

Thursday, 18 April 2024

**FOREST OF DEAN DISTRICT COUNCIL**

**FULL COUNCIL**

Minutes of a meeting of the Full Council held in the Council Offices, Coleford on Thursday, 18 April 2024 at 6.00 pm.

**Present**

**Chairman**                      Councillor Di Martin

**Vice Chairman**              Councillor Simon Phelps

Councillors Adrian Birch, Matt Bishop, Alison Bruce, Jackie Dale, Clive Elsmore, Jamie Elsmore, Nick Evans, John Francis, Jackie Fraser, Julia Gooch, Tim Gwilliam, Julie Hudson, Harry Ives, Gillian Kilmurray, Patrick Kyne, Johnathan Lane, Beth Llewellyn, Andrew McDermid, Chris McFarling, Andy Moore, Gill Moseley, Bernie O'Neill, Sid Phelps, Trevor Roach, Jacob Sanders, Mark Topping, Dave Tradgett, Mark Turner, David Wheeler, Ian Whitburn and Clayton Williams

**Officers**

Andrew Brown, Business Manager - Democratic Services  
Chief Executive - Nigel Brinn  
Clare Jones, HR Business Partner  
Julie Jones, Democratic Services Manager  
Andrew Knott, Chief Finance (s151) Officer  
Sue Robus, Democratic Services Officer  
Sian Roxborough, Monitoring Officer

## 1. **APOLOGIES**

Apologies were received from Councillors Philip Burford, Alan Preest, Richard Burton, Shaun Stammers and James Bevan.

## 2. **MINUTES**

The non-exempt minutes of the meeting held on Thursday 22 February 2024 were signed as an accurate record subject to the following corrections:

- A system formatting error in members questions: the title names did not appear.
- Under declarations of interest, Councillor Alan Preest was an elected member, not an employee of GCC.
- A clerical error in 8.5. The question 'How is this Council Progressing on the instillation of electric vehicle charging points in its chargeable and free carparks' to be removed as this was not part of the member's question.
- A clerical error changing the conservative party to conservative group and the green party to the green group.
- Councillor Nick Evans stated his declaration should read Chair of Safer Gloucestershire.
- Councillor Sid Phelps said the substantive question of 8.5 should read '*Response from Councillor Sid Phelps, Cabinet Member for Local Plan*' not '*Response from the Leader of the Council, Councillor Mark Topping*'.

Agreed by assent.

## 3. **URGENT BUSINESS**

There was no urgent business.

## 4. **DECLARATIONS OF INTEREST**

Councillor Harry Ives declared a pecuniary interest in item 11.1 as an employee of Gloucester County Council and would leave the chambers for this item.

## 5. **CHAIR'S ANNOUNCEMENTS**

The Chair thanked everyone who supported and attended the Civic Dinner including the Democratic Service team for organising the event. The evening was a great success and Councillor Martin thanked all those people and businesses who

generously donated time, money and prizes as the event would not have been a success without them.

Although not confirmed, the Civic dinner and the Carol service had raised approximately £2800.

## 6. CHIEF EXECUTIVE OFFICER'S UPDATE

The Chief Executive Officer provided a brief update declaring two items of good news to share with Council:

- The Council had secured £130,000 of funding through the 'Healthy Homes Project' for this financial year, which will strengthen our damp and mould enforcement. The details had just been received and would be shared with members in due course.
- Funding of approximately £200,000 had also been secured through the Street Residential Charge Point Scheme, with a report going to Cabinet in May.

The Chief Executive Officer also noted:

- The positive feedback received regarding the Development Management Committees 'Away Day'.
- The Scrutiny panel review of Publica insourcing met on 25 March 2024.
- The Scrutiny Inquiry regarding Development Management date had been set for 10 May 2024.

## 7. LEADER OF THE COUNCIL

To elect the Leader of the Council.

Note: this appointment was for the remaining term of the Council until 2027.

