

TEWKESBURY BOROUGH COUNCIL

Minutes of a Meeting of the Council held at the Council Offices, Gloucester Road, Tewkesbury on Tuesday, 27 February 2024 commencing at 6:30 pm

Present:

The Worshipful the Mayor
Deputy Mayor

Councillor I Yates
Councillor P N Workman

and Councillors:

N D Adcock, C Agg, H J Bowman, T J Budge, C L J Carter, C M Cody, C F Coleman, M Dimond-Brown, S R Dove, P A Godwin, M A Gore, D W Gray, S Hands, D J Harwood, M L Jordan, E J MacTiernan, G C Madle, J R Mason, H C McLain, P D McLain, C E Mills, J P Mills, K Pervaiz, G M Porter, E C Skelt, J K Smith, P E Smith, R J G Smith, R J Stanley, M R Stewart, H Sundarajoo, M G Sztymiak and R J E Vines

CL.89 ANNOUNCEMENTS

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

CL.90 APOLOGIES FOR ABSENCE

90.1 Apologies for absence were received from Councillors A Hegenbarth, P W Ockelton and M J Williams.

CL.91 DECLARATIONS OF INTEREST

91.1 The Committee's attention was drawn to the Tewkesbury Borough Code of Conduct which was adopted by the Council on 24 January 2023 and took effect on 1 February 2023.

91.2 The following declarations were made:

Councillor	Application No./Item	Nature of Interest (where disclosed)	Declared Action in respect of Disclosure
D W Gray	Item 7d – Council Tax Premiums Item 9 – Gloucestershire City Regions Board	Is a Gloucestershire County Councillor.	Would speak or vote.
R J Stanley	Item 7c – Council Tax Discount Scheme for Care Leavers	Is a foster carer.	Would speak and vote.

91.3 There were no further declarations made on this occasion.

CL.92 MINUTES

92.1 The Minutes of the meeting held on 23 January 2024, copies of which had been circulated, were approved as a correct record and signed by the Mayor.

CL.93 ITEMS FROM MEMBERS OF THE PUBLIC

93.1 There were no items from members of the public.

CL.94 MEMBER QUESTIONS PROPERLY SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

94.1 The following questions were received from Councillor Cody to the Lead Member for Built Environment, Councillor Mary Jordan. The answers were given by the Lead Member for Built Environment and were taken as read without discussion.

1. Question

Following my previous questions regarding dead trees and hedges at the Coombe Hill development, the hedge and tree planting season is nearly at an end. Officers visited the site and contacted the developer to replant as per the stipulation that "this new hedge will enjoy protection for at least five years following completion of the development". When are the trees and hedges going to be replanted?

Answer

We are informed that replacement planting to address the Council's concerns has been carried out by the developer. Planning Compliance Officers are due to inspect the site in the near future.

2. Question

Given that a large proportion of the first hedges and trees are dead, will the newly planted ones also 'enjoy protection for at least five years' from time of planting?

Answer

No. The five year period is not restarted from the date of new planting. Wording from the landscaping condition states: "If any plants fail more than once they shall continue to be replaced on an annual basis until the end of the 5 year maintenance period."

3. Question

Who will take responsibility for ensuring their success?

Answer

It is the developer/landowner's responsibility to ensure compliance with the planning conditions. We will investigate if a management company has been engaged to handle landscaping maintenance on behalf of the developer.

4. Question

What is the process for verifying that trees and hedges planted on new estates with such stipulations are checked?

Answer

Developers are required to comply with planning conditions attached to their planning permissions. This includes maintenance of landscaping where such a condition is imposed. We do not have the resources to monitor the success of landscaping across all developments in the borough. We will, however, investigate breaches of planning conditions if we become aware of them and take appropriate action.

94.2 The Mayor invited a supplementary question and the Member asked the following questions in relation to each of the original questions:

1. Please can I be told when the inspection has been carried out and its outcome?
2. Do we find it acceptable that ancient hedgerows can be taken out on the basis that new ones are planted, despite the high possibility that many will die; although they have to be replanted within the first five years, after this date, is it irrelevant if they have failed? Ought we not insist on something stronger, are we not ignoring the importance of the protection of nature?
3. What happens if a management company hasn't been engaged to handle landscaping maintenance on behalf of the developers?
4. Do we need a better process in order to track the health and maintenance of trees and hedges planted on new estates in this fashion?

94.3 The Lead Member for Built Environment advised that a written response would be provided outside of the meeting.

CL.95 RECOMMENDATIONS FROM EXECUTIVE COMMITTEE**Budget 2024/25**

95.1 At its meeting on 7 February 2024, the Executive Committee considered the 2024/25 budget and made a recommendation to Council.

