



CHEL TENHAM

BOROUGH COUNCIL

Dear Sir / Madam

You are hereby summoned to attend a meeting of Council to be held in the Municipal Offices, Promenade, Cheltenham, GL50 9SA, on **Friday, 25 February 2011 at 2.30 pm** at which meeting the following business will be transacted and any other business which may be legally transacted at such a meeting.

Councillors
Anne Regan (Chair), Barbara Driver (Vice-Chair), Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Tim Cooper, Bernard Fisher, Jacky Fletcher, Wendy Flynn, Rob Garnham, Les Godwin, Penny Hall, Colin Hay, Rowena Hay, Diane Hibbert, Sandra Holliday, Peter Jeffries, Steve Jordan, Robin MacDonald, Paul Massey, Helena McCloskey, Andrew McKinlay, Heather McLain, Paul McLain, John Rawson, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Lloyd Surgenor, Pat Thornton, Jon Walklett, Andrew Wall, John Webster, Paul Wheelod, Simon Wheeler, Roger Whyborn and Jo Teakle

Agenda

1. **PRAYERS**
2. **APOLOGIES**
3. **DECLARATIONS OF INTEREST** (Pages 1 - 2)
4. **TO APPROVE AND CONFIRM THE MINUTES OF THE LAST MEETING HELD ON:** (Pages 3 - 34)
11 February 2011
5. **PUBLIC QUESTIONS**
These must be received no later than 10am on Friday 18 February 2011.
6. **COMMUNICATIONS BY THE MAYOR**
7. **COMMUNICATIONS BY THE LEADER OF THE COUNCIL**
8. **MEMBER QUESTIONS**
9. **CONSIDERATION OF A PETITION REQUESTING THAT LAND AT LECKHAMPTON BE PROTECTED FROM INAPPROPRIATE LARGE SCALE DEVELOPMENT** (Pages 35 - 42)
A debate on a petition received on 13 December 2010.

10. **COUNCIL_TAX_RESOLUTION_2011_2012** (Pages 43 - 50)
Joint report of the Cabinet Member Finance and Community Development and Chief Finance Officer (appendix to follow)
11. **COUNCIL DIARY SEPTEMBER 2011 TO AUGUST 2012** (Pages 51 - 68)
Report of the Chief Executive
12. **NOTICES OF MOTION**
13. **TO RECEIVE PETITIONS**
14. **ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**
15. **LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION**
The Committee is recommended to approve the following resolution:
- “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 1, 3 and 5, Part 1, Schedule 12A (as amended) Local Government Act 1972, namely:
1. Information relating to any individual.
 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
16. **REQUEST FOR DISCRETIONARY ALLOWANCE UNDER THE LOCAL GOVERNMENT (DISCRETIONARY PAYMENTS) REGULATIONS 1996** (Pages 69 - 80)
Report of the Staff and Support Services Committee (Members will need to refer to the papers of the Staff and Support Services Committee – 14 February)

Contact Officer: Saira Malin, Democracy Officer, 01242 775153
Email: democratic.services@cheltenham.gov.uk

Andrew North
Chief Executive

Public Information

Emergency Evacuation Procedure at the Municipal Offices

- (i) In the event of a fire you will hear a continuous alarm.
In the event of a bomb alert the alarm will sound in repeated short bursts.
- (ii) Members, officers and the public should leave the building promptly and in a quiet and orderly fashion using the nearest available escape routes and assemble on the Promenade footway by the War Memorial.

Attendance at Meetings - Local Government (Access to Information) Act 1985

Meetings are open to the public and a limited amount of public seating is available. Copies of the agenda will also be available. You may be asked to leave the meeting if any "exempt" (confidential) business is considered. This will normally be shown on the agenda

Inspection of Papers - Local Government (Access to Information) Act 1985

We can also arrange for copies of individual decision records, reports or minutes to be supplied. If you wish to inspect minutes or reports (other than those which are exempt) relating to any item on this agenda, please contact Democratic Services. The background papers listed in a report may also be inspected. Please notify Democratic Services who will arrange with the report author for papers to be made available to you at a mutually convenient time.

All meeting information is published on the Council's Internet website at:
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**If you have difficulty reading this agenda please let us know
and we will do everything we can to meet your requirements.**

COUNCIL PROCEDURE RULES – SUMMARY

Note: this summary is intended to assist members but where necessary reference should always be made to the actual Council Procedure Rules

1. RULES OF DEBATE

- (a) Once a motion has been proposed, no speeches can be made until it is seconded.
(Rule C6.2)
- (b) A member seconding a motion can reserve his or her speech until later.
(Rule C6.3)
- (c) Amendments:

- the Mayor may require a motion (including an amendment) to be written down and handed to him before it is discussed.
(Rule C5.3)
- only one amendment can be discussed at any one time, although notice of further amendments can be given
(Rule C5.6)
- before a vote is taken on an amendment, the order of speeches is
 - the mover of the amendment in reply
 - the mover of the substantive motion (usually the Chairman, Leader, Deputy)
(Rules C5.15 and C5.16)
- if the amendment is carried, it becomes the substantive motion to which further amendments can be made
(Rule C5.8)

(d) A member may alter a motion

- of which he gave notice, with the Council's consent
(Rule C6.7)
- which he had moved without notice, with the consent of both the Council and the seconder
(Rule C5.10)

2. WHEN A MEMBER MAY SPEAK MORE THAN ONCE ON A MOTION BEFORE THE COUNCIL

(a) A member who has spoken on a motion or an amendment may NOT speak again during that debate except

- in exercise of a right of reply as the mover of the motion
- except where an amendment is under discussion, to move an amendment in which case he/she shall not speak for more than three minutes.
- to speak to an amendment
- to a point of order
- in personal explanation

(Rule C6.5)

(b) **Point of order** – a member wishing to raise a point of order may do so at any time but the point of order **MUST ONLY** relate to an alleged breach of the Council Procedure Rules or the law **AND** the member **MUST** indicate

- the rule or law he considers has been broken
- how he considers that a breach has occurred

(Rule C5.23)

(c) **Personal explanation** – a member may make a personal explanation at any time **BUT** the “personal explanation” **MUST ONLY** relate to some material part of an earlier speech by that member which may appear to have been misunderstood in the present debate.