The Leader will represent the Council on the following bodies or equivalent:

Gloucestershire Economic Joint Committee  
Leadership Gloucestershire  
Local Government Association General Assembly  
Southwest Councils  
Southwest Councils Employers' Panel

**Councillor Mark Topping** nominated Councillor Adrian Birch.  
**Councillor Patrick Kyne** seconded the nomination.

**Councillor Harry Ives** nominated Councillor Nick Evans.  
**Councillor Clayton Williams** seconded the nomination.

**To elect Councillor Adrian Birch as Leader of the Council**

**Voting was as follows:**

**For (25)** Councillors Di Martin, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Ian Whitburn, Gillian Kilmurray, Gill Moseley, Clive Elsmore, John Francis, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

**Abstain (0)**

**Against (0)**

**Total (25)**

**To elect Councillor Nick Evans as Leader of the Council**

**Voting was as follows:**

**For (5)** Councillors Harry Ives, Clayton Williams, Nick Evans, Julia Gooch and Jamie Elsmore.

**Abstain (0)**

**Against (1)** Councillor John Francis

**Total (6)**

**Councillor Adrian Birch was elected as Leader of the Council.**

**8. PUBLIC QUESTION TIME**

**8.1 Linda Borne**

Though over 70% of all land in England is classified as "Agricultural Land" not all agricultural land is created equal.

The very small proportion of our land classified by Natural England as "Best and Most Versatile" is a critical resource for fighting climate change and building a sustainable future.

Government guidelines for LPA's on the management of this resource can be found here:

<https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land>

This land is important because it is constantly able to produce the highest yield of crops, the widest variety of crops and has the greatest potential to continue to be productive through climate change.

BMV land is generally level or gently sloping land on rich but well drained soils. Often found close to historic market towns, it is as much a part of their heritage as the market square.

The likely and actual locations of this land are recorded by Natural England/Defra here:

<https://publications.naturalengland.org.uk/category/5208993007403008>

FoDDC is custodian to only a small area of this vital natural resource: mainly surrounding the town of Newent. Its existence seems to have been largely overlooked by previous administrations.

How will the council recognise the significance and value of this land in emerging strategic and development plans?

***Response from Cllr Sid Phelps, Cabinet Member for Planning Policy and Local Plan***

*Thank you for your question*

The previous FoDDC administration rejected the idea of a New Settlement and so the Council's current agreed Strategy (Oct 2023) looks to expand existing towns and larger settlements, including Newent, which is earmarked for significant expansion (up to around 600 extra homes – LP71).

A 'Sustainability Assessment' (SA) is undertaken for each and every draft Local Plan policy and potential land allocation. The agricultural land classification is just one of the considerations that need to be taken into account as part of the SA. Other considerations include: Ecology, natural constraints such as topography and landscape sensitivities, the character of the area, connectivity, flood risk, economic viability, and "sterile" land, for example Public Forest Estate etc.

The Council does recognise that some proposed strategic allocations include areas of Grade 1 to 3 land (excellent - good soil quality), but when other factors are taken into consideration, we believe the proposed allocations are the least harmful and most sustainable of the possible options.

I trust you and others will make their views known when formal Consultation on the draft Local Plan document commences in June..

Linda Bourne was invited to email a supplementary question due to the, and a response would be forwarded.

## 8.2 **Jeff Steers**

During a period of heavy rains earlier this month raw sewage bubbled up through manhole covers in Newent and ran through the street for several days. Severn Trent have now been trying to remedy this for the last 10 days with traffic lights a large tanker and diggers. The infrastructure was simply unable to cope with the combined flow and weight of rainwater and effluent.

In a response to a recent planning application Severn Trent have stated that their facilities in Newent will be unable to cope with the impacts of more new houses being built until planned upgrades at their facilities have been completed which will likely be 2030 or later.

How will this knowledge impact on policies relating to Newent in the emerging local plan?

