

TEWKESBURY BOROUGH COUNCIL

**Minutes of a Meeting of the Executive Committee held at the Council Offices,
Gloucester Road, Tewkesbury on Wednesday, 17 November 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, D J Harwood, M L Jordan, E J MacTiernan, R J Stanley, M G Sztymiak
and R J E Vines

EX.50 ANNOUNCEMENTS

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

EX.51 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

51.1 Apologies for absence were received from Councillor M A Gore. There were no substitutes for the meeting.

EX.52 DECLARATIONS OF INTEREST

52.1 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.

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

EX.53 MINUTES

53.1 The Minutes of the meeting held on 6 October 2021, copies of which had been circulated, were approved as a correct record and signed by the Chair.

EX.54 ITEMS FROM MEMBERS OF THE PUBLIC

54.1 There were no items from members of the public.

EX.55 EXECUTIVE COMMITTEE FORWARD PLAN

55.1 Attention was drawn to the Committee's Forward Plan, circulated at Pages No. 8-12. Members were asked to consider the Plan.

55.2 Accordingly, it was

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

EX.56 DEVELOPMENT MANAGEMENT REVIEW

56.1 The report of the Head of Development Services, circulated at Pages No. 13-34,

outlined how the Council planned to respond to the findings of the review undertaken into the Development Management service which was focussed on the delivery of a high-level action plan that encompassed the recommendations from the final review report.

- 56.2 The Head of Development Services explained that, as Members would be aware, POS Enterprises had recently undertaken a review of the Council's Development Management Service. The review had looked at areas such as performance, structure, software, procedures and customer satisfaction and found a number of strengths in the service in respect of motivated staff, good systems, good public speaking procedures at Committee, well informed Committee debate and effective procedures introduced through lockdown; however, there were also areas identified for improvement which were listed within the report. In response to the issues highlighted, it was proposed that a corporate project would be set up with support from the Corporate Services Manager which would enable the workstreams to be driven forward as part of a corporate programme. The principles for the review were to ensure the outcomes were implemented looking at customer focus and ensuring development management was shaped around the needs of the customer meaning customer service was improved. Tewkesbury Borough Council was an ambitious authority so it needed to ensure it was able to respond to the growth agenda, that its staff were empowered and that high performance was both expected and achieved. Using the skills and expertise of the Business Transformation team and Corporate Services Manager meant change could be achieved more easily, particularly in terms of digital services.
- 56.3 A high-level action plan was being put together in response to the POS Enterprises report which set out a number of recommendations for the Council to take forward and the action plan would address those in the short, medium and long term. Paragraph 4.2 of the report set out how the programme of work had been split into workstreams: corporate ambition – setting out the foundations of the preferred direction for the Development Management service; performance management – ensuring performance management was meaningful with effective monitoring and management in place; processes and transformation - reviewing the way the service worked to ensure a customer focus and adoption of a 'digital by default' approach to processes; Planning Committee – reviewing all aspects of the Planning Committee including the Scheme of Delegation and training; and people and culture – reviewing the organisation of the service, the empowerment of staff and the culture of the teams. There was a lot more work to do on each workstream and each would have its own team, action and timescales; at this point the Executive Committee was asked to endorse the Council's response to the review and agree the high-level action plan with the Transform Working Group monitoring the delivery of that action plan.
- 56.4 A Member noted that the consultants had found several things that needed to be ironed out, most of which was not unexpected; however, the suggestion that the Planning Committee may need to be reduced in size was not something with which he agreed. He was of the view that a larger Committee, the size of Tewkesbury Borough Council's, was not a weakness but rather was a strength. In terms of the Scheme of Delegation, he agreed that there were a number of applications which came before the Planning Committee due to Parish Council objections and there was often no debate on those so there could be merit in reviewing that to see how improvements could be made.
- 56.5 Referring to the priorities list at Paragraph 3.4 of the report, a Member referred to point 3 – change the emphasis of the role of the DM Manager/team leaders away from detailed intervention in individual applications to managing the application process – allowing planners to be empowered to make recommendations without constantly referring them to managers – he felt this would be a complex process and there may be staff who needed guidance through that so he questioned how