95.2 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 23-50.

95.3 The recommendation of the Executive Committee was proposed by the Chair of the Executive Committee and seconded by the Lead Member for Finance and Asset Management. The Lead Member for Finance and Asset Management advised that much work had been undertaken in recent weeks to develop a workable budget for the new Council year. The process for developing the budget, and the details of the finances, had been discussed at various meetings including Transform Working Group, Executive Committee and a well-attended Member Briefing last week. He thanked Members for their contributions, challenges and ideas which had helped colleagues to develop this final budget for the year ahead. The detail of the budget was set out at Paragraph 6 of the report which outlined the variances from the current year; it was worth noting that areas within the Council were being challenged to bring in additional income from their activities and also that some prudent changes had been made to the ways in which the Council was managing its treasury and investments. In terms of the process, the Provisional Local Government Settlement was received on 18 December 2023 which had kick-started a brief period of consultation for the government to receive feedback from the sector. In recent months, a number of local authorities had raised the Section 114 flag and concerns had been expressed by MPs and in the media regarding the state of finances within local government; these had perhaps been 'heard' as the Final Settlement had seen an increase in funding which was somewhat unusual. The

majority of the additional funding had been ring-fenced for social services but there had been a 1% rise in the funding guarantee threshold and additional funding linked to the Rural Service Delivery Grant which had resulted in Tewkesbury Borough Council's provisional settlement offer being increased by £106,000 for the new financial year. This announcement had only been made in recent weeks, as such, although the extra income had been included in the report, it had not been linked to any area of spending or service delivery; instead, it was to be held in reserves until Members agreed on a viable plan that could make good use of the funding. In accordance with the Local Government Act 2003, the Council's Chief Finance Officer must make a statement on the robustness of the estimates and the adequacy of the Council's reserves and that statement was set out at Paragraph 11 of the report with the Chief Finance Officer deeming the position as 'adequate' for the year ahead. The Lead Member thanked the Officer team for their detailed yet fast-paced work in pulling together this balanced budget and the associated documentation and hoped it would be approved in accordance with the recommendation so that plans could be made for associated timely implementation across the Council.

95.4 A Member drew attention to Page No. 31, Paragraph 6.1 of the report which set out the base estimates for 2024/25 including proposed growth and sought clarification as to why it appeared that planning spend was increasing by 24.23%. In respect of Page No. 39, Paragraph 11.8 of the report, the Member noted that the Council was being asked to increase the amount of spend for the Business Transformation team but it was unclear what the outcomes were likely to be as a result of that spend and asked that clear targets be included in the new Council Plan which was due to be considered by the Council in April. In terms of Page No. 43, Appendix A of the report, the Member noted there were a number of items in Section D which appeared to be 'spend to save' and he sought assurance these would be taken seriously and potentially brought forward if they would genuinely produce savings which would help with the medium term financial forecast. The Lead Member for Finance and Asset Management agreed it would be beneficial to see the outcomes from the additional spend on Business Transformation but he pointed out they may not all be financial. The Leader of the Council confirmed that outcomes would be part of the Council Plan; Members would be aware of the fantastic work that had been done by the team in the past and it was only right that should continue. The Executive Director: Resources explained that the figures at Page No. 31, Paragraph 6.1 of the report showed the net expenditure for the planning service. The main factor was the increase in planning fees which had come into effect on 6 December 2023 and had resulted in an increased budget forecast of £230,000.

95.5 In accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting on the proposal was recorded as follows:

For	Against	Abstain	Absent
N D Adcock			A Hegenbarth
C Agg			P W Ockelton
H J Bowman			M J Williams
T J Budge			
C L J Carter			
C Cody			

C F Coleman

M Dimond-Brown

S R Dove

P A Godwin

M A Gore

D W Gray

S J Hands

D J Harwood

M L Jordan

E J MacTiernan

G C Madle

J R Mason

H C McLain

P D McLain

C E Mills

J P Mills

K Pervaiz

G M Porter

E C Skelt

J K Smith

P E Smith

R J G Smith

R J Stanley

M R Stewart

H Sundarajoo

M G Sztymiak

R J E Vines

P N Workman

I Yates

95.6 Accordingly, it was

RESOLVED

1. That a net budget of £12,463,511 be **APPROVED**.
2. That a Band D Council Tax for Tewkesbury Borough Council services of £144.36 per annum, an increase of £5.00 per annum, be **APPROVED**.
3. That the growth items for 2024/25, as proposed in Appendix A, be included within the budget.
4. That the capital programme, as proposed in Appendix B, be **APPROVED**.