### ***Response from Cllr Sid Phelps, Cabinet Member for Planning Policy and Local Plan***

For some time, I have been aware of the inadequate sewerage (and possibly treatment) capacity at Newent. As such, I wrote to the CEO of Severn Trent Water (STW) in October 2023. Disappointingly, I didn't receive a reply. However, since then, STW – in their response to the consultation on the major planning application of 375 dwellings in SE Newent - have said:

*“I can advise that we have concerns within the area of this development due to the extra foul flow that may create or exacerbate flooding. Due to this we object to the planning application. Unfortunately we are unable at this time to confirm when improvement works may be undertaken and this may not be until 2030...”*

Whilst the acknowledgment of inadequate capacity is to be welcomed, less reassuring is the commitment to meet the shortfall. The Water Industry Act (WIA) 1991 requires water undertakings to meet demand but unfortunately does not prescribe timescales. STW indicate this is unlikely to happen before the end of this decade and we have not received information on what their plans are for investment here under the Asset Management Period 7.

Nevertheless, the draft Local Plan can take account of Severn Trent's planned upgrades (expected in 2030) and can continue to include a strategic allocation for the development of housing in Newent, with the expectation that it will be delivered in the latter part of the Local Plan period to coincide with the planned upgrades. The allocation will, therefore, still contribute to the

FODDC's overall land supply, although it may be stymied until STW meet their obligations under the WIA and provide accordingly.

*Thank you for your question.*

### 8.3 **Mark James**

The current Forest of Dean Local Plan (2012 - 2026) sets out the following strategy for Newent:

"The strategy is to support the town and to increase its range of employment, to widen its service base. At the same time limited new housing will be promoted, in order to provide for local needs without encouraging increased commuting"

What happened? Despite the policy set out, Newent has gained over 1000 new homes during the current plan period - a faster rate of development, relative to the town's size than any of the other Forest towns. At the same time the planned investment in employment and facilities has failed to materialise.

Newent residents could be forgiven for feeling neglected and betrayed by previous F.O.D.D.C. administrations.

Does the new Green administration have plans to get things back on track for Newent, and ensure our future as a sustainable working agricultural market town?

#### ***Response from Cllr Sid Phelps, Cabinet Member for Planning Policy and Local Plan***

Thank-you for your question. I am sorry that some Newent residents feel neglected and betrayed by the previous administration.

With regards this current administration, after a comprehensive debate at Full Council in October 2023, a Strategy for the development of the new Local Plan was agreed (votes: For, 34; Abstentions, 1; Against, 1).

As part of the agreed strategy and forthcoming draft Local Plan, a strategic allocation is proposed to bring forward a mixed development opportunity for Newent. Newent is therefore currently one of the main centres that the bulk of the housing allocation is assigned to (alongside Beachley barracks and Lydney town.)

There is an argument that increasing housing numbers in Newent could help it become more sustainable; so long as the corresponding social infrastructure (e.g. schools, doctor surgeries etc.) and physical infrastructure (e.g. sewerage & sewage treatment) also takes place, serving both the existing town and the new development. It is also envisaged that new pedestrian and cycle connections throughout and from the development to the town centre and

beyond will be created, improving accessibility and active travel opportunities. Opportunities will also exist for previously undeveloped land to be used for recreation, Green Infrastructure, landscaping and biodiversity improvements.

The draft Local Plan will be go out for formal consultation (aka “Regulation 18 consultation”) with Forest of Dean district residents in June & July with a planned presentation and drop-in event planned for Newent w/b 8<sup>th</sup> July. We very much welcome and encourage residents to attend and share their views.

Thank you for your question.

## 9. HR POLICIES

Councillor Mark Topping presented report LD.731 to update members relating to the refresh (phase 2) of the employment policies for Forest of Dean District Council. No changes have been made to the employee terms and conditions, only to clarify and enable policies to be used concurrently with employee relations matters, giving clarity and usability to both employees and managers alike.

