



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Council

Tuesday, 14 April 2015

6.30 pm

Council Chamber, Municipal Offices

Membership	
Councillors:	Simon Wheeler (Chair), Duncan Smith (Vice-Chair), Matt Babbage, Flo Clucas, Adam Lillywhite, Chris Mason, Dan Murch, Chris Nelson, John Payne, Max Wilkinson, Wendy Flynn, Andrew Chard, Paul Baker, Garth Barnes, Nigel Britter, Chris Coleman, Bernard Fisher, Jacky Fletcher, Colin Hay, Tim Harman, Rowena Hay, Sandra Holliday, Peter Jeffries, Steve Jordan, Andrew Lansley, Helena McCloskey, Andrew McKinlay, David Prince, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Malcolm Stennett, Klara Sudbury, Pat Thornton, Jon Walklett, Roger Whyborn and Suzanne Williams

Agenda

6.	PUBLIC QUESTIONS These were received by 12 noon on Wednesday 8 April 2015 and relate to the nature of the business for which the meeting was called.	(Pages 3 - 6)
7.	MEMBER QUESTIONS These were received by 12 noon on Wednesday 8 April 2015 and relate to the nature of the business for which the meeting was called.	(Pages 7 - 8)

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Andrew North
Chief Executive

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14 April 2015

Public Questions (6)

1.	Question from Mary Nelson to the Leader of the Council, Councillor Jordan
	<p>Just one week before this Extraordinary Decision meeting, taxpayers are informed in the Echo that CBC are about to make “<i>the most important decision in a century</i>”. (Therefore a vital Key Decision.) Yet the core detail of this decision i.e. the name, location and purchase price of the intended new building and the current valuation of the Municipal Offices are not available to the public – all these essential details are classified as ‘exempt information’.</p> <p>Using the government’s rules for Council Executive decisions and in particular the definitions of Exempt information (numbered 1 to 7) together with qualifying clauses A to C in Annexe A (electronic link provided here): https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/207528/Your_councils_cabinet_-_going_to_its_meetings_seeing_how_it_works.pdf</p> <p>Can the Leader confirm that Clause A is not applicable, but most importantly can he fully justify and explain why Clause C does not apply i.e. why the public interest does not outweigh any of the listed exemptions, and is he confident that CBC’s reasoning for dismissing Clause C would stand up to a legal challenge?</p> <p>For ease of councillor understanding Clauses A and C are as follows (my emboldening in C):</p> <p>A. Information falling within number 3 above is not exempt information by virtue of that paragraph if it is required to be registered under-- the Companies Acts as defined in section 2 of the Companies Act 2006; the Friendly Societies Act 1974; the Friendly Societies Act 1992; the Co-operative and Community Benefit Societies and Credit Unions Acts 1965 to 1978; the Building Societies Act 1986</p> <p>C. Information which - falls within any of numbers 1 to 7 above; and is not prevented from being exempt by virtue of number A or B above, is exempt information if, and so long as, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>
	Response from the Leader of the Council
	Add response here
2.	Question from Mary Nelson to the Leader of the Council, Councillor Jordan
	<p>There are so many questions which come to mind regarding this huge and risky Council business proposition but there is no time for the public to ask them, or even for the public to be properly informed.</p> <p>Therefore do you not consider that you are acting with too much haste, in too much secrecy, and that the public will be justified in having little confidence in this complex business plan, requiring the rushed acquisition of a building which, just like the</p>