Council Tax Reduction Scheme

95.7 At its meeting on 7 February 2024, the Executive Committee considered the Council Tax Reduction Scheme and recommended to Council that the default Council Tax Reduction Scheme be adopted with effect from 1 April 2024 with a minor revision to the national working age regulations to allow for a de minimus tolerance for income changes; and that authority be delegated to the Director: Corporate Services, 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.

95.8 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 51-54.

95.9 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and it was seconded by the Lead Member for Finance and Asset Management. The Lead Member for Finance and Asset Management advised that the report outlined the Council's desired approach to support residents who qualified for support in paying their Council Tax bills. The recommendation was for Council to approve that the current scheme, which had been in place for the last 10 years, remained in place with a minor revision to the national working age regulations to allow for tolerance to small changes in income i.e. £10 per week.

95.10 Accordingly, it was

RESOLVED

1. That the default Council Tax Reduction Scheme be **ADOPTED** with effect from 1 April 2024 with a minor revision to the national working age regulations to allow for a de minimus tolerance for income changes.
2. That authority be delegated to the Director: Corporate Services, 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.

Council Tax Discount Scheme for Care Leavers

- 95.11 At its meeting on 7 February 2024, the Executive Committee considered the Council Tax Discount Scheme for Care Leavers and recommended to Council that the definition of a care leaver be amended to a young person between the ages of 18 and 24 years for the purposes of Section 13A(1)(c) of the Local Government Finance Act 1992 and that the Council Tax Discount Scheme for Care Leavers, attached at Appendix 1 to the report, be adopted with effect from 1 April 2024.
- 95.12 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 55-62.
- 95.13 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and it was seconded by the Lead Member for Finance and Asset Management. The Lead Member for Finance and Asset Management advised that the report outlined the positive approach being taken by councils across the county to better support young care leavers. The report recommendation would result in categorising young care leavers as being between the ages of 18-24, as opposed to ages 18-21, and give them eligibility for the Council Tax discount scheme, as set out at Appendix 1 to the report. It was important for Members to approve this scheme to avoid Tewkesbury Borough Council being an outlier in supporting its young care leavers.
- 95.14 A Member indicated that he was very supportive of this scheme and did not intend his questions to be critical; however, he was unsure if the records held by the local authority were accurate in terms of people who had left care, particularly the older age range who may need to be identified and he asked what could be done by the Council to find them. In addition, with regard to Houses of Multiple Occupancy (HMOs), an element of the rent paid by tenants to landlords would cover Council Tax so he was concerned that the discount may not be passed on to the care leaver in those circumstances. In response, the Director: Corporate Resources advised that the authority was notified of care leavers by the relevant team at Gloucestershire County Council. There was a proposed action in the new draft Council Plan for a countywide offering for care leavers – at the moment this was siloed to Council Tax and Housing Officers. In terms of the point about HMOs, he undertook to take this into consideration as part of the corporate offering in the new Council Plan. The Leader of the Council felt it was vital for the Council to do its utmost to support care leavers. The Member had made a valid point and, whilst there may not be a way to address that particular situation, he would raise it with partner authorities and provide a response to Members following the meeting.
- 95.15 Upon being put to the vote, it was
- RESOLVED**
1. That it be **AGREED** that the definition of a care leaver be amended to a young person between the ages of 18 and 24 years for the purposes of Section 13A(1)(c) of the Local Government Finance Act 1992.
 2. That the Council Tax Discount Scheme for Care Leavers, attached at Appendix 1 to the report, be **ADOPTED** with effect from 1 April 2024.

