

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 6 October 2021 commencing at
2:00 pm**

Present:

Chair
Vice Chair

Councillor R A Bird
Councillor J R Mason

and Councillors:

G F Blackwell, M Dean, M A Gore, D J Harwood, M L Jordan (Substitute for C Softley),
E J MacTiernan, R J Stanley, M G Sztymiak and R J E Vines

EX.39 ANNOUNCEMENTS

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

EX.40 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

40.1 Apologies for absence were received from Councillor C Softley. Councillor M L Jordan would be acting as a substitute for the meeting.

EX.41 DECLARATIONS OF INTEREST

41.1 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.

41.2 There were no declarations of interest on this occasion.

EX.42 MINUTES

42.1 The Minutes of the meeting held on 1 September 2021, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.43 ITEMS FROM MEMBERS OF THE PUBLIC

43.1 There were no items from members of the public.

EX.44 EXECUTIVE COMMITTEE FORWARD PLAN

44.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 9-15. Members were asked to consider the Plan. Accordingly, it was

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

EX.45 COUNCIL PLAN PERFORMANCE TRACKER AND COVID-19 RECOVERY TRACKER - QUARTER ONE 2021/22

45.1 The report of the Chair of the Overview and Scrutiny Committee, circulated at Pages No. 16-100, asked Members to review and, if appropriate, take action on

the observations of the Overview and Scrutiny Committee following its review of the Quarter One 2021/22 Council Plan performance tracker and COVID-19 recovery tracker information.

- 45.2 The Head of Corporate Services explained that the review of the performance information at the Overview and Scrutiny Committee meeting had been succinct as the report was quite positive with the key successful activities being set out at Page No. 25 of the report which included: the agreement of new leases for various properties within the commercial property portfolio; the Growth Hub had delivered 13 events to date and was on target to meet the 50 workshops/events target; Gloucestershire County Council had announced its preferred design for the proposed upgrade to the M5 all-ways Junction 10; the first promotion event under the Tewkesbury High Street Heritage Action Zone had taken place; work on the new Housing Strategy had commenced; capital grants of £107,000 had been awarded to help improve community facilities; the new bulky waste service had been successfully implemented; new recruitment microsite and an automated recruitment tracker system had been implemented; the preferred development partner had been selected to assist with the Golden Valley Garden community; the specification for the new heating system had been developed and was out to tender; year two of the Carbon Reduction action plan was approved by Executive Committee; and a small Waste Electrical and Electronic Equipment (WEEE) scheme had been implemented.
- 45.3 In terms of the Key Performance Indicators (KPIs) this was only quarter one so it was likely that real performance would be shown in the next quarter report. Pages No. 25 and 26, showed a number of un-smiley faces around the Joint Core Strategy (JCS) timetable; the Overview and Scrutiny Committee had raised this issue and asked for a report on the JCS so Members could get an idea of the current position and the future roadmap – it had been agreed that Members generally needed to gain a greater understanding of the JCS process and the recent all-Member seminar had been held to address that instead of a report to the Overview and Scrutiny Committee. There had also been queries about the Planning Performance Indicators as the direction of travel was not very good and Members had been advised that the planning service review was being undertaken and the Committee was awaiting the action plan to see how the new monitoring would take place. The outcome of the review would go to the Transform Working Group the following week. Linked to that, there had been a conversation about planning enforcement and the feeling that there was a lack of communications to Members and Parishes– it had been discussed that the planning enforcement team did a lot of good work but it often did not get out into the public domain and it had been agreed that the team would meet to see how the communications of the service could be improved. There was currently a vacancy in the team and the Head of Development Services explained that this was going out to advert but, in terms of the point of contact for Parishes, that remained the Senior Enforcement Officer.

- 45.4 Accordingly, it was

RESOLVED: That the findings of the Overview and Scrutiny Committee’s review of the quarter one performance management and recovery information be **NOTED**.

EX.46 HOME OFFICE CONSULTATION - EXTENDING THE POLICE AND CRIME COMMISSIONERS POWER OF COMPETENCE

- 46.1 The report of the Head of Community Services, circulated at Pages No. 101-116, set out the Home Office consultation on extending the Police and Crime Commissioner’s Power of Competence. Members were asked to agree the

response to the consultation and to delegate authority to the Head of Community Services, in consultation with the Leader of the Council, to make the response.

