

MINUTES
of the
Full Council meeting held on 15th April 2019
In the Council Chamber at the Town Hall, High Street, Tewkesbury

Present: Cllrs C Danter (Chair); K Brennan; H Burns; J Raywood; S Raywood; P Aldridge; M Linton, S Franklin, A Smith, M Sztymiak, T Walker, V Smith, S Carter

In attendance: D Hill (Town Clerk); J King (Assistant to the Town Clerk)
Four members of the public

Meeting started at 18:04

18/19 - 363 To receive apologies for absence

Apologies for absence were received from Cllr Workman & Cllr Preedy

18/19 - 364 To receive declarations of interest

- i. Cllr Aldridge declared an interest in item 23
- ii. Cllr Sztymiak & Cllr V Smith declared an interest in item 15 – member of Tewkesbury Borough Council
- iii. Cllr S Raywood declared an interest in item 15 – member of TTRP
- iv. Cllr Linton declared an interest in item 18
- v. Cllr V Smith declared an interest in item 20 – member of GCC
- vi. The Town Clerk stated that she believed that Cllr Carter should declare an interest in item 26. Cllr Carter disagreed and the Town Clerk advised that this would be minuted.

18/19 - 365 To consider requests for dispensation

None requested.

18/19 - 366 To receive written questions from members of the public

None requested.

18/19 - 367 Public participation

A member of the public expressed the following:

- i. Re: Item 25 – the individual feels that Abbey 2021 should not take precedence over the Town's long running events such as the Medieval Festival.
- ii. Re: Item 26 – with respect to the money claim, could the Council confirm that any Councillors which have taken actions giving rise to part of, or all of a claim would be barred from taking any part in related decisions and investigations.

18/19 - 368 To note the Mayor's announcements

- The Mayor thanked all Cllrs who attended the Annual Parish Meeting. There had been more public participation this year and good positive feedback from the evening.

- The year has been difficult in places, but good work has taken place. The Severn Ham Committee has been looking at the future proofing of the Ham and two Councillors' work on the asset register has enabled the Town Council to now carry out regular checks on the properties and assets and to have appropriate insurance cover.
- If Cllrs are aware of any issues around the town, please report them to the office, so that the issue can be sorted quickly.
- Significant improvements have been made to the Watson Hall. The latest event is a matinee performance from the D-Day Darlings on June 2nd. We are very excited to be holding this event, please support if you can.
- The Mayor thanked Cllrs who are continuing to stand and those who are standing down for their support during her Mayoral year.
- Cllr Aldridge thanked the Mayor for hard work over the last year.

18/19 - 369 To approve the Minutes of the meeting held on 11th March 2019

It was RESOLVED to approve the Minutes of the meeting held on 11th March 2019, subject to the following minor changes.

- Cllr A Smith was not present at the meeting
- The Mayor's Chaplain left the meeting after 18/19-336
- 18/19-346 replace 'value of the' with 'monies received for the Watson Hall'
- 18/19-348 insert the word 'written' before update.

Proposed by Cllr Aldridge, seconded by Cllr Linton.

18/19 - 370 Matters arising from the Minutes – for information only

18/19-346 The requested information has been provided to the Councillor.

18/19-346 The Town Clerk provided NALC's Legal Topic Note 5, para 74 regarding confidential minutes.

18/19 - 371 To note the following Committee Minutes:

Buildings & Moorings – 4th March

Environment & Amenities – 5th March

Planning – 13th & 27th March

Finance – 22nd March

The above minutes were noted.

18/19 - 372 To receive Councillor reports for Tewkesbury Borough Council & Gloucestershire County Council

Gloucestershire County Council

Cllr V Smith provided a written report on behalf of Gloucestershire County Council.

From 1st April Gloucestershire will be moving to a new highways service delivery model. Ringway will take over from Amey delivering routine maintenance such as potholes, grass cutting and winter maintenance. Atkins will provide support for design and consultancy services. Tarmac are responsible for the delivery of all of the major resurfacing schemes.

