

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 1 September 2021 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

M Dean, E J MacTiernan, C Softley, R J Stanley, R J E Vines and P N Workman (Substitute for M G Sztymiak)

EX.27 ANNOUNCEMENTS

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

EX.28 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

28.1 Apologies for absence were received from Councillors G F Blackwell, M A Gore, D J Harwood and M G Sztymiak. Councillor P N Workman would be acting as a substitute for the meeting.

EX.29 DECLARATIONS OF INTEREST

29.1 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.

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

EX.30 MINUTES

30.1 The Minutes of the meeting held on 7 July 2021, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.31 ITEMS FROM MEMBERS OF THE PUBLIC

31.1 There were no items from members of the public.

EX.32 EXECUTIVE COMMITTEE FORWARD PLAN

32.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 10-17. Members were asked to consider the Plan.

32.2 Accordingly, it was

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

EX.33 FINANCIAL UPDATE - QUARTER ONE 2021/22

- 33.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 18-28, provided the first quarterly monitoring report of the Council's financial performance for the year. Members were asked to consider the information provided.
- 33.2 The Head of Finance and Asset Management explained that the report highlighted a projected outturn surplus based on the quarter one position of £22,382 on the revenue budget and detailed the expenditure to date against both the capital programme and the approved reserves. In terms of service expenditure, the quarter one full year projection highlighted a full year cost of service provision totalling £13.266 million which would result in a deficit against the approved budget of £849,177. In respect of employees, the full year projection highlighted a potential gross surplus of £377,508; however, it should be noted that within the Council's corporate expenditure there was a target to save £155,000 from employment costs across the Council, therefore, the net position was a surplus against target of £222,508. Payments to third parties highlighted a small projected overspend of £75,005 which included additional costs relating to an increased amount of burials at cemeteries, the costs of a Domestic Homicide Review and a forecast overspend on the Ubico contract sum in relation to extra payments being made in order to attract and retain drivers for the Council's services - a national shortage of drivers, estimated to be around 70,000, had resulted in an impact on many forms of business with local authority waste collection services not immune to that impact. There had been a growing number of examples of authorities having to suspend collections as a result of driver shortages. To help mitigate the problem on the Tewkesbury contract, an increased market supplement had been agreed whilst the driver training for loaders continued – the rest of the contract sum was on target.
- 33.3 COVID-19 costs were continuing with the full year cost estimated at £415,094 which included the continued work of the business cell, additional costs for the provision of waste and recycling services and the continued support to Tewkesbury Leisure Centre. Those costs would be met from the additional COVID-19 grant funding provided by the government and new burdens funding for the business cell work. Income levels were down but many areas of Council activity had recovered well from the impact of COVID-19 with several income streams either back on budget or delivering a small surplus. Some areas continued to be affected by the pandemic with reductions in income levels from car parks during the first quarter, an expectation that the Tewkesbury Leisure Centre contract fee would not be provided during the year, and current vacancies for the units within the Council Offices. In addition, One Legal income remained below target; although this was offset to an extent by the savings on employee costs.
- 33.4 The expenditure associated with corporate activities, as well as the financing of the Council, highlighted an estimated surplus of £871,559 for the financial year. Treasury activities were largely expected to be in line with budget predictions, although a small saving on borrowing costs could be achieved. The commercial portfolio was currently predicting a small deficit on the year as a result of the expected temporary void at one office unit and the inducements offered to secure leases at the Clevedon units. It was anticipated that the deficit could be offset by the rental income for Unit 5 at the Tipton site where interested parties were currently agreeing Heads of Terms for a long lease. However, should the commercial property account remain in deficit for the full year, the Council would utilise the commercial property reserve to cover the void and lease costs resulting in no impact on the base budget position. The Council was expecting additional new burdens funding for its continuing administration of business grants as well as being able to claim compensation for losses on its sales, fees and charges as a result of COVID-19 for the first quarter of the year. The level of new burdens funding was not yet known, and the calculation of the compensation claim had yet

to take place so a prudent estimate of £100,000 for new burdens and £70,000 for the compensation claim had been included within the projection – it was hoped that, by the second quarter report, exact figures would be known for both elements. Referring to business rates, the Head of Finance and Asset Management explained that the anticipated retention of income showed a gain of approximately £250,000 from the original budget compiled in December 2020. At the time of compilation, the outlook for the economy and business was very uncertain as a result of the impact of COVID-19 and the Council adopted a prudent view following national guidelines for likely levels of business rates in 2021/22. The first quarter information had highlighted businesses in Tewkesbury Borough to be doing significantly better than those estimates with, for example, the level of empty properties being considerably lower than forecast.