(Rule C5.24)

(d) The Mayor’s decision on whether a point of order or request for personal explanation is admissible is final.

(Rule C.5.25)

3. RECORDED VOTES

A recorded vote can be required by seven members.

(Rule C.8.5)

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CHELTENHAM BOROUGH COUNCIL

Council

Date:

DECLARATION OF INTEREST

Councillor _____

You are asked to complete this form if you intend to declare an interest in connection with any item on this agenda.

Please hand any completed form to the committee administrator at the meeting.

You are reminded that you are still required to declare your interest orally at the commencement of the committee's consideration of the matter.

Agenda item	*Personal interest	*Prejudicial Personal interest	**Nature of interest

Notes:

- *Please tick appropriate box
- **Please give sufficient information as to identify the existence and nature of the interest, for example – "This application relates to land that borders property owned by a friend of mine", "A relation of mine is a member of this body"
- "Personal interests" and "prejudicial personal interests" are defined and explained in the Council's Code of Members Conduct and summarised overleaf

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Council

Friday, 11th February, 2011

2.30 - 6.45 pm

Attendees	
Councillors:	Anne Regan (Chair), Barbara Driver (Vice-Chair), Garth Barnes, Ian Bickerton, Nigel Britter, Chris Coleman, Tim Cooper, Bernard Fisher, Jacky Fletcher, Wendy Flynn, Rob Garnham, Les Godwin, Penny Hall, Colin Hay, Rowena Hay, Diane Hibbert, Sandra Holliday, Peter Jeffries, Steve Jordan, Robin MacDonald, Paul Massey, Helena McCloskey, Andrew McKinlay, Heather McLain, Paul McLain, John Rawson, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Lloyd Surgenor, Pat Thornton, Jon Walklett, John Webster, Paul Wheeldon, Simon Wheeler and Roger Whyborn
Also in attendance:	Sara Freckleton, Andrew North and Mark Sheldon

Minutes

1. PRAYERS

Reverend Maz Allen opened the meeting with a prayer.

2. APOLOGIES

Apologies had been received from Councillors Wall and Teakle.

3. DECLARATIONS OF INTEREST

Councillors Rawson and Seacome both declared a personal interest as Council appointed non-voting members on the Cheltenham Festivals Board and Council appointed members on the Cheltenham Arts Council.

Councillor Sudbury declared a personal interest as a Council appointed member on the Cheltenham Arts Council.

Councillors C.Hay, Walklett, Wheeldon and Driver all declared a personal and prejudicial interest in agenda item 13 (HRA) as Board Members of Cheltenham Borough Homes.

Councillors Stennett and Fletcher declared a personal and prejudicial interest as Directors of Gloucestershire Airport, were it to be discussed during the Budget debate.

4. TO APPROVE AND CONFIRM THE MINUTES OF THE LAST MEETING

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on the 13 December 2010 be agreed and signed as an accurate record.

5. PUBLIC QUESTIONS

No public questions were received.

6. APPOINTMENT OF MAYOR ELECT AND DEPUTY MAYOR 2011/12

The Chief Executive introduced the report as circulated with the agenda.

He informed Council that in accordance with the Council's constitution the appropriate procedures to seek the appointment of Mayor and Deputy Mayor for the Municipal year 2011-2012 had been put in place.

As a consequence Councillor Driver as Deputy Mayor for 2010-2011 would become Mayor and Councillor Smith had indicated his willingness to be put forward as Deputy Mayor for 2011-2012.

Upon a vote it was unanimously

RESOLVED that Council note the Order of Precedence in Appendix 2 and that Councillor Barbara Driver and Councillor Duncan Smith would be put to the Annual Council Meeting for election as Mayor and Deputy Mayor respectively for the municipal year 2011-2012.

7. COMMUNICATIONS BY THE MAYOR

The Mayor welcomed members of the public which included three apprentices who had been invited to observe proceedings.

She reminded all members of the Parisienne Party Night to be held at the Town Hall on Saturday 5 March 2011 in aid of the Mayor's charities and encouraged all members to attend.

The Mayor informed members that a batik sponsored by the Everyman Theatre and created and donated by the Cheltenham Sahara – Saheli women's group (the name means supportive friends) had been donated to hang in the Municipal Offices.

8. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader took the opportunity to wish Councillor Driver and Councillor Smith good luck as Mayor Elect and Deputy Mayor respectively for 2011-2012.

He had recently reviewed the timetable which detailed the Joint Core Strategy consultation. This would include member seminars, which would be organised in a matter of weeks and which he hoped members would attend.

9. MEMBER QUESTIONS

The following responses were given to the Member questions received:

1.	Question from Councillor Seacome to Cabinet Member Sustainability
	<p>In the light of the shocking state of the cleanliness of some of our streets, can the relevant Cabinet member tell us if there is money for a regular scheduled plan of street cleansing throughout the whole year across the town, but particularly tailored to certain times of the year when accumulated detritus fills gutters, and potentially the drains (autumn for instance)?</p>
	Response from Cabinet Member Sustainability
	<p>The council will spend £841,200 in 2011/12 to keep Cheltenham's streets free of litter and refuse. There are no plans to reduce expenditure next year. As part of this service officers work with residents to clear streets of parked cars and, in conjunction with Gloucestershire Highways, thoroughly clean gutters and drains. This is particularly important during the autumn months when there is the most demand for this type of cleaning operation.</p> <p>In a supplementary question, Councillor Seacome said the key word in the response was "residents" as in Lansdown it was the commuter parking in the vicinity of the station that caused the problem. Did the Cabinet Member have any plans to cleanse these areas on a systematic basis to address the commuter problem?</p> <p>The Cabinet Member said there were a number of hotspots in the town which included the railway station as well as locations of take-away's and shopping centres. These hotspots were cleaned more frequently than other streets and if any member thought there were problems in a particular area they should contact officers at the depot so that the problem could be dealt with.</p>
2.	Question from Councillor Duncan Smith to Cabinet Member Sustainability
	<p>Can the Cabinet Member confirm how many people have paid up for the new green waste service at the cessation of the previous free scheme on 31st January? How many households will have to pay up by April 1st in order for the cabinet to hit the numbers used in the FY 11/12 budget proposals?</p>
	Response from Cabinet Member Sustainability
	<p>As at 31st January approximately 5,800 households had paid for the new garden waste collection service. This number has increased to over 6,500, with 50 to 60 orders being received each day, which is in excess of that expected by 31/03/11. The target set for 31/03/12 is 20,000 households.</p> <p>In a supplementary question, Councillor Smith asked the Cabinet Member how he could be certain that the assumptions made in the budget about the revenue generated by this scheme will hold true when</p>

	<p>he has no idea what the usage was on the free scheme, no idea how many properties will sign up and no idea what he is doing? Isn't this uncertainty the biggest risk factor for the Cabinet's budget delivering on its promise to balance the books?</p> <p>The Cabinet Member refuted the suggestions made and said that he was advised by experts. The assumptions on take-up were based on widespread knowledge of other authorities and he had no reason to deviate from the current forecasts.</p>
3.	Question from Councillor Duncan Smith to Cabinet Member Sustainability
	What are the implications of no longer providing free doggie bags and what operational changes will be made as a result of this decision?
	Response from Cabinet Member Sustainability
	<p>The vast majority of dog owners are responsible citizens who will continue to clean up after their pet. Consequently, no significant operational change is necessary other than increased enforcement presence in areas where dog fouling is perceived to be a problem.</p> <p>In a supplementary question, Councillor Smith asked whether the Cabinet Member accepted that the provision of free doggie bags has encouraged dog owners to pick up after their animals and has helped keep the streets clean? Why hasn't he brought forward funding for the extra work that will be required by the street cleaning teams and the dog warden as our streets and parks become increasingly covered in dog muck?</p> <p>In response the Cabinet Member said that the scheme had originally been introduced to encourage dog owners to clear up their mess at a time when this was not common practice. It is now a very different situation and people were well used to the practice and it was reasonable to expect owners to cover the cost of looking after their own dogs.</p>
4.	Question from Councillor Duncan Smith to Cabinet Member Sustainability
	Does the Cabinet Member think that the streets of Cheltenham are cleaner or dirtier than they were 4 years ago?
	Response from Cabinet Member
	<p>Cleaning the streets of Cheltenham is a significant challenge, particularly with a thriving evening entertainment sector and higher than average footfall compared to other town centres. However, the national performance indicator 195 shows a reduction in for litter and detritus from 12% in 2007/08 to 8% in 2009/10. This therefore suggests that the streets are no dirtier now than they were 4 years ago.</p> <p>In a the supplementary question, Councillor Smith suggested that may be the case in Up Hatherley but if the Cabinet Member had a good look round the rest of the town, he would that things are much worse than they were 4 years ago – Why has he not put forward proposals to improve the frequency and effectiveness of street cleaning in Cheltenham and does</p>

	<p>he think the streets will be cleaner or dirtier in 2 years time as a result of his inaction?</p> <p>In response the Cabinet Member advised members that a retargeting exercise had been carried out in 2010 and as a result resources had been dedicated to town centre areas and other hot spots. Special arrangements could be made to clear streets for cleaning of both residents and commuters cars and this had already been done in the St Paul's area. Again he encouraged members to report any problems to officers at the depot.</p>
5.	Question from Councillor Duncan Smith to Cabinet Member Sport & Culture
	<p>What is his assessment of the the impact of withdrawing the £109k grant to Cheltenham Festivals at one go rather than phasing it out over 3 years?</p>
	Response from Cabinet Member Sport & Culture
	<p>In 2010/11 the Council gave Cheltenham Festivals a grant of £109,000 while Cheltenham Festivals gave the Council £101,200 in commission for the Box Office. The Council's net balance to Cheltenham Festivals was £7800.</p> <p>The 2011/12 budget proposes to make no grant to Cheltenham Festivals but will receive no income from Cheltenham Festivals for Box Office commission. Thus the reduction in net balance will be £7800.</p> <p>It is my assessment that the reduction of £7800 will be of limited impact on a successful company with a multi million pound turnover.</p> <p>In a supplementary question, Councillor Smith asked the Cabinet Member to explain to Council why the request from Sir Michael McWilliam for transitional funding had not been listened to? Does he not understand that the loss of festivals in Cheltenham will impact on local jobs, local businesses and local residents?</p> <p>In response the Cabinet Member reminded members that the budget did contain a £140,000 investment for improvements in the Montpellier and Imperial Gardens which would enable users and Cheltenham Festivals to use the parks more effectively. He was committed to maintaining the high level of all the festivals in the town and not just Cheltenham Festivals and encouraging a wider audience.</p>
6.	Question from Councillor Duncan Smith to Cabinet Member Finance & Community Development
	<p>Can the Cabinet Member detail what representations he has personally made to government ministers in relation to the poor financial settlement that CBC has received?</p>
	Response from Cabinet Member Finance & Community Development
	<p>The council formally responded to the formula grant review in October 2010, the provisional Finance settlement in December 2010 and the final</p>