Council Tax Premiums

- 95.16 At its meeting on 7 February 2023, the Executive Committee considered the Council Tax premiums and recommended to Council that Council Tax be increased for all properties deemed second homes, which were occupied periodically, by 100% from 1 April 2025, subject to any exemptions set out in subsequent Regulations and for implementation to be in accordance with those Regulations and guidance; that the Council Tax Empty Homes Premium be increased to 100% for properties empty for between one and five years (currently between two and five years), from 1 April 2025, subject to any exemptions set out in subsequent Regulations and guidance; and, that authority be delegated to the Executive Director: Resources, in consultation with the Lead Member for Finance and Asset Management, to amend the Council's policy relating to premiums in line with legislative or government requirements and changes.
- 95.17 The report which was considered by the Executive Committee had been circulated with the Agenda for the current meeting at Pages No. 53-59.
- 95.18 As Chair of the Executive Committee, the Leader of the Council proposed the recommendation of the Executive Committee and advised that Members were voting on the principle of the scheme as the full detail was yet to be provided by the government. The proposal was seconded by the Lead Member for Finance and Asset Management who indicated that the report outlined a scheme to set increased Council Tax premiums for properties in the borough defined as either second or empty homes. This proposal was linked to the Levelling Up and Regeneration Act 2023 which gained royal assent in October 2023. It was important to note that these recommendations were to be launched and communicated across the coming months, with implementation planned for the 2025/26 financial year. Although there may be some additional funding to the Council, the aim of the scheme was to encourage property owners to bring their properties back into full use in line with the Act.
- 95.19 A Member sought clarification as to what the Leader of the Council had meant by saying that Members were voting on the principle of the scheme and was advised that the full details, including the exemptions, were yet to be received from the government so Members could only vote on what was before them. A Member drew attention to Page No. 63, Paragraph 1.8 of the report which talked about the concern that couples who owned a second home may claim they were living separately and were single occupants of each respective property; she was sure many people would be in that situation and asked if it was down to the Council to carry out checks in relation to that. The Director: Corporate Resources confirmed this was an internal piece of work carried out by the team using checks on data sources. A Member sought clarification as to what 'periodically' was defined as in terms of the occupation of second homes as set out in the recommendation and how Airbnb properties fitted into the proposal. The Director: Corporate Resources drew attention to Page No. 63, Paragraph 1.7 of the report which explained that, depending on how long properties were available to let, they may be rated as Business Rates by the Valuation Office Agency (VOA) – this was not a Council decision and was subject to provision of appropriate evidence to the VOA. A Member sought clarification as to whether the 247 properties classed as second homes would be marketable properties meeting the requirements to bring them back into use as there was a suggestion the majority were in rural villages and would not be. In response, the Director: Corporate Resources confirmed they were marketable and the majority were in rural areas. In response to a query regarding the exemption for properties undergoing major repairs, Members were advised that the exemption was for 12 months and, if the works exceeded that timeframe, the owner could apply to the VOA to be taken out of the valuation.

- 95.20 During the debate which ensued, a Member expressed the view that, historically, Council Tax had been to pay for local services and there had previously been a discount for second home owners on the basis they did not use as many services. Whilst he understood the intention behind the scheme, he was of the view that introducing very high charges for something which had not been a problem in the past, and distinguishing between those occupying properties or not, could be an incentive for some to game the system. Charging people twice as much for a second home could ultimately cause families to break-up and it would be naïve to think that the relatively small amount of money it would bring to Tewkesbury Borough would outweigh the additional problems associated with it. Another Member felt this was missing the point – it was not about money, it was about bringing empty homes back into use to help to address the significant housing need within the borough. A Member made the point that, as a Council Tax payer, he did not use all of the services provided but that was not a reason for him to stop paying Council Tax.
- 95.21 A Member indicated that he was supportive of the approach but was mindful of the length of time that probate was taking following the pandemic. The Leader of the Council confirmed that was something he had also raised and was at the forefront of his mind. The Director: Corporate Resources advised that this was covered at Page No. 65, Paragraph 2.5 of the report which set out the government proposal that properties undergoing probate would be exceptions to both the second homes and empty homes premiums for 12 months. A Member indicated that he was fortunate to have a second home which he rented out and, in his opinion, if someone had a second home which they could afford to keep empty they could afford to pay the additional Council Tax for that privilege. A Member agreed with the principle of the scheme, particularly for homes which stood empty or derelict, but raised concern there may be ways for people with second homes to avoid having to pay the additional Council Tax and an extra burden would be placed on the authority in having to police that. Another Member shared the view already expressed that the main purpose was to bring empty homes back into circulation and if this scheme could achieve that it would be worthwhile.
- 95.22 A Member confirmed he was entirely in support of the principle of the scheme but had voted against it at the Executive Committee meeting as he did not feel his concerns had been dealt with. He was uneasy that Members were being asked to vote on something based on government guidance which had not been received and exceptions which had not been confirmed. He noted that the report stated there would be no resource implications other than Officer time and he raised concern that this was an unknown quantity, particularly considering the small amount of money which the scheme would bring in. People with second homes would be able to circumnavigate the scheme to evade the additional changes and whilst that was not a reason not to go ahead, it was important to be satisfied the necessary resources were available. At the Executive Committee, a desire had been expressed for the County Council to contribute towards those resources, which may or may not be possible, but, given the County Council would benefit financially, he felt there should be some element of support. In his view, it would be preferable to defer a decision until there was more clarity on the detail behind the principle. A Member explained that the reason for the proposal being brought to this meeting was due to the need to give 12 months' notice of implementation of the scheme which, if approved tonight, could be included in the Council Tax bills being issued for April 2024/25; a deferral would mean Officers would have to wait to start that work which could result in the need for a second Council Tax billing part way through the year, or further delay in implementing the scheme. She pointed out that the majority of the exemptions already existed and, in a way, these complicated the report which was simply asking Members to agree to the principle of the scheme. With regard to the legal implications, a Member noted that, if the Council wished to