- 33.5 Appendix B to the report showed the capital budget position as at quarter one which was currently an underspend of £78,233 against the profiled budget of £286,658. The capital programme estimated total expenditure for the year to be approximately £3.9million which was much reduced on previous years as a result of the end of the acquisition phase of the commercial investment property strategy – the main elements of the forecast included: Ashchurch bridge; vehicle replacement; replacement of the heating system at the Council Offices; and Disabled Facilities Grants (DFGs). Very little had been spent in the first quarter but the DFG scheme was ahead of the profiled budget and had incurred an overspend – all expenditure on DFGs was covered by grant funding provided by the County Council so none of the scheme cost was borne by the Borough Council. Appendix C showed the reserves position. Reserves had been set aside from previous years to fund known costs and the strategic planning of the authority's operation. This year's reserves had been boosted by both grant funding related to COVID-19 and also the release of provisions from the retained business rates scheme. The information in the appendix did not take account of reserves which had been committed but not yet paid.
- 33.6 During the discussion which ensued, a Member questioned whether the costs of Domestic Homicide Reviews were paid for by the Council and whether the Council received income from Tewkesbury Leisure Centre in a normal year. In response, the Head of Finance and Asset Management explained that the Council received funding to offset the costs of Domestic Homicide Reviews from a pot which all districts across the County paid into and was matched by the Police and Crime Commissioner. In terms of Tewkesbury Leisure Centre, the contract fee payable each year was £160,000 and, until COVID-19, that had been paid. At the moment the Leisure Centre seemed to be doing well again and it was hoped it would be cost neutral around September time, potentially moving into a surplus position, so the Council may receive some of the contract sum this year. In respect of the void office space within the Council Offices building, the Head of Finance and Asset Management advised that both vacant units had been advertised but little interest had been seen to date. In terms of the wider commercial property portfolio, there were two vacant units; one was due to be occupied shortly and the other should be let soon.
- 33.7 In respect of the national shortage of drivers, how that impacted Ubico and whether that would affect the income from the Garden Waste Service, the Head of Finance and Asset Management advised that, if it became necessary to 'stand down' the Garden Waste Service, there would not necessarily be a need to offer refunds as the Council did not specify the number of collections which would be made in the year. The driver shortage was certainly a precarious position, but no services had yet been stopped. The Garden Waste subscription renewals were sent out in the New Year ready for April and the issue could be considered then if necessary. It was hoped the Council would be in a stronger position regarding drivers by that time as the national shortage was currently being compounded by staff taking summer holidays and illness through COVID-19. Ubico had been

working hard to get other crews to cover services where needed and staff were being flexible which was good news as it had allowed the Council to continue to maintain its services.

33.8 Referring to the current situation in Afghanistan and the plan to accommodate refugees across the country, a Member questioned whether there was a pot of government funding for this purpose. In response, the Chief Executive advised that, in Gloucestershire, it had been agreed that accommodation would be provided in the county and offered to the resettlement scheme. To date, seven homes had been found and further homes were being identified. At the moment the government was providing significant amounts of funding for each refugee and, on that basis, Gloucester City Council had taken out a contract on behalf of the county with Gloucestershire Action for Refugees and Asylum Seekers (GARAS) to support with furniture, guidance etc. County Council services were ready to receive them in terms of schools etc, and would be providing administrative support, and Tewkesbury Borough Council had seconded a person to help run the team which would be looking at local authority stock, registered housing providers, private sector and letting agents to find available properties – this was not an easy task as there was already a housing need in the county which had to be addressed; however, he believed Gloucestershire was the first to offer housing within the South West as Leadership Gloucestershire had considered the matter some time ago and asked Officers to be ready to address it. In terms of the likely numbers involved, the Chief Executive advised that this was currently unknown, although the initial estimate - before the evacuation had been ramped up – was 3,500 people into the country (Gloucestershire had planned for 1% of that number) so on that basis, if the new number was 17,000, Gloucestershire would expect to receive around 170 people. Officers had pointed out to the government that, in Gloucestershire, there was an amount of Ministry of Defence (MoD) housing which was empty, and it was possible that those not in high security places could be used; the government representative had said he would escalate that idea back up the chain. Officers were also aware that it would be helpful to locate people around where there were existing Afghan communities who could offer additional support; particularly now it was becoming clear that the people being housed were likely to be ordinary people rather than just interpreters who, by their nature, would speak English well. In response to a query regarding incentives for private landlords, the Chief Executive confirmed they were being contacted to understand what might be possible and Officers were checking whether incentives could be offered from the government funding.

33.9 A Member raised queries regarding the extra funding required by Ubico, whether any deficit in the investment portfolio could be covered and whether there was any update on the new contract for Cleeve Hill Golf Club. In response, the Head of Finance and Asset Management explained that the additional funding required by Ubico was entirely to add to the current market supplement for drivers; a large proportion of the investment portfolio deficit was expected for things such as inducements for new tenants and that was the reason there was a reserve in place to cover voids etc.; the memberships at Cleeve Hill Golf Club were increasing and the new tenants appeared to be doing well with their plans – they were scheduled to provide an informal update to Members shortly.

