

## Cabinet

**Tuesday, 27th September, 2011  
6.00 - 7.25 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), John Rawson (Cabinet Member Built Environment), Klara Sudbury (Cabinet Member Housing and Safety), Andrew McKinlay (Cabinet Member Sport and Culture), John Webster (Cabinet Member Finance and Community Development), Roger Whyborn (Cabinet Member Sustainability) and Colin Hay (Cabinet Member Corporate Services)

## Minutes

### 1. APOLOGIES

No apologies were received.

### 2. DECLARATIONS OF INTEREST

The Leader of the Council declared a personal interest in agenda item 8, specifically relating to the bid from the YMCA, as a Director of the YMCA.

### 3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 26 July 2011 had been circulated with the agenda.

**RESOLVED that the minutes of the meeting held on 26 July 2011 be agreed and signed as an accurate record.**

### 4. PUBLIC QUESTIONS AND PETITIONS

There were no public questions or petitions.

### 5. REVIEW OF THE ART GALLERY & MUSEUM'S ACQUISITIONS AND DISPOSAL POLICY

The Cabinet Member Sport and Culture introduced the report which asked Cabinet to consider and make a decision regarding which statements to include under section 12f within the proposed Acquisitions and Disposal Policy for Cheltenham Art Gallery and Museum (AG&M), to approve the revised Acquisitions and Disposal Policy and to consider the request for a return of a clock given to the AG&M in 1963. The Cabinet Member Sport and Culture stressed that any decision made on the Acquisitions and Disposals policy would not impact on any subsequent decision.

The Cabinet Member Sport and Culture referred to the Appendix and the copy of the Acquisitions and Disposal Policy which outlined the terms on which the Council made acquisitions and disposals to the policy. He strongly recommended Option 2 to Cabinet as if the Council adopted a policy of sale for

profit it would jeopardise the standing of the museum as viewed by the Museums, Libraries and Archives Council and put at risk the funding the Council had in place for improvements to the AG&M. In his view this risk would not be worth any financial gain it may make.

Members supported Option 2 and commended the policy as a whole. With regard to the specific issue on the request by Mr Stuart Latham for a return of a clock given to the AG&M in 1963, the Leader referred Members to the official valuation which had been circulated at the meeting and used his discretion by inviting Mr Latham to address the meeting.

Mr Latham told Cabinet of his early memories of the clock and his disappointment when he discovered its incompleteness (apparent loss of its wooden case, pendulum and weights) and condition upon viewing it at the AG&M. There also appeared to be no record that it had ever been exhibited. He believed that the Museum had failed his family. He had thus put in a formal request to have the clock returned to him, not for financial reasons, but in order to refurbish it and have it in his home.

Cabinet Members appreciated the importance of the clock to Mr Latham but noted that contrary to Mr Latham's opinion the inspection had found that the clock was in a good condition. There was no indication from the acquisition records that there were parts missing nor evidence of its condition upon donation. It was suggested that if Cabinet decided the clock should be retained by the AG&M Mr Latham should be involved in discussions regarding its restoration if deemed necessary. The clock was obviously of historical importance and as such the Council would wish members of the public to have the opportunity to appreciate too.

The Cabinet Member Sport, Leisure and Culture thanked Mr Latham for his contribution.

The Collections Manager and Curator at the AG&M referred to the prime record relating to the acquisition of the clock in 1963 and said that no reference had been made to the pendulum, weights or the wooden case. Whilst there were no records of what had been displayed until the mid 1980s, she believed that it would have been displayed at some point as staff were always keen to display all new acquisitions. The AG&M considered the clock to be complete and intended to display it in a new 18th century gallery relating to Gloucestershire makers once the AG&M reopened in early 2013.

The Cabinet Member Sport and Culture asked Cabinet to consider the 3 options as outlined in the report. In his view Mr Latham's claim that the clock had been seriously neglected by the AG&M was unproven and there was a lack of documentary evidence that parts were missing. The museum wished to display the clock once it reopened and this would fulfil the original intention of the donation. He thus favoured Option 1 but highlighted that the AG&M should display the clock.

The Leader of the Council appreciated that this was a very difficult decision but there was no evidence to suggest that the AG&M had been negligent. The clock would be displayed and he highlighted that a major driver behind the AG&M

extension was indeed to display more of its collection.

**RESOLVED that:**

- 1. Under section 12f within the proposed Acquisitions & Disposal Policy for Cheltenham Art Gallery & Museum the museum will not undertake disposal motivated principally by financial reasons.**
- 2. The revised Acquisitions & Disposal Policy for Cheltenham Art Gallery & Museum in Appendix 5, incorporating the decision made at 1. above be approved, and that the policy will again be reviewed in 2016.**
- 3. The request for the return of a clock - given to the Art Gallery & Museum in 1963 – be refused.**

**6. RENT SUBSIDY REQUEST FROM THIRD SECTOR SERVICES**

The Cabinet Member Built Environment introduced the report which asked the Council to consider entering into a formal lease of the Sandford Park Offices to the Trustees of Third Sector Services (a community-based volunteer organisation), on a subsidised rental basis rather than at full market rent.

He highlighted the valuable contribution of Third Sector Services to the community, the local economy and the environment and thus its contribution to the Council's corporate and community plan objectives.