adopt any changes arising from the Levelling Up and Regeneration Bill, it was required to make a resolution confirming its requirements by no later than 31 March 2024 and questioned whether he was right in thinking that, if the Council did not make that resolution tonight, it would not be able to collect the additional charge for second homes. In response, the Associate Director: Finance clarified that the scheme could still be implemented at a later date but 12 months' notice was required and Council Tax bills were being issued over the next couple of weeks so it would be a case of rebilling. A Member expressed the view that the proposal should be supported as any properties which could be brought back into permanent use would assist with the vitality and sustainability of villages in the borough.

95.23 Upon being put to the vote, it was

RESOLVED

1. That Council Tax be increased for all properties deemed second homes, which are occupied periodically, by 100% from 1 April 2025, subject to any exemptions set out in subsequent Regulations and for implementation to be in accordance with those Regulations and guidance.
2. That the Council Tax Empty Homes Premium be increased to 100% for properties empty for between one and five years (currently between two and five years), from 1 April 2025, subject to any exemptions set out in subsequent Regulations and guidance.
3. That authority be delegated to the Executive Director: Resources, in consultation with the Lead Member for Finance and Asset Management, to amend the Council's policy relating to premiums in line with legislative or government requirements and changes.

CL.96 COUNCIL TAX SETTING 2024/25

96.1 Having agreed the Council's 2024/25 budget earlier in the meeting, attention was drawn to the report, circulated separately, which asked Members to approve and set a Council Tax requirement for 2024/25.

96.2 In proposing the Council Tax report, the Lead Member for Finance and Asset Management explained that, as the billing authority, the Council must formally approve the Council Tax charge to its residents for the forthcoming year including the levels set by the County Council and the Police and Crime Commissioner for Gloucestershire as well as Town and Parish Councils. In line with the 2024/25 budget approved earlier in the meeting, the average Band D Council Tax within the borough would be £2,126.05 per annum which was an increase of £97.13 or 4.79%. This position was a combination of the following increases in Council Tax: the County Council – 4.99% or £76.04; the Police and Crime Commissioner – 4.41% or £13.00; the average Town and Parish Council – 4.47% or £3.16; and Tewkesbury Borough Council – 3.59% or £5.00. As a result of these increases, it should be noted that with the government still not enabling the Council to be able to appropriately increase its premium, Tewkesbury Borough Council's share of the overall Council Tax bill fell from 6.86% to 6.79%. This position was summarised in the table at Paragraph 3.1 of the report with further detail provided in its appendices. The full Council Tax resolution, as required by the legislation, was contained within Appendix A to the report and he asked the Council to formally approve it in order for Officers to issue bills to residents in a timely manner.

96.3 The recommendation was seconded and, in accordance with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, voting was recorded as follows:

For	Against	Abstain	Absent
N D Adcock			A Hegenbarth
C Agg			P W Ockelton
H J Bowman			M J Williams
T J Budge			
C L J Carter			
C Cody			
C F Coleman			
M Dimond-Brown			
S R Dove			
P A Godwin			
M A Gore			
D W Gray			
S J Hands			
D J Harwood			
M L Jordan			
E J MacTiernan			
G C Madle			
J R Mason			
H C McLain			
P D McLain			
C E Mills			
J P Mills			
K Pervaiz			
G M Porter			
E C Skelt			
J K Smith			
P E Smith			
R J G Smith			

R J Stanley

M R Stewart

H Sundarajoo

M G Sztymiak

R J E Vines

P N Workman

I Yates

96.4 Accordingly, it was

RESOLVED

1. That it be **NOTED** that, on 1 December 2023, the Council calculated:
 - a) the Council Tax Base 2024/25 for the whole Council area as £37,632.47 (Item T in the formula in section 31B of the Local Government Finance Act 1992, as amended (the "Act")); and,
 - b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix C.
2. That the Council Tax requirement calculated for the Council's own purposes for 2024/25 (excluding Parish precepts) is £5,432,623.
3. That the following amounts be calculated for the year 2024/25 in accordance with Sections 30 to 36 of the Act:
 - a) £62,168,273 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils;
 - b) -£53,956,167 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act;
 - c) £8,212,105 being the amount by which the aggregate at 3.a) above exceeds the aggregate at 3.b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act);
 - d) £218.22 being the amount at 3.c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts);
 - e) £2,779,482 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Appendix C to the report);