	Municipal Offices, has almost double the space it actually requires, especially in view of the LibDem Cabinet's past track record which has presided over the loss of £2 million in the failed Laird High Court prosecution, more millions in the Icelandic banks, and most recently a £1 million overspend on the new Museum and Art Gallery due to poor and inadequate project management?
	Response from the Leader of the Council
	Add response here
3.	Question from Ken Pollock to Cabinet Member Finance, Councillor Rawson
	<p>Considering the following near-certainties:</p> <p>(1) It will never be viable to close Boots Corner to general traffic, because Cheltenham simply cannot dispense with its <u>sole</u> ring road, the vital Inner Ring, which is the unavoidably essential hub of the town's distributor road network. Therefore there is no possible land-grab (of a made-redundant Royal Well Road) for a deep re-development extension at the rear of the Municipal Offices.</p> <p>(2) There is no possible creation of an enlarged "public square" at Boots Corner because the necessary bus-lane <u>intersection</u> (on the site of the current pedestrian crossing) has not met the required safety/Equality duty, (the TRO Committee did not take into account the fact that the new east-west bus-lane would require the crossing to be removed). Therefore there is no major 'public realm' gain at Boots Corner to offset the dire impact of crippling Cheltenham's general traffic network.</p> <p>(3) It will <u>not</u> be possible to attach a cheap concrete structure (i.e. the inevitable 'budget hotel') onto the rear of a Grade 2-<u>star</u> Listed Building, the Municipal Offices (Harward's Buidlings by G.A Underwood, 1823).</p> <p>(4) Any resolution of an acceptable conversion of the Municipal Offices needs open exploration and is <u>years</u> away, by which time staff could either be added to Cheltenham (from partner Councils), or more likely CBC could be abolished for a unitary North Gloucestershire authority,</p> <p>Considering the above uncertainties of there being any 'bonanza' from the Municipal Offices "redevelopment", will you admit there is huge <u>Risk</u> that this hastily half-disclosed proposal to purchase a further building will prove to be another too expensive "investment", a duplication of floorspace and of running costs?</p>
	Response from Cabinet Member Finance
	Add response here
4.	Question from Ken Pollock to Cabinet Member Finance, Councillor Rawson
	<p>Just as you had to abort Full Council from making these 'Key' investment and "capital strategy" decisions in haste on 30th March, so now (just two weeks later) the decisions still cannot proceed <u>because</u> they fail the 28-day notification period for releasing the relevant documents, both to councillors and to the public.</p> <p>When you do abort/postpone these decisions, will you agree to expand the publicly available documentation, and explain fully why the identity and therefore the characteristics of the specific building have been kept 'Exempt' ?</p> <p>As soon as it is no longer concealed, residents need to be entitled to ask Public Questions about the suitability of the specific building, and its complex leasings.</p>
	Response from Cabinet Member Finance

	Add response here
5.	Question from Anne Brookes to Cabinet Member Finance, Councillor John Rawson
	In view of the stated square footage of this building being well above the stated 30,000 sq foot current requirement for new offices, and changes in local government are unlikely to result in a need for more space, how can this proposal for premises far too large be justified when this will require the council making investments and speculating in the commercial property market now when there may be an opportunity to move within a sensible timescale to premises that are a better 'fit', by new build or the purchase of an existing building, without the complexity and obvious pitfalls of this proposal?
	Response from Cabinet Member
	Add response here
6.	Question from Anne Brookes to Cabinet Member Finance, Councillor John Rawson
	This council has a poor record for identifying and managing risk, and this has cost the town £millions. How can councillors properly make a decision and assess the risks, when no ratings have been included for the risks for this proposal?
	Response from Cabinet Member
	Add response here

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14 April 2015

Member Questions (1)

1.	Question from Councillor Lillywhite to Cabinet Member Finance, Councillor Rawson
	<p>The vision for this council is to reduce its staff and responsibilities, it is claimed that the Municipal offices is too big, it would seem somewhat disingenuous to then buy a building that is possibly larger? For almost triple the book value of our own asset at the peak of the last property boom and then claim that the Council is branching out into property speculation on the back of its last disastrous commercial property transaction that floundered just eight days after breaking ground. It seems particularly surprising given the recent Athey Economic Report which stated that Cheltenham had a surplus of non grade 'A' office space, that we should be rushed into investing in this area on the back of a Government loan without the requisite consultation of the Councillors or sufficient detail being passed into the public, to judge whether they are prepared to allow this Council to consider such speculative risk in an area where CBC have clearly been advised there is an oversupply, where they have such a poor record and no clear mandate, Why are the public not being fully consulted when it is they that are responsible for the costs?</p>
	Response from Cabinet Member Finance
	Add response here

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