that would be handled. In addition, he agreed that Members did not wish to see a change in the number on Planning Committee as the current arrangement worked well as it was. Finally, in respect of the Planning Scheme of Delegation, he feared a loss of democracy if Parishes and local Ward Members did not get a sufficient input to the decision-making process on planning applications and he questioned whether there was a need for training on the grounds under which applications could be called in rather than excluding them. In response, the Head of Development Services explained that there would be support and mentoring for junior and less experienced Officers but the aim was to empower Officers to make more decisions themselves; the Development Manager should not be involved in every detail of every application. In terms of the size of the Committee, the consultants had looked at best practice but they had also observed the Council's Committee and felt the debate was well informed. In respect of the Scheme of Delegation, she confirmed there was no intention for people not to have a voice; however, it had been found that it cost ten times more to take an application to Committee than to have an application decided under Officer delegation and currently there were a number of minor applications that went to Committee only because they had been called in by Parishes so the Council had to consider how best to use its limited resources.

- 56.6 A Member referred to Page No. 33 of the report – AP48 – consider introducing a procedure where Members are considering granting an application against Officer advice (overturns), to ensure appropriate conditions are fully explored prior to determination - and questioned what was meant by this. In response, the Borough Solicitor advised that this was designed to streamline the process so the Committee knew what it would impose when it made the decision. It was not meant to pre-determine applications but to have some thoughts in mind about what conditions would be needed to make an application work. A Member noted that, until relatively recently, when the Committee decided an application against the Officer recommendation Members expected Officers to come up with the reasons/conditions and now Members were asked to come up with those conditions/reasons which took a lot of time at the meeting. The report from the consultants suggested the development of a core set of conditions to make the process more expedient. She was of the view that there had been quite a few minor applications that need not have been taken to the Planning Committee which was a waste of Officer resources, Member time and public money so there was a need to make changes. She agreed that Member involvement through the Transform Working Group was important and she was pleased the project was being taken forward at a corporate level rather than just through the Development Management service as had been the case following other reviews.
- 56.7 Referring to the difference between the Uniform and Enterprise systems, the Head of Development Services explained that Uniform was the system the team used to input the application details, process the applications and put together the Committee reports etc. Enterprise was the project management system but was not used as effectively as it could be for processes like tracking applications and monitoring performance. It was a problem that there were no procedure manuals for the systems to ensure consistency/using the whole system as effectively as possible and the Business Transformation team was supporting the review to show how the systems could be used better to minimise procedures.
- 56.8 Referring to Page No. 23 of the report – AP11 – report on enforcement activity annually to the Planning Committee and AP12 – institute enforcement management reports for the enforcement team on at least a quarterly basis - a Member asked why one was reported annually and one quarterly. In response, the Head of Development Services advised that these were yet to be introduced but she was not sure of the reasons for the different monitoring times so she would check and advise Members accordingly. In addition, the Head of Corporate Services explained that Overview and Scrutiny Committee Members had felt they

were not getting a full picture of what enforcement did and wanted more proactive communications, possibly on a monthly basis, on the work of the team. The email that went out would include more detail and would be more frequent than annually. In terms of recruitment, the Head of Development Services advised that the Senior Enforcement Officer had been appointed from within the team so there was now a vacancy for an Enforcement Officer – an unsuccessful recruitment process had taken place and it would be advertised again soon. In terms of the Section 106 Monitoring Officer, she confirmed an appointment had been made on a two-year fixed term contract to support the Section 106 system including addressing the process, monitoring the gaps and getting plans in place for affordable housing so there was a big piece of work for the role. There were some systems already in place but the new postholder would be looking to build on that more robustly.

