



# CHELTENHAM

## BOROUGH COUNCIL

### EXECUTIVE DECISIONS NOTICE

Committee: **Cabinet**  
Date of meeting: **Tuesday, 21 June 2011**  
Date of publication: **Thursday 23 June 2011**  
Call-in period to expire on: **Midnight on Thursday 30 June 2011**

**NOTE:**

The publication of this document constitutes notice of the various decisions made by the Cabinet as required by the Constitution and, except where otherwise stated, those decisions will take effect five working days after they are published, unless an overview and scrutiny committee objects to them and they are called in.

<b>Agenda item 5</b>	<b>Corporate Risk Register</b>	
	Resolved that the Corporate Risk Register as at 3 May 2011 be noted with no further risks identified and the proposals for the new regime were noted.	
	Subject to call-in period - No	
<b>Agenda item 6</b>	<b>Health and Safety Delivery Plan</b>	
	Resolved that the Health and Safety Service Delivery Plan for 2011/12 be approved.	
	Subject to call-in period - Yes	
<b>Agenda item 7</b>	<b>Food Safety Delivery Plan</b>	
	Resolved that the Food Safety Delivery Plan for 2011/12 be approved.	
	Subject to call-in period - Yes	

<b>Agenda item 8</b>	<b>Financial Outturn 2010/11 and Quarterly Budget Monitoring to May 2011</b>
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Resolved that the following recommendations to Council be approved:

1. Receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that services have been delivered within the revised budget for 2010/11 resulting in a budget underspend of £174,086 which has been transferred to General Balances pending decisions over its use in 2011/12.
2. Recommend the following use of the underspend:
  - £48,000 to fund carry forward requests requiring Member approval at Appendix 7 which includes £15,000 to fund the arrangements for keeping the Bath Road toilets open (see paragraph 3.4)
  - note the Cabinet's approval, under financial rules 4G, part 8.11, to use the net underspend on new green waste schemes to fund the full rollout of plastic bottles collection across the borough in 2011/12 (estimated cost £17,000) (see paragraph 3.5)
  - £124,300 to fund the one off costs of the establishment of a waste company with a partner as set out in the exempt report to Cabinet on 21<sup>st</sup> June 2011.
  - transfer the balance of £1,786 to General Balances
3. Note the treasury management outturn at Appendix 9.
4. Approve the allocation of the LAA performance award grant as set out in section 5.
5. Approve the allocation of the New Homes Bonus as set out in section 6 including the use of £30,000 from the civic pride reserve.
6. Approve the transfer of £50k from the benefits equalisation reserve to the benefits bad debt provision as per paragraph 7.3.
7. Note the capital programme outturn position as detailed in Appendix 11 and approve the carry forward of unspent budgets into 2011/12 (section 8).
8. Note the position in respect of section 106 agreements and partnership funding agreements at Appendix 12 (section 10).
9. Note the outturn position in respect of collection rates for council tax and non domestic rates for 2010/11 in Appendix 13 (section 11).
10. Note the outturn position in respect of collection rates for sundry debts for 2010/11 in Appendix 14 (section 12).
11. Receive the financial outturn performance position for the Housing Revenue Account for 2010/11 in Appendices 15 to 17 (section 13).
12. Note the outturn prudential indicators Appendix 18 and recommend that Council approve the revised prudential indicators for 2010/11, marked with an asterisk (section 14).
13. Note the budget monitoring position to the end of May 2011 (section 15).
14. Approve the advance of property grant to support the refurbishment of the Everyman theatre roof and the funding schedule for the next 6 years as at section 9 and Appendix 19.
15. Approve the one-off contribution of £170k from the Property Repairs & Renewals reserve to the programme maintenance budget to fund

	<p>maintenance works at the Art Gallery &amp; Museum in 2011/12 (section 15).</p> <p>16. Approve the one-off contribution of £30k from the Property Repairs &amp; Renewals reserve to the programme maintenance budget to fund toilet refurbishment works at the Town Hall in 2011/12 (section 15).</p>	
	Subject to call-in period - No	
<b>Agenda item 10</b>	<b>Local Government Act 1972 - Exempt Business</b>	
	<p>Resolved that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining items of business as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3 and 7A, Part 1, Schedule 12A Local Government Act 1972, namely:</p> <p>Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	
	Subject to call-in period - No	
<b>Agenda item 11</b>	<b>Local Authority Company Business Case</b>	
	<p>Resolved that:</p> <ol style="list-style-type: none"> <li>1. The business case annexed to this report for a Local Authority Company between Cheltenham Borough Council and another partner be approved <b>but with flexibility to include other partners in the future</b>.</li> <li>2. The services in scope identified in section 3 of the business case in respect of Cheltenham which are not in scope for the other partner (namely public toilet cleaning, grounds maintenance and management and maintenance of cemeteries and crematorium) be regarded as purely indicative at this stage to be tested by a separate commissioning study the result of which will be reported back to Cabinet.</li> <li>3. The Chief Executive, in consultation with the Cabinet Member Sustainability, the Director of Resources and the Borough Solicitor be authorised to develop the Articles of Association, Shareholder Agreement, Service Level Agreement and all other legal documents to enable the local authority company formation.</li> </ol>	

	<p>4. A further report be submitted to Cabinet in September 2011 for approval of the details of the Local Authority Company and the documentation referred to in 3. above plus any further updates of the issues raised in this report.</p>
	<p>Subject to call-in period - Yes</p>