**Councillor Mark Topping** proposed.

**Councillor Adrian Birch** seconded.

### Questions

Could members have clarification whether ‘extended personal leave’ is covered in bereavement leave and, is service for being a magistrate included in a policy somewhere?

The HR Business Partner said yes, both are included in policies and were already set in motion.

### Debate

There was no debate.

**Resolved**, that Council:

- 1. approved the three Employment policies included in annex A namely the:  
Recruitment Policy and Procedure  
Retirement Policy and Procedure  
Time Off Guidance*
- 2. delegated authority to make reasonable amendments to the said policies to the Chief Executive of Forest of Dean District Council in consultation with the Assistant Director, Organisational Effectiveness and Head of Legal Services that may be necessary in line with legal changes, best practice, and minor administrative changes such as change in job titles, to ensure the Council’s policies remain compliant. Such administrative changes could also deal with changes in organisational structure.*



### **Voting was as follows:**

**For (32)** Councillors Di Martin, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Ian Whitburn, Harry Ives, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, John Francis, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling, and Simon Phelps.

### **Abstain (0)**

**Against (1)** Councillor Bernie O'Neill

### **Total (33)**

It is noted that Councillor Bernie O'Neill accidentally pressed the wrong button and wanted to register a vote 'For'.

## **10. INDEPENDENT PERSON APPOINTMENT**

The Monitoring Officer presented report LD.732, to seek the approval of Full Council to appoint Sharon Copsey as an Independent Person (IP) for Forest of Dean District Council (FODDC).

The Monitoring Officer highlighted a correction to paragraph 1.7.

*'The role was advertised twice in October and November of 2023'* but this should state, *'The role was advertised twice in November and December of 2023'*.

### **Questions**

Considering the Councils resilience, it was questioned whether this item would be bought back to Council in September with one IP retiring?

No, there will still be two IP's. There will be three IPs for a crossover period of four months.

Had the candidate been advised of the workload and where there any figures or a database of the number of complaints received?

Yes, they had been informed of the workload. There is a database regarding the volume of complaints at all three levels of parish, town and district Councils and a report is due to go to the Standards Panel and Audit Committee once dates had been arranged.

Could members have contact details of the independent persons?

When a complaint has been received the subject member is informed of their legal right to consult with a different IP than the IP that the Monitoring officer is consulting with. The subject member would be asked to contact the Monitoring

Officer initially who would then contact the IP to notify them that their details had been passed on and to expect contact from the subject member.

Will the IP have completed all the issues the Monitoring Officer had asked them to deal with before their retirement in September- and when would these findings be shared with Council?

The Monitoring Officer said there is a matter outstanding but was not at liberty to discuss it in the public domain as that would not be a fair process. The IP had been flexible and co-operative and after September, if there is a need for the IP to be a witness in anyway, it will not be an issue. Only cases that got to a hearing stage would go to Full Council for a final decision.

### **Debate**

There was no debate.

**Resolved**, that Council;

- a) *Noted the report.*
- b) *Approved the appointment of Sharon Copsey until the 18 April 2028 for a period of 4 years as an Independent Person for Forest of Dean District Council.*
- c) *Thanked Christopher Wood for his years of dedicated service as Independent Person for Forest of Dean District Council*

### **Voting was as follows;**

**For (32)** Councillors Di Martin, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, Patrick Kyne, Jacob Sanders, Mark Turner, Ian Whitburn, Harry Ives, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Bernie O'Neill, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, John Francis, Matt Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

**Abstain (1)** Councillor David Wheeler.

**Against (0)**

**Total (33)**

## **11. NOTICE OF MOTIONS**

### **11.1 Councillor Matt Bishop**

**Councillor Harry Ives left the chamber at 18.33pm.**

Councillor Jacob Sanders declared a pecuniary interest and sought confirmation of the ability to take part in the discussion due to working for an organization that took account of NJC pay scales.

The Monitoring Officer (MO) said it would be better to err on the side of caution if in doubt.