- 56.9 A Member expressed the view that all applicants should be treated fairly whether they were individuals or large developers and the Head of Development Services confirmed there was no intention to disregard anyone but the Council needed to use its resources as effectively as possible ensuring that applications were dealt with in the most efficient and way within the resources available. A Member noted that there used to be a system for daily updates on validated applications and in recent weeks enforcement had been added to that – she assumed this would continue and urged all Members to ensure they had access to that system. The Head of Development Services confirmed that all Members could be sent the relevant link should they request it. Another Member expressed the view that the POS Enterprises report showed the Council had certain systematic problems and went some way to address those. He was of the view that Members needed to ensure Parish Council objections had sound planning reasons which they should be prepared to substantiate at Committee which would cut down the number of minor applications being considered.
- 56.10 A Member asked for an explanation of the process of a delegated application and the Head of Development Services advised that, if a planning application was acceptable and fell within delegated powers, Officers could make the decision. If an application went to Committee a report was produced along with presentation material which involved a substantial amount of work from other Officers in One Legal and Democratic Services as well as the Development Management team.
- 56.11 The action plan included the recommendations from the consultants and Members were asked to consider the plan and approach being taken to the project. It was reiterated that this was not about changing policies but approving workstreams and any changes would go through the formal process. The Transform Working Group would provide Member engagement and the Committee was also asked to endorse that approach. A Member referred to Page No. 27 of the report – AP26 – find an effective way to involve elected Members in pre-application work for large-scale major applications with clear protocols in place and extensive training provided for all those likely to be involved – and questioned whether this would be introducing a new tier to the process or whether it was instead of the Committee. In response, the Head of Development Services explained that the intention was to set up a protocol so before planning applications went to Committee there was an opportunity to be briefed and ask questions without pre-determination – this would provide a way for Councillors to be involved early in the process. There would always be safeguards in any Scheme of Delegation and if any of those were triggered the application would automatically be submitted to the Committee.
- 56.12 Accordingly, it was

RESOLVED:

1. That the Council's response to the review be **ENDORSED** and the high-level action plan attached to the report be **APPROVED**.

2. That the Transform Working Group monitor the delivery of the action plan.

EX.57 FINANCIAL UPDATE - QUARTER TWO 2021/22

- 57.1 The report of the Head of Finance and Asset Management, circulated at Pages No. 35-59, set out the second quarterly monitoring report of the Council's financial performance for the year and highlighted a projected outturn surplus based on the quarter two position of £3,611,060 on the revenue budget and detailed the expenditure to date against both the capital programme and the approved reserves. Members were asked to consider the financial performance information provided.
- 57.2 The Head of Finance and Asset Management explained that the budget for 2021/22 had been approved by Council in February 2021 with the reserves approved by Executive Committee in July 2021. The report before Members was the second quarterly monitoring report of the Council's financial performance for the year. It was noted that the reported £3.6 million surplus was comprised of £3.6 million of S31 business rates grants which were required to be set aside to meet a business rates collection fund deficit in 2022/23. Therefore, the balance of the budget forecast at the end of the second quarter was cost neutral and on target to deliver an outturn in line with the original estimates for 2021/22. The Head of Finance and Asset Management drew attention to Paragraph 2.0 of the report and explained that the quarter two full year projection highlighted a full year cost of service provision totalling £12.334 million resulting in a surplus against the approved budget of £83,244. The main reasons for the projected surplus were set out in the report and in Appendix A. The full year projection for employees highlighted a potential gross surplus of £432,612; it should, however, be noted that within the Council's corporate expenditure was a target to save £155,000 from employment costs across the Council. The net position was therefore a surplus against target of £277,612. The figures did not include the pay award which was still being negotiated but a reserve had been put aside which would equate to a 2% pay award. In terms of corporate expenditure, this highlighted an estimated surplus of £3,527,816 for the financial year. Treasury activities were expected to deliver small savings in borrowing costs and an increase in interest received from investing. The Council's commercial portfolio was currently predicting a deficit on the year as a result of the unexpected temporary void at one office unit, a tenant exercising a mid-year break clause at an industrial unit and the inducements offered to secure leases at the Clevedon units. 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 anticipated business rates showed a net surplus of approximately £2.9 million from the original budget compiled in December 2020. The major component of the surplus was the £3.62 million S31 grant paid by the government to provide further relief from business rates for businesses in certain sectors. Those businesses would receive the relief in the current year and therefore pay reduced business rates. The underlying position of business rates in the current year showed a small amount of growth and an improving position against the prudent estimates made in the budget. The level of empty business premises across the Borough continued to be much lower than forecast and bad debts were not materialising to the levels originally envisaged. In addition, the government had announced that Material Change in Circumstance business rate appeals would not be dealt with as appeals but would be subject to a separate grants system. With that announcement, the Council was able to remove the provision for those type of appeals from within its retention calculation. As a result of those factors, the level of retention for 2021/22 was likely to be much higher for Tewkesbury Borough with a net gain of over £1.4 million currently being forecast;

however, the gain would only be released at the end of 2022/23 and therefore was not available to the Council until April 2023. In contrast to the £1.4 million gain, the additional levy now payable by Tewkesbury Borough was due in the current year and, as a result, the net position for the in-year business rates retention was a deficit of £732,566.