	<p>settlement in January 2011.</p> <p>The responses covered the lack of clarity and timing of the level of cuts, the unfairness of the £1m contribution to formula damping and the removal of the total £2.25m spend on concessionary fares, including the £171k spent on local discretions i.e. 9:00 – 9:30 start and disabled taxi vouchers. We also raised the concern that we have been given a settlement for the next two years, but not for the following two years as originally promised and the difficulty this created in firming up the Medium Term Financial Strategy.</p> <p>In the interim period myself and the Chief Finance Officer met Cheltenham’s MP on Monday 24th January to raise the issue of the settlement and how he could help us press our case and, in particular, the way in which concessionary fares had been dealt with. Information used for the meeting was also sent to Lawrence Robertson MP.</p> <p>The final financial settlement for the coming financial year was £22k better than had originally been the case.</p> <p>In a supplementary question, Councillor Smith said that he understood from the answer given that the Cabinet Member has made no personal representations to government ministers himself. If I am wrong, can he detail those representations and circulate them to all members as a matter of public record?</p> <p>In response the Cabinet Member repeated that he had made a formal response but he had not talked personally to ministers who were far more engaged in the national budget.</p>
<p>7.</p>	<p>Question from Councillor Duncan Smith to Cabinet Member Sustainability</p>
	<p>Can the Cabinet Member give any advice to the residents and visitors to Charlton Kings as to where they may go for a wee after he has closed their public toilet?</p>
	<p>Response from Cabinet Member Sustainability</p>
	<p>Negotiations are taking place with other potential service providers in this area.</p> <p>In a supplementary question, Councillor Smith said that given that Cabinet Members have promised that the council will put together a list of private and community facilities that may be used instead of the closed facilities – How long will they have to hold on until he has worked out what is going to be available for them?</p> <p>In response the Cabinet Member said negotiations were ongoing but were well advanced. There would be a report back at Outturn on the public toilet situation and more detailed figures about investment could be supplied at that time.</p>
<p>8.</p>	<p>Question from Councillor Duncan Smith to the Leader of the Council</p>

	Can he confirm which Cabinet Member will be attending the Olympics briefing for SW councils on 14 March?
	Response from the Leader of the Council
	The council will be represented at the meeting but exactly who will attend will be decided in due course.

10. ART GALLERY AND MUSEUM DEVELOPMENT SCHEME

The Cabinet Member Sport and Culture introduced the report as circulated with the agenda.

The development of the Art Gallery and Museum (AG&M) had been a long standing issue for the Council since the initial outline proposals in 2005.

There were no issues with the current scheme, however, recent changes with the Heritage Lottery had resulted in the need to ensure that that the fundraising campaign either secured or had underwritten £5,500,000.

The report sought approval by Council to underwrite any shortfall to the £5,500,000 funding required for the development scheme, up to a maximum of £922,000 and subject to a wholly successful Heritage Lottery Fund bid of £750,000.

The Cabinet Member Finance and Community Development confirmed that Cabinet fully supported the development scheme, which he felt was more practical than that proposed by the previous administration. He did however reinforce the prudential borrowing risks detailed within the financial implications of the report.

Councillor Smith felt that the recommendations were sensible given that they underpinned the guarantees required by the HLF.

The following responses were given by the Cabinet Member Sport and Culture to questions from Members;

- He was not aware of specific details of meetings with individual groups, which had included disabled groups, but he could arrange for the minutes to be incorporated into the report and Members were assured that access and practical usage issues had been addressed.
- Risk 1.02 in Appendix 1 related the risk of the development scheme being aborted and was being managed through ongoing dialogue with the media and key stakeholders. The Gloucestershire Echo had already written some very favourable articles. It was felt that the public and stakeholders may be sympathetic to the current economic climate and reduction in funds since the original development scheme was proposed.

Upon a vote it was unanimously

RESOLVED that:

- 1. Subject to a wholly successful Heritage Lottery Fund bid, underwriting of any shortfall to the £5,550,000 funding required for the Development Scheme up to a maximum of £922,000 be approved.**
- 2. The final project cost of £6.3m as outlined in the report be approved.**

11. SECTION 25 REPORT

The Chief Finance Officer referred Members to the Budget papers as circulated with the agenda. He explained that under Section 25 of the Local Government Act 2003 he was required to report to the Council on the robustness of the estimates made for the purposes of setting the Budget and the adequacy of the proposed financial reserves.

The Council was under a statutory obligation to have regard to this report when making its decisions on the proposed Budget.

The Chief Finance Officer gave a presentation on his Section 25 report (*copies of this presentation are available from Democratic Services*).

The Chief Finance Officer then responded to questions on the report as follows;

- A member queried whether the £197k grant from the Government in respect of the Council Tax freeze could be jeopardised if Parish Councils were to raise their Council Tax?
 - The grant was independent of the County Council, Police Authority and Parish Councils precepts.
- What was the breakdown of the £500k reported reduction in target for car parking income?
 - The shortfall was made up of £365k of parking fees and £135k of fines.
- Should members be concerned about the organisation's capacity to deliver on the Bridging the Gap programme (BtG) referred to in section 5.12 and did this present a major risk?
 - The section 25 report was emphasising the challenge of the programme and resources were closely monitored. £80K of additional capacity building funding had been agreed by Council as part of the Section 4 report on commissioning to target resource hot-spots.
- Did the statement in section 8.5 imply some risks were not being addressed and if so which ones?
 - Significant risks were detailed in the Corporate Risk Register. Risk management was now far more embedded in the organisation and in services and the corporate risk register was reviewed on a monthly basis by the Senior Leadership Team.
- What had happened the £1.6m returned to the Council to date from the Icelandic Banks and where would any future recoveries be used?
 - Any returns were not a bonus and were part of the annual £400m of council's cash flow.