33.10 Accordingly, it was

RESOLVED: That the financial performance information for the first quarter of 2021/22 be **NOTED**.

EX.34 COUNCIL PLAN 2020-2024 (YEAR 2) REFRESH AND COVID-19 CORPORATE RECOVERY PLAN REFRESH

- 34.1 The report of the Head of Corporate Services, circulated at Pages No. 29-67, provided the Council Plan refresh and COVID-19 Corporate Recovery Plan refresh which Members were asked to consider and recommend to Council for adoption.
- 34.2 The Chief Executive explained that this was an annual refresh of the Council Plan and a refresh of the relatively recently adopted COVID Recovery Plan. The actions which had changed in both plans reflected where they had been completed or moved into another phase with various examples provided within the body of the report. It was proposed that the COVID-19 Recovery Plan would be retained separately until the end of the Municipal Year and then, going forward, would be merged into the Council Plan.
- 34.3 Accordingly, it was

RESOLVED: That the Council Plan refresh and the COVID-19 Corporate Recovery Plan refresh be **RECOMMENDED TO COUNCIL** for **ADOPTION**.

EX.35 PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING POLICY

- 35.1 The report of the Counter Fraud Unit Manager, circulated at Pages No. 68-78, presented the Committee with an updated Proceeds of Crime and Anti-Money Laundering Policy for approval.
- 35.2 The Counter Fraud Unit Manager explained that the Policy defined a best practice approach to dealing with money laundering obligations and suspicious activity reports. It sought to enable the identification of suspicious transactions and was something the Council had to have in place due to its dealings with legal and property transactions. The Policy enabled Officers to address the way the Council, its employees and Members formally discharged their obligations
- 35.3 Accordingly, it was

RESOLVED:

1. That the Proceeds of Crime and Anti-Money Laundering Policy, as attached to the report at Appendix 1, be **APPROVED**.
2. That authority be delegated to the Head of Finance and Asset Management, in consultation with the Counter Fraud Unit Manager, One Legal and the Lead Member for Corporate Governance, to approve future minor amendments to the policy.

EX.36 USE OF THE INTERNET AND SOCIAL MEDIA IN INVESTIGATIONS AND ENFORCEMENT POLICY

- 36.1 The report of the Counter Fraud Unit Manager, circulated at Pages No. 79-86, presented the Committee with an updated and revised Use of the Internet and Social Media in Investigations and Enforcement Policy for approval.
- 36.2 The Counter Fraud Unit Manager advised that the Use of the Internet and Social Media in Investigations and Enforcement Policy completed the policy suite regarding the Council's surveillance activity with this particular policy about monitoring social media accounts etc. The policy sought to ensure staff were undertaking the processes correctly and not straying into surveillance without the proper consideration. It was not possible for the Council to invade someone's privacy without good reason and, whilst some social media would be open to the public, some would be private and the Counter Fraud Unit Manager provided the

example that it would not be acceptable to create an account to befriend someone to gain access to private information.

36.3 Accordingly, it was

- RESOLVED:**
1. That the Use of Internet and Social Media in Investigations and Enforcement Policy, as attached to the report at Appendix 1, be **APPROVED**.
 2. That authority be delegated to the Borough Solicitor, in consultation with the Counter Fraud Unit Manager and the Lead Member for Corporate Governance, to approve future minor amendments to the policy.

EX.37 TEWKESBURY BOROUGH HERITAGE STRATEGY

37.1 The report of the Planning Policy Manager, circulated at Pages No. 87-104, set out the general heritage considerations within the Borough along with the statutory duties and obligations of Tewkesbury Borough Council as a planning authority. It also included an analysis of heritage protection within the Borough and an action plan showing how the aims and objectives of the strategy would be implemented. Members were asked to approve the draft document for consultation and to delegate authority to the Head of Development Services to make any necessary minor amendments to the draft document prior to consultation.