- 46.2 The Head of Community Services explained that this had been quite a complex report to write. Essentially, the options that the business case explored were: no change/status quo to keep the powers as they were at the moment; a wider functional power of competence to respond that the Council supports giving the Police and Crime Commissioner wider powers similar to those held by the Fire and Rescue Service; and a general power of competence which would give the Police and Crime Commissioner far wider powers similar to the general powers that were currently held by local authorities. It was the feeling of Officers that the Police and Crime Commissioner currently worked to the very edge of their functional power of competence meaning they could be open to challenge in their work in areas such as crime prevention/youth justice because that was not directly related to policing even though the Police and Crime Commissioner office funded crime prevention. However, a general power of competence would be too distracting so it was considered that, if there was to be any change, it should be merely to slightly broaden the role but not be significantly changed.
- 46.3 During the discussion which ensued, Members felt the Police and Crime Commissioner's remit needed to remain as it was to ensure the focus of the role was where it should be. In response to some concerns, the Head of Community Services confirmed there was no intention to extend the powers of the Police and Crime Commissioner into the Fire and Rescue Service.
- 46.4 Having considered the report, it was felt by Members that the powers of competence of the Police and Crime Commissioner should not be extended beyond the existing. Accordingly, it was

RESOLVED:

- a. That authority be delegated to the Head of Community Services, in consultation with the Leader of the Council, to respond to the Home Office consultation on extending the Police and Crime Commissioners' Power of Competence.
- b. That the response indicate that there should be no extension to the existing powers of the Police and Crime Commissioner.

EX.47 TEWKESBURY GARDEN TOWN - EVOLUTION OF THE CONCEPT PLAN

- 47.1 The report of the Tewkesbury Garden Town Programme Director, circulated at Pages No. 117-193, set out the Evolution of the Concept Plan for Tewkesbury Garden Town. Members were asked to note the progress and changes made to the Plan.
- 47.2 The Tewkesbury Garden Town Programme Director explained that the original Concept Masterplan document dated 2018 had been consulted upon as part of the Joint Core Strategy issues and options consultation; however, a number of changes had been made over the years so it was important to update the plan. There were some quite major changes but a lot of that work had been done with the Tewkesbury Garden Town Member Reference Panel and the update tried to bring forward the outcomes and conclusions from those meetings including the details of nine development principles for the Garden Town sustainable development; the decision by the Ministry of Defence to maintain the majority of the base for operational purposes and release land at the eastern end of the base for development; inclusion of the Garden Community (Town) status; incorporation of extant planning permissions, including that of the Fiddington development of 850 homes; inclusion of employment land provisionally located south of the A46/east of

the B4079; general updates to the plan including a review of the baseline analysis, engagement that had taken place, and a draft Garden Town vision; inclusion, as appropriate, of responses from the Joint Core Strategy issues and options public consultation; and a name change from the Tewkesbury Area Draft Concept Masterplan to Concept Plan which more accurately reflected the evolutionary status of the document which was the basis for further detailed discussion with stakeholders. The change of name had been discussed with Members and was meant to show it was a concept of what could happen rather than an allocation.

47.3 In terms of the next steps, the Tewkesbury Garden Town Programme Director indicated that it had been difficult for the last year or so to get the opportunity to continue discussing the plan with stakeholders, the community and landowners and to take on board any other changes/recommendations as they came forward. It was not intended to undertake formal consultation but stakeholders would be engaged in the best manner.

47.4 During the discussion which ensued, a Member expressed the view that no progress had been made. There was less land available now that the Ministry of Defence was not leaving; development had started in various parts of the Garden Town area which bore no resemblance to the principles of the Garden Town and that would continue until the Council adopted a Supplementary Planning Document (SPD). In terms of the branding for the Garden Town documents, she noted that the Member Reference Panel had indicated it would like it to be changed but nothing had happened to date. In response, the Head of Development Services advised that the Concept Plan was not a planning document so could not be referred to in planning applications. In terms of the quality of development being built, Officers were trying to negotiate with the developers to achieve some of the Garden Town principles. The amended National Planning Policy Framework (NPPF) gave greater power to local authorities in respect of the National Design Code so the Council did have tools to use at a national level but, until the Council had a strategic allocation, it would be difficult to refuse applications and it could not stop speculative applications coming forward. The document did however set out principles which were helpful. In terms of the National Design Code, the Member questioned whether it offered any powers to the Council to stop development that was unacceptable. In response, the Head of Development Services advised that the Design Code was new and had not been tested in the Courts but, if a scheme was not meeting the quality standards set out by the government, then they should be refused. In terms of the comments about branding, the Tewkesbury Garden Town Programme Director indicated that they had been noted and it had been agreed previously with the Member Reference Panel that, for the time being, the branding would continue as it was but that it would be brought back to the Member Reference Panel for consideration in due course.

47.5 Another Member raised concerns about the removal of the word “masterplan” as it suggested a level of conformity so, in his view, omitting that phrase watered down the document. Whilst he did not think it was right to remove the word masterplan, he had concerns about the document itself and the consequences of it on flooding in the area. In terms of infrastructure, particularly in relation to the A46 and the Ashchurch bridge over the railway, he felt the masterplan did not resolve the issues and that those needed to be addressed before moving forward. He also felt that the public should be engaged properly and the document should go out to formal public consultation. The Head of Development Services advised that when the word masterplan was used people expected to have certainty; however, the document before Members was not a planning document which was the reason it was felt having a concept plan which set out clear principles was the best way forward. Any issues in the area, including flooding, highways etc., would have to be addressed and supported fully through the JCS review.

47.6 Accordingly, it was

RESOLVED: That the progress and changes made to the Tewkesbury Area Draft Concept Masterplan, which are now included in the Tewkesbury Garden Town 'Evolution of the Concept Plan' (July 2021 attached at Appendix 1 to the report), be **NOTED**.