- f) £144.36 being the amount at 3.d) above less the result given by dividing the amount at 3.e) above by Item T (1 (a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates;
- g) the amounts stated in column 5 (Band D Parish/Town and Borough b) of Appendix B to the report are given by adding to the amount at 3.f) above the amounts of special items relating to dwellings in those parts of the Council's area specified in column 1 of Appendix B in accordance with Section 34 (3) of the Act. For completeness the table shows all areas; and
- h) the amount set out in Appendix B to the report given by multiplying the amounts at 3.g) above by the number which, in proportion set out in Section 5 (1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36 (1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.
4. That it be **NOTED** that, for the year 2024/25, Gloucestershire County Council and the Office of the Police and Crime Commissioner for Gloucestershire have stated the following amounts in precepts issued to the Borough Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands	Gloucestershire County Council			Office of the Police and Crime Commissioner for Gloucestershire
	£			£
	ASC	General	Total	
A	152.88	913.67	1,066.55	205.39
B	178.36	1,065.94	1,244.30	239.62
C	203.84	1,218.22	1,422.06	273.85
D	229.32	1,370.50	1,599.82	308.08
E	280.28	1,675.06	1,955.34	376.54
F	331.24	1,979.61	2,310.85	445.00
G	382.20	2,284.17	2,666.37	513.47
H	458.64	2,741.00	3,199.64	616.16

5. That, having calculated the aggregate in each case of the amounts at 3.h) and 4. above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the amounts set out in Appendix B to the report as the amounts of Council Tax for the year 2024/25 for each of the categories of dwellings shown in Schedule 3.

6. The Council has determined that its relevant basic amount of Council Tax for 2024/25 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992. As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2024/25 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992.

CL.97 GLOUCESTERSHIRE CITY REGIONS BOARD

- 97.1 Attention was drawn to the report of the Chief Executive, circulated at Pages No. 69-90, which set out the emerging form and function of the Gloucestershire City Regions Board. Members were asked to agree the establishment of the Gloucestershire City Regions Board and that authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to finalise and complete the inter-authority agreement and other key documentation and to take all necessary steps to create the Gloucestershire City Regions Board, including finalising the Terms of Reference for the Board with those recommendations not becoming effective until all Gloucestershire Councils passed equivalent recommendations; and, upon the establishment of the Gloucestershire City Regions Board, to agree to delegate this Council's functions to the Gloucestershire City Regions Board as necessary for the delivery of the functions identified in the Terms of Reference as set out at Appendix 1 to the report; confirm the appointment of Gloucestershire County Council as the administering authority; to appoint the Leader of Tewkesbury Borough Council to the Gloucestershire City Regions Board as the nominated Member of the Board and to appoint a substitute Member to the Board.
- 97.2 The Leader of the Council proposed the report recommendation, subject to an amendment to propose that the Deputy Leader of the Council be the substitute Member of the Board. He acknowledged that the Gloucestershire City Regions Board name was likely to cause some concerns but explained that the Gloucestershire local authorities had worked jointly through membership of Severn Vale, Rural Ambitions and Central Gloucestershire City Region Boards, together with the Gloucestershire Economic Growth Joint Committee, for several years. Following a review of the joint working arrangements, Leadership Gloucestershire had agreed that the three Boards and the Joint Committee should be merged into a single forum under the name of the Gloucestershire City Regions Board serving the whole county. The report set out the emerging form and function of the Gloucestershire City Regions Board, the nature of its authority, Terms of Reference, membership and joint scrutiny arrangements. He had sought assurances in terms of the devolution offer from the government and advised that Gloucestershire County Council could do this with or without Tewkesbury Borough Council so becoming part of the Gloucestershire City Regions Board would ensure Tewkesbury Borough Council had a seat at the table along with the other district authorities. The proposal was duly seconded.
- 97.3 A Member expressed the view that the Gloucestershire City Regions Board was a very misleading name given the largely rural nature of the county, particularly Tewkesbury Borough, and she questioned why this report had not been taken to the Executive Committee. In response, the Chief Executive advised that it was a matter of timing and he stressed that the Council did not have the ability to make changes to the process, it could simply decide whether it wished to sign up to the Gloucestershire City Regions Board. A Member indicated that, historically under the Gloucestershire Economic Growth Joint Committee, there had been a clear distinction between urban and rural and, in managing economic growth, there was a

risk that urban would be favoured over rural so he asked if there had been a conscious effort to address that to ensure rural Tewkesbury Borough had a fair say in the direction of the Board. The Chief Executive explained this was why the Board was being set up; there was a good rural/urban split across the district authorities and Gloucestershire County Council represented both. There were safeguards built into the way the Board would operate and Gloucestershire County Council worked well with the district authorities to ensure delivery of economic growth was right for the whole of the county with balance between rural and urban areas. In response to a query regarding scrutiny, Members were advised that the activities of the Gloucestershire Economic Growth Joint Committee had been scrutinised by the Gloucestershire Economic Growth Scrutiny Committee and it had been agreed that a joint scrutiny function would continue to exist to scrutinise the work of the Gloucestershire City Regions Board; however, subject to all Gloucestershire authorities agreeing to establish the Gloucestershire City Regions Board, it was proposed that a review of the scrutiny function be undertaken to ensure it aligned with the priorities of the Board. The Monitoring Officer advised that Tewkesbury Borough Council would have a Member on the board who would be nominated by its Overview and Scrutiny Committee and would report back to that Committee.