- Why was the Section 151 Officer insisting that the reserves were not be used to off set cuts despite the comments of the Secretary of State?
 - All reserves were earmarked for a specific purpose and only the general reserve was available for non specific purposes. Using earmarked reserves would therefore be at the expense of current programmes and, given the financial outlook, the level of the General reserves needed to be maintained. His role as CFO was to recommend prudent levels for those reserves.
- What were the CFO's views on the use of prudential borrowing to further waste management as detailed in the budget report?
 - Under the move to International Financial Reporting Standards, the council would be obliged to represent any leasing arrangements as borrowing on the council's balance sheet and in the prudential indicator borrowing limits. This had necessitated a review of all the council's leases many of which were associated with vehicle fleets such as refuse vehicles and the option of purchasing rather than leasing new vehicles has been considered. Buying vehicles would give the council more flexibility in the coming years as it moves forward with joint waste shared service arrangements
- Section 5.9 refers to rejected options – why were these not subject to scrutiny as part of the budget process
 - These were included in the budget papers last year but a different approach was taken this year. Many of the options put forward were not ones that Cabinet members even wanted to consider. Including the numerous options considered in the budget papers would not add value to the council in setting he budget and council tax.

Upon a vote it was unanimously

RESOLVED that the contents of the Section 25 report be noted and regard given to it when setting the budget and level of council tax for 2011/12.

Members retired for tea at 3.50pm.

12. FINAL GENERAL FUND BUDGET PROPOSALS 2011/12

Members returned at 4.10pm.

The Mayor, to facilitate the presentation of the Budget, proposed suspension of certain rules of debate, namely:-

- That the time limit on speeches is relaxed with regard to the following speeches
- Cabinet Member Finance and Community Development when moving the motion to adopt the budget being proposed by the Cabinet.
 - Group leaders or Group spokesperson when making budget statements on behalf of their group.

The Cabinet Member Finance and Community Development and Group Leaders could also speak more than once in the debate (in addition to any rights of reply etc) for the purpose of putting and answering questions.

This was agreed by Council.

The Cabinet Member Finance and Community Development referred Members to the joint report of himself and the Chief Finance Officer as circulated with the agenda. The report summarised the revised budget for 2010/11 and Cabinet's final budget proposals for 2011/12 following consultation.

The Cabinet Member Finance and Community Development introduced the budget proposals with a detailed speech (Appendix x).

The Cabinet Member Finance and Community Development moved acceptance of the 2011/12 Budget as set out in the report. The motion was seconded by Councillor Jordan, who reserved his right to speak.

The Cabinet Member Finance and Community Development then responded to questions on the proposed Revenue and Capital Budget, with some input from the relevant Cabinet Members;

- Why under the new waste collection scheme, were areas such as Lansdown Road considered differently?
 - It was recognised that areas such as Lansdown Road had a large amount of multiple occupation housing and didn't necessarily have storage at the front or rear of the building to house additional bins. All residents would be offered this service but some tailor made solutions were required.
- With dwindling resources and the cost of maintaining the Municipal Offices, when would Cabinet accept the benefits of moving to a new location?
 - Cabinet were awaiting a report on the accommodation strategy but in reality, the Municipal Offices were relatively cheap to occupy and as such there was doubt about whether major savings would be achieved by such a move. Overview & Scrutiny Committees would be given the opportunity to comment on the report.
- Why was it taking such a time to arrange new management for the various park cafes, surely this didn't bode well in view of strategic commissioning?
 - All cafes would be open by Race Week (15-18 March) and this had always been the timescale to which officers had been working. A significant amount of effort had gone into finalising arrangements with the new contractors.
- The Council Tax freeze was shown as a cost incurred and not a grant in future years, why was this?
 - The £197k grant that had been received from Government in support of the council tax freeze was shown in Appendix 2. The MTFS at appendix 11 took consideration of marginal changes over the next 5 years which indicated that the £197k grant would cease in 2015/16.
- Were Cabinet effectively putting this grant into Asset Management to pay for maintenance of council buildings?
 - This was not the case.
- How did Cabinet intend to bridge the cumulative shortfall of £1.5m in 2015/16?

- All services would be reviewed to assess how things could be done more efficiently and cost effectively. This was the only way forward.
- Were Cabinet monitoring the use of Council owned car parks and had they considered reducing fees, to increase usage?
 - Ticket sales were monitored and Cabinet had not considered reducing parking fees in CBC car parks as local businesses had indicated that current levels were acceptable.
- The £58k associated with abolishing South West Councils was included in the draft budget but had been omitted from the final proposals, why?
 - The £58k was included to cover any potential pensions liability if South West Councils should be abolished. Indications were that 30 out of 41 local authorities had expressed their support for the future arrangements for South West Councils. Consequently this provision was no longer necessary.
- What would be the approach to the cutting of grass verges beyond 2011-2012?
 - This was a serious issue for Cheltenham and the council would be negotiating with Gloucestershire Highways when the contract ended next year.
- Original proposals had suggested that the 2.5% increase in grant from Government in support of the council tax freeze would be a two year deal. If this was the case, why wasn't it included in the MTFS?
 - Whilst a two year deal may have formed part of the original proposals this has yet to be firmed up. As such, no assumptions had been made about the grant being repeated in future years.

Councillor Smith on behalf of the Conservative Group gave his response to the budget. He accepted that the budget was a result of external circumstances affecting all local authorities. He gave thanks to the work of the Bridging the Gap group and to all the staff who had the challenge to deliver the savings. Whilst acknowledging the challenge of producing a balanced budget in those circumstances he also had concerns that some of the proposals in the budget would put the standing of Cheltenham at risk, providing people with no reason to want to live, visit or invest in the town.

He took issue with the claim that the Budget had been consulted widely, when in actual fact there had been very little public response to the proposals published in December. The art of a good budget was finishing past commitments as well as planning for the future and he felt this budget demonstrated a loss of direction.

Some of the key reasons that he was unable to support the budget were;

- The street cleaning proposals ignored the need to change the service and demonstrated a lack of understanding of the issues being faced by residents.
- The proposal to cease providing dog bags was a short sighted one which failed to acknowledge the success of the initiative. He was not confident that the impact of this decision had been fully considered and felt that residents would suffer as a consequence.