£150m Highways investment programme continues. Last year the focus was on resurfacing key lengths of 'A' Roads. This year the focus will be on 'B' and 'C' roads. For 19/20 County Councillors will each have £25,000 to spend on highway works within their division. A38 and Odessa traffic lights now completed. 9-18th April carrying out major resurfacing works at Coombe Hill overnight.

Community Maintenance Gangs – dedicated to tackling local priorities such as cutting back vegetation on footpaths, clearing out drainage ditches, cleaning signs and other non-safety related works. The two-man Community Maintenance gangs can be tapped into by contacting your local member and putting a work request in. Town Council to work closely with the County Councillor to access the Community Maintenance Gangs.

Cllrs raised the issues that current diversion signs are directing to roads that are closed, as well as signs for road closures remaining in place after the road works are complete. Cllr V Smith will relay this information back to the Highways team.

A Cllr asked if there was any update regarding the Police and Crime Commissioner and Gloucestershire Fire Service. No current update.

A Councillor asked about the N71 Bus Service (evening Gloucester – Tewkesbury Service). A request was made last week to remove the service.

Action: Cllr V Smith advised that he was not aware of the changes as it is not a GCC supported service, but he would investigate.

Tewkesbury Borough Council

Cllr Sztymiak gave a report on behalf of Tewkesbury Borough Council.

The Borough Council have been successful in their bid to Central Government for Garden Town status for the Ashchurch Masterplan area. This means they will get financial funding for planning (£750,000 initially) and access to government support and strategic planning advice. These Garden Towns are meant to provide sustainable areas for people to live and work and include parks, education, transport links, cycleways and green infrastructure. The overall number of dwellings to be provided will be over 10,000 by year 2050. The Borough have expressed the view that they wish to work with local parishes on the development of the plans.

The budget provided to Ubico to deliver bin collection, street cleansing and grass cutting services has been heavily overspent this last year and the Council officers are working with Ubico to put more control on financial management and accountability.

The adoption of the Tewkesbury Town Regeneration Supplementary Planning Document is on the Borough Council Agenda for the meeting on 16th April 2019 and will include the recognition that the Flour Mill and Warehouse buildings on the Ham side have now been listed.

A Councillor asked if the reason for Ubico's overspending is unforeseen expenditure, not enough money to provide the service or lack of financial management? Cllr Sztymiak advised that the key aspects being examined were the financial management and control.

A Councillor noted that a member of the public stated in the Annual Town Meeting that the town is looking scruffy and that Ubico should be doing a better job for the town, whether they are overspent or not.

Cllr Sztymiak replied that Tewkesbury Borough is a large area, not just limited to Tewkesbury Town. The street cleansing vehicle, is now back in action and is working

on a schedule of works that will be spread out across the Borough. There is never enough man power to deal with all of the litter and Cllr Sztymiak thanked all of the volunteer litter collectors who help around the Town. Anyone interested in being a volunteer litter collector should get in touch with the Borough Council.

The Town Clerk advised that a member of the public has shared their FOI request regarding street cleaning and the response from GCC and TBC and the frequency of street cleaning to share with interested Councillors.

18/19 - 373 To receive reports from members representing the Town Council on outside bodies
Cllr Burns enquired about the 'Community Involvement and Engagement' slides from the SLCC Branch Meeting.

Action: Town Clerk to chase and circulate.

Cllr S Raywood advised that the TTRP – SPD will be going to the Borough Executive on Tuesday 16th April. The Expression of Interest regarding the Future High Streets Fund has also been submitted.

18/19 - 374 To receive the expenditure report for March 2019 and the budget report

The expenditure report for March 2019 and the budget reports were received. The Town Clerk advised that bank reconciliations are provided once a quarter, but are reviewed each month by the Finance Committee, together with the income report.

A Cllr raised a question about the money being spent on the Watson Hall and the grant status. The Town Clerk advised that there is no structure within the Trust so on a day to day basis the running has been delegated to the Buildings & Moorings Committee and this is where it is monitored.

Conversations continue with the Solicitor regarding the Trust status and as soon as there is information to share, a Trustees Meeting will be convened.

18/19 - 375 To approve the payments list

It was RESOLVED to approve the payments list.