- 57.3 Appendix B to the report showed the capital budget position as at quarter two which currently showed an underspend of £325,309 against the profiled budget of £695,000. The capital programme estimated total expenditure for the year to be approximately £3.9 million 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 this year's forecast included Ashchurch Bridge; vehicle replacement; Council Offices heating system replacement; and Disabled Facilities Grants (DFGs). The expected replacement of the Council's heating system would now not take place in the second half of the year due to significant increases in prices; however, grant funding would be used to support the delivery of a solar canopy above a number of car parking spaces in the rear car park of the Offices. Appendix C showed a summary of the current usage of available reserves. Reserves had been set aside from previous years to fund future 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 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. In terms of the semi annual treasury report, Members were advised that at the half year point of the financial year, treasury investment activities had resulted in an average return of 1.60% on its investments which, at the end of September, totalled £30,200,000. That performance and level of return had generated interest of £225,000 in the first half of the year against the budget estimate of £172,500. This was considered to be an excellent return given the continued low interest rates and represented a return of 1.52% in excess of the benchmark rate – it was also more than double the average return of 129 other local authorities who were members of the benchmarking club. The Council's investment performance had been boosted by its investment in a number of pooled funds which held investments in equity, multi-asset and property classes and continued to return an income of 4.71%. In addition, there had been a gain of 9.14% on the capital value of those investments in the first six months which moved the Council close to pre-pandemic capital values. Borrowing costs were down in the first half year as a result of lower borrowing costs and the repayment of £5 million of previous borrowing.
- 57.4 During the discussion which ensued, a Member noted that £115,000 had been spent on the Garden Communities project and she questioned whether this was the Council's money or government funding. In response, the Head of Finance and Asset Management confirmed this was all government funding to support the delivery of the Garden Town. In terms of Ubico, he confirmed that discussions were ongoing in respect of the money released from the budget following the new bulky waste collection arrangements and it had been agreed that £30,000 would be released in next year's budget. In respect of the voids in the commercial properties, he advised there were no concerns at this point as all other areas were occupied - with the exception of 25% of the office block in Hertford - the remainder of the portfolio was in good shape. The top floor at the Council Offices was not performing as well as the rest of the portfolio and in the New Year he would be considering changing Letting Agents as well as pursuing other options internally. In response to a query regarding high inflation and wage pressures, the Head of Finance and Asset Management explained that 4.2% on CPR had been in the headlines that morning and he felt it would likely go higher; however, the impact on the Council remained to be seen. In terms of the pay award, Unions were about to ballot on strike action.

57.5 Accordingly, it was

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

EX.58 REVIEW OF TREE SAFETY MANAGEMENT POLICY

58.1 The report of the Asset Manager, circulated at Pages No. 60-69, attached an updated Tree Safety Management Policy for Members to approve.

58.2 The Asset Manager reiterated to the Committee that this was a safety management policy not a tree planting strategy. The current Tree Safety Management Policy had been in place since 2012 in its current form and had worked well. It had been scrutinised by the Council's insurers as one of its higher risk liabilities and had been updated in line with best practice and common sense management of trees approach laid out in the National Tree Safety Group publication for the safe management of trees. The Policy was a risk-based approach around the location and size of the tree meaning a large tree by a school would be inspected more often than one in Lassington Wood. It was an integral part of the safe management of trees in protecting people and property from harm and the Council's policy detailed the risk management of trees by maturity, location and likelihood of risk to people or property. The Council had over 5,000 trees on land in its ownership and was required to have a tree safety management plan and inspection regime to ensure the risk of falling trees and branches was managed to reduce the risk of injury or damage to property. The authority used a software system for the management and recording of tree inspections and this was currently contracted to Ubico and overseen by the Environmental Health Officers and the Property Team along with an Officer Working Group – the Tree Risk Action Group (TRAG) – which included Property, Environmental Health, the Tree Officer and the Insurance Officer.