- The impact on the outreach work carried out by the Everyman Theatre. Geoffrey Rowe, Chief Executive of the Everyman Theatre had attended a meeting of the Social and Community O&S Committee and confirmed that outreach work would reduce as a result of the proposed reduction in grant. This would make Cheltenham's cultural offering unattainable to many of those who can't afford to get involved.
- Community groups had not been properly consulted regarding the proposals for the flowerbeds and the impact on visitor numbers had not been assessed.
- In the relation to verges, Gloucestershire County Council had always funded 5 cuts annually, which CBC had complimented with an additional 10 throughout the year. He queried whether Cabinet had fully considered the safety issues of overgrown verges, which could be 14 inches in height in some places and the impact on the aesthetics of Cheltenham.
- The assumptions made about the new (chargeable) green waste system posed the biggest risk to the budget. The Cabinet Member Sustainability had been unable to confirm to what extent the free service was currently being used and as such the targets could prove unachievable.
- Cabinet were using the transfer of Concessionary Travel to Gloucestershire County Council as the reason for cancelling the taxi voucher scheme for people with disabilities, but this was a CBC commitment made to residents of Cheltenham.
- He could accept the rationale for the closure of some public toilets but stressed that Overview & Scrutiny Committees had been promised a list of alternatives, which was yet to materialise and were now told that this would be ready for the mid term outturn report? His understanding was that many of those businesses that had been approached had shown reluctance to the idea.
- The Council had entered into a partnership to raise funds for the Brizen Young's people centre to deliver the extension and business plan and yet, were now reneging on it at a critical time in this transition period. Couldn't the £45k being used to support the Warm and Well project have been used to support Brizen for another year?
- Whilst he welcomed the commitment to invest £140k into the gardens, he felt that without a transitional grant to Cheltenham Festivals (CF), the investment would be pointless. At a stage when CF were close to full independence the decision seemed petty and not driven by business need. He urged Council to heed the request from Sir Michael McWilliam for funding to be sustained.

In closing, he urged his Liberal Democrat colleagues to change the proposals which he felt would lead to a dirtier, less cultural and less attractive Cheltenham.

He would not be moving an amendment to the budget proposals.

Councillor Godwin on behalf of the PABs gave his response to the Budget. His group recognised that setting a balanced budget was always a challenge and this year, in spite of the severe cuts, this had been achieved and it was for this reason that he would support the proposals. Local savings were necessary however he did have some concerns about their long lasting impact.

He expressed his opinion that the Conservatives had missed their opportunity to put forward an alternative budget if they were so strongly against the proposals. He thanked the Cabinet Member Finance and Community Development for the many opportunities Members had been given to discuss the proposals, particularly at the overview and scrutiny committees.

In seconding the budget, Councillor Jordan said this had proved a difficult budget necessitating proposals which he would have preferred not to have had made. Thankfully there had been no major cuts to services and the 5% reduction in staffing was mostly frozen posts which would be deleted. He highlighted the difficulties caused by the delay in the settlement figures. In his capacity as Leader of the Council, he had signed a letter to the Government, which, whilst accepting that the deficit had needed to be addressed, had raised issue with the delay to the final settlement, which had also been worse than anticipated

In response to some of the concerns raised by Councillor Smith, he was confident that people would recognise that Cabinet had only done what they had to do. He felt that the low public response to the Budget consultation could be as a result of the highly successful consultation in the summer and the public recognising that some of the issues they had raised had been addressed in the proposals.

He took the opportunity to thank all those involved for their hard work and outlined some of the measures being considered as part of his portfolio in the areas of economic development, admin support and communications.

In the debate that followed a number of Cabinet Members spoke in support of the budget proposals for their portfolio giving more details on the rationale. Members felt the budget had been achieved without any major cuts to services and did protect key aspects of the town including its cultural environment.

Speaking against the budget, some members felt it lacked vision and had deferred difficult decisions to later years and had missed the opportunity to create more certainty in future years. In response a member highlighted the work that had already been done in planning for the future and working in partnership. Becoming a strategic commissioning authority was a key part of this and there was an opportunity for all members to be engaged in this.

In his summing up, the Cabinet Member Finance and Community Development advised that he had been saddened by the comments of some Members. They had criticised the proposals but not put forward any alternatives. He thanked the PABs for supporting the budget.

The Cabinet had based the decision about Cheltenham Festivals (CF) on the business case rather than any personal feelings as had been suggested and at the point of the outturn report Cabinet would look again at the needs of CF.

The Council had already reduced the grant to the Everyman Theatre by £5k, which the Everyman had accepted and importantly, the council had borrowed monies on their behalf for restorative works.

Members were advised that recommendations 1 and 7 were for approval rather than to note as stated in the report.

Upon a vote it was

RESOLVED that;

- 1. The revised budget for 2010/11 be approved;**
- 2. The final budget proposals detailed in this report and supporting appendices, including a proposed council tax for the services provided by Cheltenham Borough Council of £187.12 for the year 2011/12 (a 0% increase based on a Band D property) be approved;**
- 3. The growth proposals, including one off initiatives at Appendix 3 be approved;**
- 4. The reserve re-alignments at Appendix 8, as outlined in section 10 be approved.**
- 5. The proposed capital programme at Appendix 9, as outlined in Section 11 be approved and the intention to fund the replacement of vehicles and recycling bins through prudential borrowing where deemed appropriate be approved;**
- 6. The proposed Property Maintenance programme at Appendix 10 be approved;**
- 7. The updated Medium Term Financial Strategy at Appendix 11 including the impact of the 'bridging the gap' programme on the forecast budget gap be approved;**
- 8. A level of supplementary estimate of £100,000 for 2011/12 as outlined in section 15 be approved;**
- 9. The creation of the budget working group be approved, with 2 members nominated from each overview and scrutiny committee, to support the process of developing the budget process and improving scrutiny as outlined in Appendix 13.**

(Voting: 24 For, 6 Against, 2 Abstentions)

13. FINAL HRA BUDGET PROPOSALS FOR 2011/12

The Cabinet Member Finance and Community Development introduced the joint report of himself and the Chief Finance Officer as circulated with the agenda.