**Councillor Saunders left the chamber at 18.34pm.**

Councillor Julia Gooch asked the MO if she should declare an interest as had close family members who worked in schools?

The MO said it would be a case of exercising your judgement on the closeness of the relationship, but would err on the side of caution if in doubt.

**Councillor Julia Gooch left the chamber at 18.36pm.**

Councillor Bernie O'Neill asked if this means that all non-teaching staff should be declaring an interest?

The MO said yes.

Councillor Ian Whitburn declared an interest as his wife worked as a school admin.

**Councillor Ian Whitburn left the chambers at 18.37pm.**

Councillor Chris McFarling said although he had not updated his 'Register of Interest' form, he had retired as a school governor three months ago so did not have an interest but would like it noted.

Councillor Gillian Kilmurray asked if she should declare an interest as an employee of central government?

That would be separate negotiations so there is no interest to declare.

### **The Motion**

Since 2010, local government workers have lost an average of 25% from the value of their pay. Our staff, other local government staff and school support staff are experiencing an ongoing cost of living crisis. Since 2010, the cost of living has risen by 60%; more and more local government workers have been pushed into debt, and their basic spending has overtaken their income, with 1 in 5 households having less than £100 to spare each month. This is a terrible situation for anyone to find themselves in.

At the same time, workers have experienced ever-increasing workloads and persistent job insecurity. Across the UK, the local government workforce has fallen by 30% because of job cuts, not uniquely but in many cases due to cuts from central government.

This has had a disproportionate impact on women, with women making up more than three-quarters of the local government workforce.

Local government continues to show how indispensable it is. But staff are increasingly leaving the sector for better paid jobs elsewhere, for example in retail, which leaves local authorities with a massive skills gap, and vacancies in a range of key services, including in social care, education and youth services.

Local government finance is in an enormously difficult state, facing an estimated funding gap of more than £3.5 billion for 2024/25. Recent research shows that if the Government were to fully fund the unions' 2024 pay claim, around half of the money would be recouped thanks to increased tax revenue, reduced expenditure on benefits and tax credits, and increased consumer spending in the local economy.

**This council believes:**

Our public workers keep our communities clean and safe, look after those in need and keep our neighbourhoods, towns and cities running. Without the professionalism and dedication of our staff, the council services our residents rely on would not be deliverable.

Local government workers deserve a proper real-terms pay increase. The Government needs to take responsibility and fully fund this increase; it should not put the burden on local authorities whose funding has been cut to the bone.

**This council resolves to:**

Support the pay claim submitted by UNISON, GMB and Unite on behalf of council and school workers, for an increase of £3,000 or 10%, whichever is the greater. We call on the Local Government Association to make urgent representations to central government to fund the NJC pay claim, working with the unions to present a united front in defence of the local government workforce.

We will write to the Chancellor and Secretary of State to call for a pay increase for local government workers to be fully funded with new money from central government.

We will meet with local NJC union representatives to convey support for the pay claim (fully funded by central government) and consider practical ways in which the council can support the campaign.

We encourage all local government workers to consider joining a trade union.

**Councillor Matt Bishop** proposed.

**Councillor Patrick Kyne** seconded

### **Questions**

Can members have clarification of what the anagrams NJC and GNB stand for?

NJC is the National Joint Council and the GMB was an amalgamated society of Boilermakers, Shipwrights, Blacksmiths and Structural Workers (ASBSBSW), the union was renamed the General, Municipal, Boilermakers and Allied Trade Union (GMBATU). This was sometimes shortened to "GMB", which in 1987 became the official name of the union.

Was the local government settlement this year considered a 'real terms' pay increase?

The increase was 8.1 per cent. The government settlement is based on the Consumer Price Index at a given time. A more detailed response can be forwarded if required.

If this motion was supported, would the Council be liable to pay any increase agreed? No, this motion is asking national government to ensure they fund the pay increase.