97.4 A Member asked for clarification as to the financial impact of setting up the Gloucestershire City Regions Board on the district authorities, and Tewkesbury Borough Council in particular. In response, the Executive Director: Resources advised that the Gloucestershire City Regions Board would continue the arrangements already in place with Gloucestershire County Council as the host and providing administrative support to the Board. Any project work would be funded from the Social Enterprise Development and Investment Fund (SEDIF) which was funded by the first 10% of receipts from the Gloucestershire Business Rates Pool. The Member indicated that she was concerned that the Medium Term Financial Strategy suggested Tewkesbury Borough Council was approaching a 'cliff edge' where it would have a significant budget deficit in the next few years and she was concerned about the financial impact of devolution if the Gloucestershire City Regions Board chose to go down that route again and whether the County Council could require the district authorities to contribute towards that cost. It seemed this was a path to devolution and to a unitary authority. The Chief Executive advised that, if a devolution deal was agreed with the government, there would be designated funding for that. Any additional expenditure aligned to a devolution deal was expected to be passported to the County Council; it was not about Tewkesbury Borough Council having to run and fund a devolution programme. In terms of whether this was a backdoor to unitary, from his perspective the Gloucestershire City Regions Board was about achieving an economic vision for the county building on the two-tier system rather than trying to bypass it and he was reassured by the journey that was taking place.

97.5 Upon being put to the vote, it was

RESOLVED

1. That the establishment of the Gloucestershire City Regions Board be **AGREED** and that authority be delegated to the Chief Executive, in consultation with the Leader of the Council, to finalise and complete the inter-authority agreement and other key documentation and to take all necessary steps to create the Gloucestershire City Regions Board, including finalising the Terms of Reference for the Board with this not becoming effective until all Gloucestershire Councils passed equivalent recommendations.
2. That, upon the establishment of the Gloucestershire City Regions Board, it be **AGREED** that:
 - i. this Council's functions be delegated to the Gloucestershire City Regions Board as necessary for the delivery of the

functions identified in the Terms of Reference as set out at Appendix 1 to the report;

- ii. the appointment of Gloucestershire County Council as the administering authority be confirmed; and
- iii. the Leader and Deputy Leader of Tewkesbury Borough Council be appointed to the Gloucestershire City Regions Board as the nominated Member and substitute Member of the Board respectively.

CL.98 TEWKESBURY GARDEN COMMUNITIES CHARTER

- 98.1 Attention was drawn to the report of the Executive Director: Place, circulated at Pages No. 89-180, and the amendment to Paragraph 2.2 of the report circulated separately, which set out the responses to the consultation on the draft Tewkesbury Garden Communities Charter. Members were asked to consider the responses and to adopt the Tewkesbury Garden Communities Charter and commence the process of stakeholder sign-up.
- 98.2 In proposing the report recommendation, the Leader of the Council advised that, as part of the earlier gateway review of the Tewkesbury Garden Town Programme, the recommendations of which had been reported to Council in September 2023, it was proposed that a programme charter document be developed to help stakeholders better understand the concept and to set out a shared set of aspirations for the programme. A draft charter had been issued for consultation in December 2023 and Appendix 1 to the report listed the comments received during the consultation with a series of responses detailing any actions/amendments included within the charter, attached at Appendix 2 to the report, which was proposed for adoption. The proposal was duly seconded.
- 98.3 A Member indicated that some changes to the document had been agreed at the Assurance Board meeting last week which had not been tabled at this meeting and she asked if the proposal should be amended to include those. The Member also asked if the document had been taken to the other community groups and the Oversight Board to confirm they were happy for it to be adopted. In response, the Executive Director: Place confirmed those amendments would be factored in but the purpose of this report was for the Council to adopt the substantive vision. He confirmed that the Oversight Board had been closely involved in shaping the charter, as had all of the other governance groups. Another Member sought clarification regarding the map at Page No. 168 of the report as he was unclear as to how the suggestion that the Garden Communities would cover six potential areas had been reached. The Executive Director: Place advised this was something which had been discussed by the Assurance Board and would be addressed.
- 98.4 During the debate which ensued, a Member expressed the view that Appendix 1 of the report demonstrated that the Council had done great job of engaging and encouraging comments in relation to the draft charter; however, in terms of the responses to the comments these were somewhat bland answers to detailed questions and he would like to see more context. With regard to Pages No. 129 and 136 of the report which related to the comments from the North Ashchurch Consortium, he acknowledged there seemed to be pushback around some of the aspirations, particularly in terms of being carbon neutral, and he hoped the Council would continue to be as robust as it could be - there were many examples of quality market and affordable housing developments with zero carbon emissions. Another Member indicated that she had no issue with the document and whilst she understood it was intended that developers, particularly the North Ashchurch Consortium, would sign up to it she asked who else would be expected to, for instance, would it cover all developments already south of the A46 and all Parish