58.3 A Member felt the Council generally had a good track record with its tree management except where trees in residential areas had grown extremely large which caused frustrations for homeowners who bought homes being told they would be kept under control. The Asset Manager confirmed that the number of complaints had reduced since the recording system had been implemented that showed which trees belonged to the Council. Occasionally, there were trees that should not have been there, or the wrong tree was planted in the wrong location – those were removed and planted in a more suitable location – all issues were considered by the TRAG and Officers tried to work with the public as it was understood there was no 'one size fits all' solution. Sometimes trees were planted as noise bunds and some of those matured to 30 feet high – residents often felt those should be hedges but that was not the case. Properties were more likely to be susceptible to subsidence in high clay areas like Tewkesbury Borough and those needed to be managed appropriately understanding that trees were important. The Tree Officer looked at monetary value as well as carbon value to understand how best to manage and secure trees wherever possible. In response to a query regarding the loss of trees through Ash dieback, the Asset Manager explained that there was an inspection policy around dangerous trees and there were experts who inspected Ash dieback on a grading system; in the Council's experience, there were only a handful of trees each year that had to be removed as it did not have a large population of Ash trees within its estate.

58.4 Having considered the information provided, it was

RESOLVED: That the updated Tree Safety Management Policy be **APPROVED**.

EX.59 ENVIRONMENTAL HEALTH ENFORCEMENT POLICY AND FIXED PENALTY SCHEME

59.1 The report of the Interim Environmental Health Manager, circulated at Pages No. 70-95, set out a refreshed Environmental Health Enforcement Policy, including the use of Fixed Penalty Notices, which Members were asked to approve.

59.2 The Head of Community Services explained that the Environmental Health Enforcement Policy was subject to periodic review following its adoption by the Council in August 2017. The principles contained in the policy were reflected in the Council's overarching Corporate Enforcement Policy which was adopted in 2020. The draft policy, with proposed changes highlighted, was attached at Appendix 1 to the report and Councillors were asked to note that there were no material changes other than updating legislation and house-keeping changes; however, one of the main changes was that the Fixed Penalty Notice Scheme would form part of the Environmental Health Enforcement Policy and be added as an Appendix. In March 2021, the Executive Committee had approved the Council's approach to Civil Penalty, Rent Repayment Order and Minimum Energy Efficiency Standards in Privately Rented Homes and that scheme would also be added to the Environmental Health Enforcement Policy as an Appendix – there was no change proposed to that element of the policy.

59.3 A Member questioned whether the levels of fines were statutory and was advised that in the main they were. There was some leeway in whether the Council wanted to offer early payment discounts and Officers tended to think that worked. Another Member expressed concern that the Council's Enforcement Officers could not catch everyone that they needed to issue Fixed Penalty Notices to and she questioned how many had been issued for dog fouling. In response, the Head of Community Services advised that there had been one or two issued – he agreed there was a problem in that the Officer had to be there, or a witness statement received, before a Fixed Penalty Notice was issued.

59.4 Accordingly, it was

RESOLVED:

1. That the updated and refreshed Environmental Health Enforcement Policy, and Appendix 1 to the report setting out the use of Fixed Penalty Notices, be **APPROVED**.
2. That the Head of Community Services be authorised to approve any future minor amendments, in consultation with the Borough Solicitor and the Lead Member for Clean and Green Environment.

EX.60 ANNUAL INFRASTRUCTURE FUNDING STATEMENT (IFS) AND COMMUNITY INFRASTRUCTURE LEVY (CIL) RATE SUMMARY STATEMENT REQUIREMENTS

60.1 The report of the Community Infrastructure Levy (CIL) Manager for the Joint Core Strategy (JCS) authorities, circulated at Pages No. 96-124, provided an update on the preparation of the Infrastructure Funding Statement (IFS) for 2021 and this year's CIL Rates Summary Statement. Members were asked to consider the information and recommend to Council approval of the publication of the IFS relating to the financial year ending 31 March 2021 by 31 December 2021 and to note that the annual CIL Rate Summary Statement would be published alongside it.

60.2 The CIL Manager for the JCS authorities advised that this was the second annual Infrastructure Funding Statement which needed to be published by 31 December

each year. The Statement reported on the previous financial year and so provided a snapshot. It was required to cover three areas: to report on the CIL; to report on S106 Agreements; and to provide the infrastructure list. The format was prescribed in legislation which made the statement quite unreadable to general members of the public but it was factual. The Infrastructure List was different and was shared with Cheltenham Borough Council and Gloucester City Council based on the projects derived from the Infrastructure Delivery Plan (IDP) for the JCS. The List was being reported on as adopted last year and projects had been added since that time. The CIL Rates Summary Statement provided an explanation of how inflation was taken into account and how the index was required by government to apply those changes. The index was prepared by the Royal Infrastructure of Chartered Surveyors and the changes set in December would apply for the next calendar year in line with the charges set by that body.