Proposed by Cllr Franklin, seconded by Cllr J Raywood

18/19 - 376 Review of the Council's policies:

- i. **Complaints policy** – no change
- ii. **Lone Working policy** – no change
- iii. **Member / Officer protocol** – wording update – Finance & Staffing Committee has been changed to Staffing Committee
- iv. **Publication scheme** – no change
- v. **Training and Development policy** – changes marked on document circulated

Cllrs asked if they comply with all of the latest legislation. Standing Orders and Financial Regulations need to be reviewed. An audit is underway to ensure all employment policies are up to date.

Cllrs discussed publishing meeting papers, as well as agendas on the website. The Town Clerk agreed that the staffing levels are now in place to do this.

Action: Meeting papers to be published on the website whenever possible. It was noted that sometimes considerable work to redact data is required.

It was RESOLVED to approve the policies listed above, subject to the following changes:

Training & Development Policy – the words ‘or in the case on new legislation’ to be added to the ‘Review’ paragraph.

Proposed by Cllr Aldridge, seconded by Cllr S Raywood.

Publication Scheme – under Class 4 – How we make decisions – Reports presented to Council to read ‘Website’ rather than ‘Hard copy’

Proposed by Cllr Sztymiak, seconded by Cllr V Smith.

18/19 - 377 To approve the content of the Tewkesbury Town Regeneration Supplementary Planning Document dated March 2019 from Tewkesbury Borough Council

A Cllr raised an issue that it doesn’t address the flooding issue enough. Cllr J Raywood advised that the Regeneration document is part of a suite of planning policies, and that flooding has a separate SPD.

It was RESOLVED to approve the content of the Tewkesbury Town Regeneration Supplementary Planning Document dated March 2019 from Tewkesbury Borough Council.

Proposed by Cllr J Raywood and seconded by Cllr S Raywood

18/19 - 378 To receive an update from Cllr J Raywood on the planning application for 3 Saffron Road and the implications for the Tudor Room bar and agree next steps

A detailed update was received from Cllr J Raywood regarding the recent approved planning application by Tewkesbury Borough Council for 3 Saffron Road.

It is thought that the land sold in 1972 contains an easement that no building over the height of 8ft will be built without permission from the Town Council.

It was RESOLVED that the Town Clerk will refer the easement for legal advice.

Proposed by Cllr Sztymiak, seconded by Cllr Aldridge

It was noted that the outside wall of the Tudor Bar has frost damage and requires remedial work and it would be advisable to complete this work before the extension on 3 Saffron Road is started, due to access. Buildings & Moorings will take over the management of this project.

It was RESOLVED that the Buildings & Moorings Committee obtain costings and undertake the appropriate remedial work on the Tudor Bar.

Proposed by Cllr Sztymiak, seconded by Cllr Aldridge

18/19 - 379 To discuss and agree any resolutions for submission to the GAPTC AGM on 20th July 2019

Cllr Burns submitted the following resolution:

‘GAPTC being a member organisation, strive to ensure that members are fully informed on matters distributed for their attention. This can be demonstrated by examples of other ALCs and NALCs or even locally GRCCs, method of dissemination.’
Seconded by Cllr Brennan.

Action: Town Clerk to submit the above resolution for consideration by GAPTC.

Councillors were reminded that should the resolution be successful, a Councillor will need to be available to present it at the GAPTC AGM on 20th July 2019.

18/19 - 380 To consider and agree grant applications from outside bodies

It was RESOLVED to approve the following grant:

£500 Mitton Manor Primary School

Proposed by Cllr Sztymiak, seconded by Cllr V Smith

18/19 - 381 To agree the addition of addition of Cellar Supplies, Shades & Shutters Ltd, Digital Telecom Ltd, Midland Arboricultural and Woodland Services Ltd and Inferno Brewery to the list of retained contractors

It was RESOLVED to agree the addition of Cellar Supplies, Shades & Shutters Ltd, Digital Telecom Ltd, Midland Arboricultural and Woodland Services Ltd and Inferno Brewery to the list of retained contractors.

