 2020/21 be **NOTED**.

EX.97 ACTIVE GLOUCESTERSHIRE FUNDING - WE CAN MOVE

- 97.1 The report of the Head of Development Services, circulated at Pages No. 60-64, outlined the 'We Can Move' project and the potential impact for the Borough's communities. Members were asked to approve partnership funding of £10,000 per year for five years from 2021/22 to 2025/26 to support the project and to agree that, as a condition of the funding, Active Gloucestershire was requested to report the progress of the 'We Can Move' programme to the Council's Overview and Scrutiny Committee on an annual basis.
- 97.2 The Community and Economic Development Manager explained that the 'We Can Move' project was an Active Gloucestershire initiative about making physical activity the norm and to reduce inactivity. The Borough would see the impact of the project through the promotion of leisure and sporting activities in the Borough, through marketing, people being encouraged to be healthy and active and through training and support for volunteers. In addition, everyone was aware of the value of activity and the impact on mental health which had been heightened by the COVID-19 pandemic. During the pandemic there had been a drop in physical activity across the country of around 7%.
- 97.3 A Member indicated that, whilst she understood the project aimed to avoid the issues of past health campaigns by encouraging activity in the inactive rather than merely encouraging the already active to be more active, she queried exactly what would be done to make that happen. Essentially, £750,000 across all organisations over five years was the input but she wondered what the output would be other than promotion, networking, events and social media i.e. would it be possible to know how many additional people over 65 years were now walking on a daily basis. In response, the Community and Economic Development Manager advised that Active Gloucestershire would work with the Council and its communities to develop schemes in line with the need in the area; examples of the types of help offered would be influencing the design of new developments, interactive opportunities such as 'Beat the Street', help with exercise classes in the community, like paying for promotion, and work with older people to encourage them to be more flexible and help with falls prevention. There was also an annual survey through Sport England which looked at the rates of participation to see if they were increasing or decreasing, the age groups affected etc. Another Member expressed the view that it was not just older people that needed to move more, there was also a lot of concern about obesity in young people and he queried what might be on offer for them. In response, Community and Economic Development Manager agreed that it was vital to engrain good habits from a young age and to that end there would be initiatives in schools such as introducing the daily mile.
- 97.4 Members generally agreed it was a good idea to encourage people to be more active but there were some concerns about how the impacts in the Borough would be reported back to the Council. It was suggested that it may be helpful to make reports through the Member Update Sheet to all Members rather than just annually to the Overview and Scrutiny Committee. This would ensure all Members were aware and informed of what was taking place. The Chief Executive confirmed this would be possible and, in addition, the Council could also publicise opportunities for Members to engage if they wanted to increase their activity levels. The Head of Development Services indicated that Active Gloucestershire would be working with the Integrated Locality Partnership and the Clinical Commissioning Group and would be trying to understand the reasons for obesity, the low instances of exercise take-up, the additional provision of physical activity etc. and how it could be benchmarked.

97.5 It was agreed that Members were behind the principle to encourage good health in the Borough and it was understood that there were a lot of people who had been less active during the pandemic – the Committee just wanted to be sure the project was effective. A Member suggested that public health was such a huge challenge and it was hard to see where the Council's £10,000 would impact. However, it could not be the only district not participating so the Council needed to drive the project in the direction that would work best for the Borough. The Community and Economic Development Manager explained that Active Gloucestershire would assign a member of staff to each district to engage with communities, Parishes, Officers and Members. In addition, he would be happy to ask that person to present to Members at a seminar to discuss what they did and what had worked elsewhere etc.

97.6 Accordingly, it was

RESOLVED:

1. That partnership funding of £10,000 per year for five years, from 2021/22 to 2025/26, be **APPROVED** to support the Active Gloucestershire 'We Can Move' Project.
2. That, as a condition of the funding, Active Gloucestershire be requested to report the progress of the 'We Can Move' Project to the Council's Overview and Scrutiny Committee on an annual basis.

EX.98 DISPOSAL OF LAND ADJACENT TO TEWKESBURY CRICKET PAVILION

98.1 The report of the Asset Manager, circulated at Pages No. 65-69, outlined a proposal for the disposal of the site adjacent to Tewkesbury Cricket Club's cricket pavilion which Members were asked to approve.

98.2 In introducing the report, the Asset Manager explained that the Cricket Club had aspirations to extend the current pavilion to provide more space for its members, increase membership, improve the cricket and social provisions for the community and provide more storage. The purchase of a small area of land within the leased area would secure the future of the Club's financial investment by obtaining the freehold of the land where enhancements would be made. In accordance with S123 of the Local Government Act, a valuer had been commissioned to value the land which had concluded a value of £4,000 based on using comparable and reinvestment methods of valuation. The valuer had considered that the site was on a flood plain for the River Swilgate and was subjected to flooding several times per year but mainly in the winter; therefore, it had little use as a winter sporting facility. Whilst that generally did not affect the cricket sporting season it would impact and increase the management of the pitch. The valuer had highlighted an alternative use of the site, other than a sporting facility, of agricultural grazing with a value in the region of £10,000 to £15,000 per acre. Officers had concluded that the proposed disposal had no impact on the rental receipt of the remaining land within the ongoing lease and the land had limited use for other sporting activities due to its proximity to the River Swilgate and annual flooding. However, the proposed scheme would enhance the sporting and social benefit to the local community and generate a capital receipt for the authority, as such it was recommended that the Committee approve the disposal in this case.

98.3 Members agreed that this was a good way to enhance the offering of the cricket club to its Members and the wider community. In seconding the proposal, a Member raised a question about the riparian ownership of the land and, in response, the Asset Manager explained that the land was in the ownership of the cricket club and as part of that the club had the rights to maintain the area to a point and then the Borough Council took over the responsibility; the Council's contractors carried out work in the area of the River Swilgate and would continue to do so.

98.4 Accordingly, it was proposed, seconded and

- RESOLVED:**
1. That the Head of Finance and Asset Management takes such steps as he considers reasonably necessary to secure the sale, at best consideration, of the land adjacent to Tewkesbury Cricket Pavilion to Tewkesbury Cricket Club, as shaded on the plan appended to the report, upon terms recommended by an appropriately qualified and experienced valuer.
 2. That the Borough Solicitor be authorised, in consultation with the Head of Finance and Asset Management, to prepare the necessary legal documentation for the disposal of the asset on behalf of the Council upon the terms agreed by the Head of Finance and Asset Management and such other terms as they consider reasonably necessary or desirable.

EX.99 SEPARATE BUSINESS

99.1 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 12A of the Act.

EX.100 IRRECOVERABLE DEBTS WRITE-OFF REPORT

(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))

100.1 The Committee considered and approved the write-off of irrecoverable debts.

The meeting closed at 5:00 pm