- 60.3 Referring to Page No. 110 of the report, a Member asked what was meant by the description 'recode litter bins to relevant planning obligations for 2020/21 (£689.33). Install mixed waste bin at Crippetts Lane, Shurdington (£110)'. In response, the CIL Manager for the JCS authorities undertook to check that and confirm. Another Member questioned why the authority gave CIL funding to the Police and Crime Commissioner and the CIL Manager for the JCS authorities confirmed that this was S106 funding not CIL funding – in fact no CIL money had yet been spent. There were obligations negotiated for specific purposes and Case Officers would have got feedback from the Police and Crime Commissioner regarding his requirements and that was written into agreements. The difference with CIL was that it was essentially a tax which never had to be given back to developers. If Parish money was not spent within five years it came back to the Borough Council and spending was monitored annually; Parishes could decide to keep the funding for longer but that was at the Borough Council's discretion and the Parish had to put its request in writing two weeks before the five years were up. If the funding went back to the Borough Council it would go into the bigger pot to be spent on the Infrastructure List. If the Parish was not set up to deal with large sums of funding they could ask the Borough Council to retain it. In addition, if the Parish Council did not have a general power of competence, it may not be able to spend it on what it wanted and it could ask the Borough Council to do that on its behalf or, if it did not have any projects, it could ask the Borough Council to keep the funding.
- 60.4 The CIL Manager for the JCS authorities, advised that the Infrastructure Delivery Plan and Infrastructure Lists were used to justify becoming a CIL Charging Authority. There was a need to identify a gap and to raise CIL to help fill that gap; however, the amount of CIL must take into account viability and not stop development. Part of the reason for the update on progress of schemes was that it showed a lot of schemes had no funding guaranteed at the moment but could in future which was the reason for the Council wanting to demonstrate a large gap.
- 60.5 A Member noted that the frustration of CIL was that it was great for other agencies but there did not seem to be much in it for local district authorities. In response, the CIL Manager for the JCS authorities advised that the JCS was a partnership and, if the Council did not support delivery, it would not deliver the required level of housing meaning it would not have a five-year housing land supply. The Infrastructure List was based on the IDP for the JCS; however, there were three district Councils, including Tewkesbury Borough, who had examinations for district level plans. This was an opportunity to review CIL charging schedules and the Inspector had looked at CIL charging rates and had not been happy with some of the evidence presented and felt it should be reviewed. The Head of Development Services explained that the CIL Infrastructure List had been carried forward from last year with some projects already having received funding from the County Council. All of the projects listed had not collected that much money to date but the key benefit was in the partnership/collection and pooling of money. A Member

understood that areas with a lot of development needed funding to support the needs in the community and, as a Borough Council, Tewkesbury did not get the left over funding as it was put into a bigger pot; he was concerned that the larger pot was dominated by the County Council and he questioned how the Borough Council could help shape what that was spent on. In response, the Head of Development Services indicated that the purpose of CIL was for strategic infrastructure. The CIL List was currently dominated by transport projects and it was being reviewed by district Councils – there was an opportunity for influence but expectations needed to be managed and must be strategic in nature.

60.6 It was

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

1. That the publication of the Infrastructure Funding Statement (IFS) relating to the financial year ending 31 March 2021 by 31 December 2021 be **APPROVED**.
2. That the Annual Community Infrastructure Levy (CIL) Rate Summary Statement be published alongside the IFS.