EX.48 HOMESEAKER PLUS SUB-REGIONAL CHOICE BASED LETTINGS ALLOCATION POLICY

- 48.1 The report of the Head of Community Services, circulated at Pages No. 194-252, set out a Homeseeker Plus Sub-Regional Choice Based Lettings Allocation Policy. The policy explained who was eligible and qualified to apply on Homeseeker Plus and set out how applications would be assessed based on housing need. The Committee was asked to recommend the policy to Council for adoption early in 2022 at the management board's discretion.
- 48.2 The Head of Community Services explained that the policy that was previously approved by Executive Committee was opened to public consultation in early 2021; the Forest of Dean District Council had coordinated the consultation on behalf of the partnership. The consultation had run from 1 February 2021 for a period of eight weeks ending on 29 March 2021. In total, 232 responses had been received. The overall responses to the suggested changes had been positive with respondents agreeing or strongly agreeing. The proposed major changes to the policy were approved by the Executive Committee in October 2019 prior to consultation - two further changes were set out at Paragraph 3.2 of the report and there were a number of other minor changes to address spelling, punctuation and grammar or in relation to presentation - the final policy wording with those changes could be found in Appendix 1 to the report with some formatting updates still being required.
- 48.3 Referring to the amendments proposed in Paragraph 3.2 of the report, a Member expressed the view that the addition of the word 'urgent' in point 4.35 could narrow the definition of people that could apply for accommodation. Following a discussion and debate, it was understood that, in effect, the word 'urgent' had always been in the policy, as shown in the table of Page No. 219 of the report; however, it also needed to be added to the text of the policy to ensure consistency.
- 48.4 In response to a query, it was advised that the policy was common to all seven Gloucestershire authorities so if any changes were made they would have to be agreed by all authorities. Accordingly, it was

RESOLVED: That it be **RECOMMENDED TO COUNCIL** that the refreshed Homeseeker Plus Policy be **ADOPTED** in early 2022 at the management board's discretion (of which Tewkesbury Borough Council is a member).

EX.49 COUNCIL TAX REDUCTION SCHEME AND COUNCIL TAX DISCOUNTS

- 49.1 The report of the Head of Corporate Services, circulated at Pages No. 253-257, provided the Council Tax Reduction Scheme including an update on the annual review of Council Tax discounts and sought approval for their adoption effective from 1 April 2022. Members were asked to consider the report and make a recommendation to the Council.
- 49.2 The Revenues and Benefits Manager explained that the report recommended keeping the current Council Tax Reduction Scheme for 2022/23 primarily due to the continued uncertainty of the impact of the COVID-19 pandemic on vulnerable residents; however, the recommendation was also that the scheme be reviewed during the 2022/23 financial year. The report illustrated the cost to the Council of the working age Council Tax Reduction Scheme in lost income as well as providing the detail around the cost of the Council Tax discounts – they seemed to be working effectively in terms of the ability to collect and, as the property market was relatively fluid at the moment, it was recommended that those discounts remain the same for the 2022/23 year.
- 49.3 A Member expressed interest in the fact the number of empty properties was quite low and questioned what the Council did to contact owners about bringing their properties back into use. In response, the Revenues and Benefits Manager explained that, from a Council Tax perspective, there was clear legislation to incentivise bringing properties back into use. The Head of Community Services explained that, from an empty homes perspective, the Council had aspirations/powers to bring them back into use and this could also be incentivised which would be reflected in the housing strategy briefing being made to Members the following day.
- 49.4 Accordingly, it was

RESOLVED:That it be **RECOMMENDED TO COUNCIL:**

1. That the default Council Tax Reduction Scheme be **ADOPTED** with effect from 1 April 2022, with a minor revision to the national working age regulations to allow for a de minimis tolerance for income changes of £10 or less per week.
2. That authority be delegated to the Head of Finance and Asset Management, in consultation with the Lead Member for Finance and Asset Management, to agree the uprating of the working age regulations incorporated into the local Council Tax Reduction Scheme in line with those announced by the Department for Work and Pensions.
3. That options for the working age Council Tax Reduction Scheme for 2023/24 are formally reviewed during the 2022/23 financial year.
4. That the following Council Tax discounts be **ADOPTED** effective from 1 April 2022:
 - The discount for unoccupied and substantially unfurnished properties is 25% for a maximum period of six months.

- The discount for properties which are vacant and require major repair work to render them habitable is 25% for a maximum period of 12 months.
- The discount for unoccupied furnished properties (second homes) is zero.
- An empty homes premium of an additional 100% is levied on properties that have remained unoccupied and substantially unfurnished for at least two years, but less than five years.
- An empty homes premium of an additional 200% is levied on properties that have remained unoccupied and substantially unfurnished for at least five years, but less than ten years.
- An empty homes premium of an additional 300% is levied on properties that have remained unoccupied and substantially unfurnished for at least ten years.

The meeting closed at 3:45 pm