The Cabinet Member Community Development and Finance emphasised the essential role of Third Sector Services in running community transport particularly in view of cuts to public transport which has negatively impacted upon the elderly and the disabled.

The Leader of the Council commended the work that had been undertaken in putting this policy in place and agreed that this was a sensible way forward. He informed members the policy was being shared at the Gloucestershire Leadership level as a good model to work to.

**RESOLVED that:**

- 1. The Trustees of Third Sector Services be granted a full repairing and insuring lease of the above premises for a term of 15 years and at a rent to be stated in the lease of £10,560 per annum (exclusive) and subject to five yearly rent reviews.**
- 2. Authority be delegated to the Head of Property & Asset Management, in consultation with the Head of Legal Services, to negotiate and finalise the remaining lease terms with the Trustees of Third Sector Services**
- 3. Subject to the Head of Property and Asset Management reaching an early and satisfactory agreement on all lease terms, the**

**subsidised rent of 100% of the rent in accordance with the Council's agreed Property Lettings and Disposals to the Third Sector policy be approved.**

- 4. The subsidy is to be fully reviewed at the same time as the corresponding five yearly rent review dates.**

## **7. NATIONAL PLANNING POLICY FRAMEWORK**

The Leader of the Council introduced the report which contained comments on the Government's draft National Planning Policy Framework (NPPF). Following Cabinet's consideration these comments would form the basis of the Council's submission to the Department of Communities and Local Government. He made reference to the digest of Planning Committee's comments which had been tabled.

The Leader stated that whilst Cabinet welcomed the drive for localism it appeared that the NPPF contradicted this in the interests of a developer led agenda. He highlighted that Cheltenham's economic health and prosperity depended on its environment and there was a danger that in bringing forward development at an accelerated rate there was a risk that this would be spoiled. The Leader supported all planning committee's comments and the proposed amendment to the recommendations in the Cabinet report with the exception of setting up a working group to inform the consultation as the timescale was insufficient. He informed Cabinet that a letter was being drafted to accompany the submission in order to highlight the key issues.

The Cabinet Member Built Environment highlighted these key issues which included the definition of sustainability, the absence from the framework of the "brownfield first" principle, the protection offered to Green Belt land, the weakening of flood prevention guidance and the restriction in the role of Supplementary Planning Documents.

Cabinet Members supported the comments and the proposed amendment to the recommendations in the Cabinet Report but expressed concern about the time required to prepare the Local Plan in line with the draft NPPF which was scheduled to be completed by April 2012. Concern was also expressed about whether the same rigour would be applied to S106 monies as at present in order to provide the relevant infrastructure to accompany any new development.

### **RESOLVED that :**

- 1. Authority be delegated to the Strategic Land Use Manager and the Development Control Manager in consultation with the Leader and the Cabinet Member Built Environment, to amend Appendix 1 to incorporate comments from Cabinet in the response to the draft National Planning Policy Framework, including such Planning Committee comments that the Cabinet would like incorporated.**
- 2. The comments to the draft National Planning Policy Framework as amended be submitted to the Department of Communities and Local Government no later than 17 October 2011.**

**8. COMMISSIONING OF POSITIVE ACTIVITIES FOR YOUNG PEOPLE**

The Cabinet Member Housing and Safety introduced the report as circulated with the agenda which sought approval for a list of projects to be funded from the Positive Activities Fund (as set out in appendix 2) and to delegate authority to the Policy and Partnerships Manager in consultation with the Cabinet Member Housing and Safety to determine how best to allocate the provisional remaining sum which was now £13 595 (the report circulated referred to a sum of £11 144).

An assessment panel had met on 14 September and that day the Cabinet Member had met with young people from County Community Projects (CCP) to examine the bids and explain the thinking behind the decisions to prioritise the funding. The Cabinet Member outlined to Cabinet the reasons for not supporting certain projects as listed in appendix 2.

There would be a second bidding round and the Council would use CCP in their role as leading the building resilience project to work with potential bidders. There were still geographical gaps in the town which CCP could help to address in order to strengthen youth provision in Cheltenham.

The Leader of the Council declared a personal interest in this agenda item as a Director of Cheltenham YMCA.

Members expressed disappointment that the speed at which the County had withdrawn funding had resulted in an increase in antisocial behaviour. In addition the uncertainty of what the youth service was actually going to provide in the future did not allow other parties time to put together appropriate bids. At the same time it was recognised and welcomed that there were many organisations which were prepared to do positive general youth work and bridge the remaining gaps.

**RESOLVED that:**

- 1. The list of projects to be funded from the positive activities fund as set out in appendix 2 – “List of projects and recommendations” be approved.**
- 2. Delegate authority to the Policy and Partnerships Manager in consultation with the Cabinet Member Housing and Safety to determine how best to allocate the provisional remaining sum which was now £13 595.**

**9. BRIEFING FROM CABINET MEMBERS**

The Leader of the Council reminded Members that the deadline for the bids for the Promoting Cheltenham Fund was Friday 30 September.

**10. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS**

Upon a vote it was unanimously

**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.**

**11. APPROVE EXEMPT MINUTES OF THE LAST MEETING  
RESOLVED that :**

The exempt minutes of the meeting held on 26 July 2011 be approved as a correct record.

**Chairman**