Proposed by Cllr Sztymiak, seconded by Cllr Aldridge

18/19 - 382 To consider a proposal from Cllr Sztymiak, seconded by Cllr Workman that following the construction of over 70 houses on the Belway estate and the creation of an extra junction on the Bredon Road that this council writes to Gloucestershire County Council asking them to change the speed restriction from 40 mph to 30 mph on the Bredon Road up to the county boundary

Cllrs discussed the above proposal and were in favor of writing to the Road Safety Team at GCC about the issue. It was noted that this was likely to be the beginning of an ongoing discussion about the traffic calming alternatives that may be available, for example, additional school signs or road markings. Cllrs discussed the issues regarding requesting a change a Travel Regulation Order (TRO).

It was RESOLVED that following the construction of over 70 houses on the Belway estate and the creation of an extra junction on the Bredon Road that Tewkesbury Town Council will write to Gloucestershire County Council asking them to change the speed restriction from 40 mph to 30 mph on the Bredon Road up to the county boundary.

Proposed by Cllr Sztymiak, seconded by Cllr Aldridge.

Action: Town Clerk to write to Gloucestershire County Council.

- 18/19 - 383 Correspondence**
Correspondence was received from:
- GAPTC Update
 - New Highways note
 - Nominations for CPRE Gloucestershire Award
 - Tewkesbury Museum, relinquishing any claim to the paintings on Council's asset register
- 18/19 - 384 Pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 it is resolved that, because of the confidential nature of the business to be transacted, the public and press leave during the consideration of the following items on the agenda**
It was RESOLVED that pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 it is resolved that, because of the confidential nature of the business to be transacted, the public and press leave during the consideration of the following items on the agenda.
Proposed by Cllr S Raywood seconded by Cllr Franklin
- 18/19 - 385 To discuss and agree nominations for Youth Civic Awards**
The nominations for the Youth Civic Awards were discussed and agreed.
Proposed by Cllr Sztymiak, seconded by Cllr J Raywood
- 18/19 - 386 To receive an update on staffing matters**
The Town Clerk provided an update on the recent employment tribunal and advised that full findings are now available to read at <https://www.gov.uk/employment-tribunal-decisions/miss-l-netherton-v-tewkesbury-town-council-1402549-2018>
- 18/19 - 387 To discuss the request from Abbey 2021 and agree any actions**
The Council discussed the underwriting request from Abbey 2021. Members felt the liability was too large, especially in an election year. Members considered it to be a fantastic idea and noted that they would consider a grant application in the current financial year to contribute towards the cost of Abbey 2021 obtaining event insurance cover and would also consider provision in the budget for 2020/21 to support the event.

It was RESOLVED to advise Abbey 2021 that Tewkesbury Town Council is unable to underwrite the requested proposal.
Proposed by Cllr J Raywood, seconded by Cllr S Raywood.

Action: Town Clerk to draft a letter to or meet with the Chair of Abbey 2021.
- 18/19 - 388 To discuss the money claim served on the Town Council on 11th April 2019 and to agree the next steps**
Cllrs discussed the money claim served on the Town Council.

It was RESOLVED to defend the money claim served on the Town Council in line with the Barrister's advice received in Summer 2018.
Proposed by Cllr Aldridge, seconded by Cllr Walker.

It was RESOLVED to delegate authority to the Clerk to appoint Thomson & Bancks to defend the claim, if it is not covered by the legal expenses policy.
Proposed by Cllr Linton, seconded by Cllr Franklin.

Cllr Carter wished to have his objection to both resolutions noted.

Cllr Carter requested that it be noted that he did not agree with the Barrister's interpretation. He also wished to note his objection at not being able to have a copy of the Barrister's comments. The Town Clerk had previously advised that all Councillors were welcome to read the comments in the Town Council offices, but copies were not available to take away.

Cllr Carter wished to have it minuted that he was taking no responsibility for this situation, whatever the outcome. He wished to have it minuted that he had done his best both at the time and now.

There being no further business, the meeting closed at 8.30pm

Signature of Chairman upon approval of the minutes 3rd June 2019