37.2 Members were advised that Council's Heritage Strategy was being brought forward as part of the development of the Tewkesbury Borough Plan in line with best practice. It was felt the strategy was especially important given the nature of Tewkesbury Borough and its variety of heritage assets. Referring to Page No. 102, a Member questioned whether the scheduled monument list was scheduled ancient monuments. In response, the Conservation Officer indicated that they were now referred to as scheduled monuments. The Member advised that there was land in Winchcombe – between the Redrow site off Gretton Road and Greet Road – which should be on the list due to Roman artefacts being found there. The Conservation Officer undertook to check that and add it to the list if appropriate. During the discussion which ensued, a Member requested that the reference to 'Article 4' be explained within the document, and the Head of Development Services undertook to add that explanation. Referring to Page No. 93, a Member asked that references to the Cotswold Area of Outstanding Natural Beauty Conservation Board be amended to reflect its new name of Cotswolds National Landscape. Another Member referred to amendments required at Paragraphs 1.12 and 1.15 and the Head of Development Services agreed that she would make those amendments and ensure any other necessary minor amendments would be made before it was circulated for consultation. A Member questioned whether the moated site and fishpond at Urrist Barn was still there as he was not sure that it was; he understood the Gwynett family had lived there, one of whom had signed the American Declaration of Independence, and he felt this was something the Borough did not make enough of. In response, the Conservation Officer indicated that scheduled monuments were administered by Historic England through its inspectorate so he did not know what the condition of the monuments was. A lot of them were not as much about what could be seen as what the archaeological potential could be; however, he would draw the Councillor's comments to the attention of Historic England so they could decide if they needed to visit the site.

37.3 There was a discussion about ensuring unauthorised works were not being undertaken to listed buildings, that appropriate shopfronts and signage were being installed as well as trying to draw more businesses into the High Streets and ensuring the strategy was not a barrier to that. The Conservation Officer

understood the concerns and indicated that most national chains had business models which meant they were quite willing to adopt branding to suit the Heritage Strategy whilst smaller businesses would usually be happy to preserve the heritage. The Conservation Officer indicated that the Heritage Action Zone meant all shopfronts were being looked at and meetings would be taking place to persuade business owners to install something more in keeping if necessary. A Member was of the view that the description of Winchcombe within the strategy was overshadowed by the mention of Sudeley Castle; he felt Winchcombe could stand on its own in relation to heritage, as could Sudeley Castle, so they did not need to be linked. In response, the Head of Development Services indicated that Officers would consider that to see if any amendment would be made.

37.4 Accordingly, it was

- RESOLVED:**
1. That the draft Tewkesbury Borough Heritage Strategy be **APPROVED FOR CONSULTATION PURPOSES**.
 2. That authority be delegated to the Head of Development Services to make any necessary minor amendments, as considered appropriate, to the draft strategy prior to consultation.

EX.38 SUPPLEMENTARY PLANNING DOCUMENT - SHOPFRONTS, SHUTTERS AND SIGNAGE: DESIGN GUIDANCE FOR TEWKESBURY

38.1 The report of the Head of Development Services, circulated at Pages No. 105-120, attached a Shopfront, Shutters and Signage Design Guidance for Tewkesbury Supplementary Planning Document. Members were asked to approve the draft document and to delegate authority to the Head of Development Services to make any necessary minor amendments as considered appropriate prior to consultation.

38.2 The Head of Development Services explained that, in response to the changing nature of shopping habits in the surrounding populations, the Borough's historic retail areas were having to adapt and play to their strengths by maintaining and enhancing themselves as a distinctive and culturally rich shopping and leisure experience. It was recognised that the appearance of the Borough's historic retail areas could be negatively impacted by unattractive and inappropriate shopfronts and associated signage and the purpose of the guide was to promote shopfront and signage design within the historic areas of the Borough as well as offering guidance to designers and applicants in submitting planning proposals. The intention was to promote good design practice without stifling planning innovation yet respecting the historic character of buildings and the areas.

38.3 A Member questioned whether the document could be applied retrospectively where the owner of a property was not respecting what the Council wanted. In response, the Head of Development Services advised that this was where the design guide was really helpful as it ensured the Council's own policies were not being undermined. The Member noted that, where people had aluminium shopfronts, the cost of changing them could be quite substantial so she questioned whether there would be grants or match funding available to help. The Head of Development Services indicated that a grant scheme would be launched shortly and there was a need to ensure interest was monitored so the grant funding was spread as widely as possible; however, there would be a requirement for shop owners to invest money as well. There may be some key shopfronts which could be given more funding to make a bigger impact but this needed to be considered. In September there would be an Officer at the 'Regenerate the High Street' event which was taking place at the Anglo-American Gardens in Tewkesbury town and it was intended that the Supplementary Planning Document - Shopfronts, Shutters

and Signage: Design Guidance for Tewkesbury would be launched there; it would also be used in enforcement work in the High Streets, there would be additional publicity and it would be circulated through the Council's Growth Hub contacts with businesses to help get the message out.

38.4 Accordingly, it was

- RESOLVED:**
1. That the draft Shopfronts, Shutters and Signage Design Guidance for Tewkesbury Borough Supplementary Planning Document (SPD) be **APPROVED FOR CONSULTATION PURPOSES.**
 2. That authority be delegated to the Head of Development Services to make any necessary minor amendments, as considered appropriate, to the draft strategy prior to consultation.

The meeting closed at 3:25 pm