He explained that the HRA budget has been prepared to meet 3 financial objectives:

- To adequately fund services to tenants
- To maintain a revenue reserve of at least £1m
- To put additional funds into capital investment in the stock

The disappointing news for tenants was that, according to the Government formula that seeks to adequately finance housing, rents will rise from (on average) £66.88 to £70.51 – or £3.63 a week over a 52 week year. This amounts to a total of £188.76p – greater than the entire annual Band D Council Tax for Cheltenham.

A key risk in the self-financing proposals is future Government rent policy and associated welfare reform, with over 70% of tenants reliant on housing benefit. It was important to understand what the impact of such rent rises will be and how changes in the benefits system may affect HRA finances. CBH have proposed the employment of a money and benefits officer – to give advice on benefits, borrowing and help in controlling rent arrears. This will give much needed additional help to our tenants in these difficult times.

The Finances are in sound order. CBH is well managed and effective and The CBH Board had endorsed the budget for 2011/12.

He moved the recommendations which were seconded by Councillor Jordan.

The Cabinet Member Finance and Community Development responded to questions on the HRA budget proposals.

Upon a vote it was

Resolved that;

- 1. The HRA revised budget for 2010/11 be approved;**
- 2. The HRA 2011/12 budget including a proposed average rent increase of 5.43% applied in accordance with the rent restructuring guidelines (subject to restraints on individual property increases when aggregated with service charges) and increases in other rents and charges as detailed at Appendix 5 be approved;**
- 3. The revised HRA capital programme for 2010/11 at Appendix 6 be approved;**
- 4. The HRA capital programme for 2011/12 at Appendices 6 and 7 be approved;**
- 5. Receipts of up to £3m from the sale of HRA assets (other than through Right To Buy) in the period 1st April 2011 to 31st March 2014 be used for affordable housing provision.**

(CARRIED, with 1 Abstention)

14. TREASURY MANAGEMENT POLICY AND ANNUAL INVESTMENT STRATEGY 2011/12

The Chief Finance Officer introduced the report which had been circulated with the budget papers. He explained that the Council had a responsibility to set out its Treasury Management Strategy Statement for borrowing and to prepare an Annual Investment Strategy for council approval prior to the start of a new financial year.

The strategy had been approved by the Treasury Management Panel at its meeting on the 27 January 2011.

The strategy included prudential indicators based on the budget decisions that had been made today, as well as details of next years loans to the Gloucestershire Airport, Everyman Theatre and Cheltenham Borough Homes.

Upon a vote it was unanimously

RESOLVED that the Treasury Management Strategy Statement and Annual Investment Strategy for 2011/12 at Appendix 2 be approved including;

- **The general policy objective ‘that Council should invest prudently the surplus funds held on behalf of the community giving priority to security and liquidity’;**
- **That the Prudential Indicators for 2011/12 including the authorised limit as the statutory affordable borrowing limit determined under Section 3 (1) Local Government Act 2003 be approved;**
- **Additions to the Council’s lending list are proposed in order to provide some further capacity. These proposals have been put forward after taken advice from the Council’s treasury management advisers and are prudent enough to ensure the credit quality of the Council’s investment portfolio remains high;**
- **To increase the time period of investing up to two years with counterparties noted in the recommended lending list;**
- **For 2011/12 in calculating the Minimum Revenue Provision (MRP), the Council will apply Option 1 in respect of supported capital expenditure and Option 3 in respect of unsupported capital expenditure as per section 21 in Appendix 3.**

15. NOTICES OF MOTION

No motions were submitted.

16. TO RECEIVE PETITIONS

No petitions were submitted.

17. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION

The Mayor invited the Chief Executive to introduce an urgent item which required a decision.

The Chief Executive explained that as per part 10.1 of the constitution, Council were to be advised of changes of nominated substitutes on committees, which were as follows;

Councillor Whyborn would no longer be a Liberal Democrat substitute on Staff and Support Services Committee (S&SSC).

Councillors Fisher, Jeffries, Massy, McCloskey, Stewart, Sudbury and Wheeldon would now be Liberal Democrat substitutes on S&SSC.

Councillors Cooper and Hall would now be Conservative substitutes on S&SSC.

Councillor Hibbert would now be a People Against Bureaucracy substitute on S&SSC.

And finally, Councillor Walklett would fill the Liberal Democrat vacancy on Economy and Business Improvement O&S Committee.

Anne Regan
Chairman

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FULL COUNCIL 11TH FEBRUARY – SPEECH BY CLLR JOHN WEBSTER.

Cabinet Member Finance and Community Development; Deputy Leader
CBC

1. INTRODUCTION

- 1.1. **MM & Council:** This has been an enormously difficult period. I'll outline the budget details later but want to say that it's been a privilege to work with officers and particularly Mark Sheldon and the finance team in addressing the issues the Council has had to cope with – it has been almost enjoyable.
- 1.2. As a result we've charted a course that will weather the storm and puts us in good condition to tackle the future. The budget challenges have created a unity and sense of purpose among officers that has greatly strengthened the organisation in my view. Rather than shattering morale, the reductions in our budgets have strengthened it.
- 1.3. We closed a projected £800k overspend identified in the middle of the year by clamping down on recruitment and cutting back on supplies and services.
- 1.4. **We've balanced the budget without closing a major service.** Given the scale of the budget gap this is significant. At the start of the process closing services seemed a real possibility. And if we had to take another half a million tomorrow, we would have no choice but to close a service or veto some important plans such as the Art Gallery and Museum or dig into our reserves with the risks associated with this.
- 1.5. However we all need to acknowledge that you can't make cuts of nearly £3million on a budget the size of ours without there being pain, regret and anger. We've tried to manage this by more consultation than has ever been done before.
- 1.6. If we had been a unitary authority discretionary services would be squeezed out to protect statutory services such as

education, social services and adult and children's services. It's these discretionary services that add greatly to the quality of life in the town. Look at the cuts at County level – Libraries and Youth Services. They have little choice. Cuts have to be made. The issue is where and how much. **If you don't like what we're putting forward, come up with an alternative.**

1.7. I'm not going to go on about Government Policy. Already there are voices on Govt. opposition benches that say there was no financial crisis and that the cuts are unnecessary. They seem to be reinventing history. I think that the cuts are too deep and the timetable for their execution is too swift, but to argue that there isn't a problem is nonsense. Even the gentlest recovery package would mean a very, very long climb.