Councils. She asked what redress the Council would have in the event that development commenced and developers subsequently come back to say they could no longer apply the principles because they were not viable. The Leader of the Council recognised that would be a challenge and the charter was part of the answer in terms of having something to hold developers to but the teeth would be the Strategic and Local Plan (SLP) which would allow the planning authority to hold all developers across the borough to the high standards which Members wanted to see. The Executive Director: Place confirmed that anyone who had a stake in the concept of garden communities would be asked to sign up to the charter and he confirmed that Parish Councils had actively engaged with the current document so far along with the community groups. The Lead Member for Built Environment expressed the view that, although there was no absolute power within the document, it was much better to have it than not and pointed out there would be 20% uplift on the price of houses built to the standards set out in the document which would be an incentive for developers.

- 98.5 A Member indicated that he had previously expressed a number of concerns with the concept of the charter which did not carry any weight in planning terms and he felt it was very much a public relations exercise. He did not have a problem with the principles of sustainability, character and identity, and the links between infrastructure and existing communities, but he would like to see them adopted boroughwide and felt this made other areas look like they were being ignored. He felt there should be a caveat to say that things could change in the future as developers would be the ones who dictated what they could deliver for the price people were prepared to pay. The Leader of the Council agreed that the principles should be boroughwide and the garden communities would be the first step towards that. He reiterated that the SLP would put the Council on a firm footing as a planning authority so developers could be held to a higher standard. Another Member drew attention to Page No. 118 of the report and pointed out that the comment in relation to the consultation response stated that *“Tewkesbury has ‘Garden Town’ status and as such seeks to provide for development of around 10,000 homes...”*; however, she had thought it was now being called a garden community and, on that basis, she had told residents that it was more likely to be in the region of 4,000 houses. The Leader of the Council agreed this could be confusing but indicated that, until a full assessment of the area had been undertaken, there would be no set number. The Executive Director: Place advised that the planning of growth towards the target was the correct interpretation rather than specific achievement of that target as a number. The Member indicated that she was confused by this as she had thought 4,000 houses had been agreed as being viable for a garden town and, if it was to be 10,000 she asked if houses could be retrofitted as she did not think that amount of new houses could be accommodated in the area shown on the map. In response, the Leader of the Council advised that 4,000 was the amount associated with the North Ashchurch Consortium element of the garden communities and there was a wider project beyond that. He agreed the 10,000 figure was confusing and had stated a number of times that a specific number could not be set – 10,000 could not be an absolute without an assessment of infrastructure and all of the wider sites. The Executive Director: Place advised that the original concept and programme for the garden town had sought to achieve that number and the charter set out the context for why that would not be the case. The figures were incremental rather than guaranteed. This had been fed back to Homes England which understood the change in context, and the programme for delivering improved housing with the principles of development it would seek to achieve, and had given no indication that the status would be withdrawn. A Member expressed the view that 10,000 homes in the garden communities area was a total impossibility as there was not enough land. A number of the houses south of the A46 had already been built, had planning permission or were under construction and by 2026, the timeline for the garden communities development to start, there would be nothing left to develop in that

area. Furthermore, the principles within the charter bore no resemblance to what was currently being delivered so she felt it was necessary to be realistic as to what garden town status actually was. The Leader of the Council felt that the charter was realistic and ultimately, as had been discussed previously, houses would be built regardless of whether the garden communities programme was delivered. If there was a possibility that the situation could be improved then he felt the Council had a responsibility to try - nobody was promising that applying the charter boroughwide could change a house that had already been built or which had planning permission but it was setting out the direction for new development going forward.

98.6 Upon being put to the vote, it was

RESOLVED That the draft consultation responses be **NOTED** and the Tewkesbury Garden Communities Charter be **ADOPTED** and the process of stakeholder sign-up be commenced.

The meeting closed at 8:40 pm