EX.61 LOCAL HERITAGE LIST SELECTION CRITERIA FOR TEWKESBURY BOROUGH SUPPLEMENTARY PLANNING DOCUMENT (SPD)

- 61.1 The report of the Planning Policy Manager, circulated at Pages No. 125-138, asked Members to approve the draft Supplementary Planning Document (SPD): Local Heritage List Selection Criteria for Tewkesbury Borough for consultation purposes.
- 61.2 Members were advised that the Local Heritage List Selection Criteria SPD provided the basis for deciding which nominated heritage assets identified were adopted onto the Local Heritage List which was a list of undesignated heritage assets which had special local architectural, archaeological or historic interest and contributed to the character of a place. A Local Heritage List provided information on the location of those assets and what was significant about them. The purpose of the local procedure for the Local Heritage List Selection Criteria SPD was to identify and utilise a robust and standardised procedure for nominating assets onto a Local Heritage List – the publication of the SPD ran in tandem with the creation of a Local Heritage List for Tewkesbury Borough. The Committee was asked to approve the draft Supplementary Planning Document for consultation and to delegate authority to the Head of Development Services to make any necessary minor amendments to the draft document, as considered appropriate, prior to consultation.
- 61.3 Referring to the nomination categories, a Member noted that bridges were not listed and felt they ought to be given the number of historic bridges in the Tewkesbury area. In addition, he questioned whether a call to the public was made for nominations to be listed. In response, the Heritage Engagement Officer advised that bridges should have been included and she would amend the list referred to. The public had been asked for individual nominations initially but feedback from Members was required in the first tranche to bring forward the unlisted characteristics of a local area – Parish Councils had also been consulted. She would visit and develop local knowledge alongside Parishes or they could just put forward their nominations – her role with the Council was time-limited and, once she left, other Officers would take forward the maintenance of the list. In addition, the Head of Development Services advised that the SPD set the criteria for how feedback was gained and assessed. A grant had been received from central

government to set up the Local Heritage List and Councils would gain nominations but it needed to be robust in how it was adopted. In an ideal world, the criteria would be set up before the nominations were requested but there was a finite amount of time to get the project completed, as such, it was being undertaken together. So far the Parishes had been informed of the work which was ongoing and they had responded based on the draft criteria. A Member felt this needed to be made clear to Parishes otherwise they would think the document was final and that anything they wished to add would not be included. The Heritage Engagement Officer explained that she had provided a guide to the selection criteria and that was not dissimilar to the document which was currently before the Committee. Nominations for the list would be taken to the Panel and would then go on the provisional list.

61.4 Accordingly, it was

RESOLVED:

1. That the draft Supplementary Planning Document (SPD): Local Heritage List Selection Criteria for Tewkesbury Borough be **APPROVED** for consultation subject to the inclusion of bridges in the list of assets.
2. That authority be delegated to the Head of Development Services to make any minor amendments to the draft document as considered appropriate prior to consultation.

EX.62 PENSION DISCRETIONS POLICY

62.1 The report of the HR and OD Manager and Finance Manager, circulated at Pages No. 139-158, asked Members to approve the revised Pensions Discretion Policy; to delegate authority to the Borough Solicitor to make amendments to the Scheme of Delegation to increase the financial limit from £10,000 to £20,000 (or where expenditure could not be found within existing budgets) before it would be referred to the Executive Committee; and to agree that the Policy be reviewed annually but only brought back to the Executive Committee for review every three years or when a change was required, whichever was sooner.

62.2 Members were advised that the Council had a Discretions Policy published on its website and was available to employees. That Policy was kept under review so there was an opportunity to streamline and simplify the policy statement as well as to review the limits set by the Constitution at which individual pension requests needed to be considered by Members and to clarify the arrangements for review. The HR and OD Manager explained that almost all of the Council's Officers were eligible to be part of the scheme so it was important it was reviewed and followed the template provided by the petition administrators. The Finance Manager explained that the discretions in the policy were the different ways people could draw their pensions early and the cost came from a lump sum cost which the central pensions administrator charged the Council. The requests were considered on a case-by-case basis subset to a business case demonstrating it was in the interests of the Council to approve.

62.3 Accordingly, it was

RESOLVED:

1. That the revised Pensions Discretions Policy be **APPROVED**.
2. That authority be delegated to the Borough Solicitor to make amendments to the Scheme of Delegation

to increase the financial limit from £10,000 to £20,000 (or where expenditure could not be found within existing budgets) before it would be referred to Executive Committee. Requests below that level of expenditure to be delegated to the roles clarified as Head of Paid Service and S151 Officer in consultation with the Lead Member for Finance and Asset Management.

3. That the Policy be reviewed annually but only brought to the Executive Committee for review every three years or when a change is required whichever is sooner.

The meeting closed at 4:45 pm