What were the current union membership levels for employees of this Council?

A written response would be circulated.

### **Debate**

Councillor David Wheeler said there were no qualms in supporting this motion. Although this year's settlement was 8.5 per cent, since 2010 local government officers had only received increases of 1 or 2 per cent, which was below the rate of inflation, yet as detailed in the motion, had experienced ever increasing workloads and persistent job insecurity.

Councillor Chris McFarling said he was fully supportive of this motion.

Councillor Bernie O'Neill said an important sentence which struck a chord in the second paragraph was; *'This has had a disproportionate impact on women, with women making up more than three-quarters of the local government workforce'*.

Councillor O'Neill believed it was vital for people to be a member of a trade union and would encourage all local government workers to consider joining one, therefore would be supporting this motion.

### **Voting was as follows;**

**For (27)** Councillors Di Martin, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Mark Turner, Jamie Elsmore, Tim Gwilliam, Bernie O'Neill, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, John Francis, Matt

Bishop, Sid Phelps, Adrian Birch, Mark Topping, Andy Moore, Chris McFarling and Simon Phelps.

**Abstain (2)** Councillors Clayton Williams and Nick Evans

**Against (0)**

**Total (29)**

## 11.2 Councillor Andrew McDermid

The motion was withdrawn.

## 11.3 Councillor Clayton Williams

Councillor Chris McFarling suggested a friendly amendment adding '*and all those living with cancer*' after 'long live the king'.

Councillor Clayton Williams and Councillor Evans accepted the friendly amendment.

Councillor's Julia Gooch, Gill Moseley and Matt Bishop all agreed that this was a very good motion and would be supporting it.

Councillor Birch said that there were 3 million people living with cancer in the UK, and in February 2024, approximately 55,000 people waited more than 4 weeks to find out if they had cancer or not. There is a massive waiting list which must be resolved as soon as possible. Councillor Birch said he hoped the King and the Princess of Wales recovered well.

The Chair fully supported this motion as being a sufferer and a survivor of cancer herself.

### **Voting was as follows;**

**For (31)** Councillors Di Martin, Alison Bruce, Jackie Dale, Johnathan Lane, Jackie Fraser, Beth Llewellyn, Andrew McDermid, Dave Tradgett, Trevor Roach, David Wheeler, Patrick Kyne, Jacob Sanders, Mark Turner, Ian Whitburn, Harry Ives, Clayton Williams, Nick Evans, Julia Gooch, Jamie Elsmore, Tim Gwilliam, Gillian Kilmurray, Gill Moseley, Julie Hudson, Clive Elsmore, John Francis, Matt Bishop, Sid Phelps, Adrian Birch, Andy Moore, Chris McFarling and Simon Phelps

**Abstain (1)** Councillor Mark Topping

**Against (0)**

**Total (32)**

**12. CABINET AND SCRUTINY COMMITTEE REPORTS**

**The ex - Leader of the Council**, referred to the Cabinet report in the document pack and opened the floor to questions.

There were no questions.

**Councillor Nick Evans Deputy Chair** of the Overview and Scrutiny Committee, referred to the Scrutiny report in the document pack and opened the floor to questions.

Councillor Sid Phelps asked for details regarding the Scrutiny inquiry on the 10 May 2024?

The Deputy Chair said Democratic Services are dealing with the arrangements and details will be forwarded as soon as possible.

Councillor Tim Gwilliam asked if the Deputy Chair would consider an urgent investigation into the project management of the five Acres levelling up development? The Deputy Chair said there are two ongoing panels currently but would be happy to put it to the next Scrutiny Committee.

**13. FUTURE MEETINGS**

All meetings commence at 6.00pm.

Thursday 30 May 2024 (Annual Meeting)

Thursday 25 July 2024

Thursday 24 October 2024

Thursday 12 December 2024

**The meeting ended at 7.03 pm**

Minutes prepared by Sue Robus

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*These minutes are subject to approval at the next meeting*