1.8. But we have to be critical of Government and are in this report. **They were habitually late in their pronouncements and made planning difficult.** Our allocation was substantially worse than they had initially indicated although the final declaration has improved marginally. They've taken £1ms off us as a result of the concessionary fares fiasco as outlined in the report. Effectively this is local Council Tax Payers subsidising a Government scheme that should be funded by Government.

1.9. No matter where the debate about the national situation may lead we have had to reduce our budget from £16.7m to just over £14m. The major reason for this comes from a reduction in Government support of £1.1m

1.10. Despite a freeze on salaries, our income from other sources such as car parking has dropped as a result of the recession. Our income from investments has tumbled as interest rates have dropped in response to the recession. The overall gap we have had to tackle in the end was £2.87m and we have addressed this with 93 separate initiatives.

1.11. In the longer term we have agreed to proceed as a strategic commissioning authority and work is now underway to examine all services to see how they can be best delivered. The Council has

been restructured and now the future agenda is much clearer. We have to continue to run services at the same time as looking at how best we can deliver them in a different way that maintains quality and resilience, and which is cheaper. **We either do this or lose services.**

1.12. There are a wide range of initiatives and I will go through the most significant shortly, but there are also new things that we are proposing. I will try and explain the reasoning behind our decision making. I'm genuinely keen to hear alternatives – but it's obvious that whatever cut is denounced needs to be replaced by a cut somewhere else in order for the Council to fulfil its statutory duty to adopt a balanced budget.

2.0. THE BUDGET.

2.1. MM & COUNCIL: The headline features of the budget are as follows:

- Freeze in Council Tax and staff wages.
- Allowances to Cabinet members cut by 5%.
- Members allowances frozen last year and for next 4 years.
- There is a proposed reduction in staffing of 5% overall this year – 32 jobs, and another 7.4 fte next year.
- £2.8m is the biggest gap this Council has ever faced by a long way - and remember this is in a year when staff salaries – our biggest item of expenditure - are frozen. We need to acknowledge this sacrifice and that's why the Cabinet has taken a cut in its own allowances. **Our staff are our most important asset.** Despite this freeze and the cuts they remain impressively motivated.
- We have planned the medium term financial strategy and reduced the MTFS funding gap substantially as a result of decisions taken in compiling this budget. Savings today bring down the long term gap, currently projected at 2.5m for the next

5 years as outlined in Table 1 of the MTFs report, by almost £1m. This is reflected in the final table of Appendix 4 which shows a cumulative shortfall of £1.537m in 2015/16. We need to reduce this in future budgets.

- Our aim has been to consult widely and to protect services as far as we can in order to protect the environmental, cultural, social and economic quality and vitality of the town and of course we have been to all the O&S committees, and some of the changes made to the draft budget reflect the views of O&S.
 - We are recommending the formalisation of the Budget Working Group (Appendix 13) in the recognition that the budget now is a round the year activity that requires ongoing development and is aimed at improving both the budget process and developing the members scrutiny role. **It's no longer something that you can do just once a year.**
- 2.2. We have had substantial initial consultation involving over 1700 people to find out what they thought about the various services and to find out what they really liked and disliked about the town. We want to keep what is liked and tackle what is disliked so far as we can. The approach has been to consider the strength of arguments around each specific piece of budget provision and listen to opinion and in the end to try and balance all of these things out.
- 2.3. In the final budget there are 93 specific initiatives spelled out in the attached appendix 4. The first two pages (30 proposals) reflect decisions we have already effectively made and produce over £703k of savings. The second 5 pages (63 in total) have not yet been agreed – they amount to over £2m and will be the ones I focus on today.
- 2.4. We have done a brief Risk and Equality Impact assessment on each suggestion. **It is the first time an equality assessment has ever been done as part of the budget round.** The pace and intensity of work has been very brisk and so there may be

some mistakes in detail or poor formulations or explanations: if members highlight these we will attempt to put them right.

2.5. The major and contentious items in Appendix 4 are as follows:

- First, the restructure - as part of becoming a strategic commissioning authority – with a timetable of the services to look at for commissioning, which will include Leisure and Cultural services early on, and the development of shared services, systems thinking to improve efficiency and reduce costs and the application of enhanced IT through the Enterprise Resource Planning system. This has saved hundreds of thousands of pounds in all and projected to save more in the coming years.
- (Item 49) – reduction of funding to Cheltenham Festivals: this is probably the most contentious decision we will recommend. The Festivals needed much more scope from a new box office system than the Council, including a fully integrated sponsorship and fundraising package. Unfortunately we were unable to find a system which met both parties' needs within the budget available and without failing to comply with the strict procurement rules which protect tax payer's money. As a result, Cheltenham Festivals made a business decision to purchase their own box office system and become more independent from the Council. In the interim budget, we had initially reduced the grant to CF from £109k to £60k.

As a result of the purchase of their own box office system, the Town Hall's finances were left a net amount of £71k worse off in its budget by CF which has been netted of against their grant. However, Cheltenham Festivals will save around £100k of box office commission paid to the council. Not to have reduced the grant in this way would mean a cut in services elsewhere or over a 1% increase in Council Tax. So in effect we will be giving them no grant.

I have to stress that we made them aware of the impact their decision could have – but it was **their** business decision. And I have to point out that in the last five years the Council has given them over £1m in cash, and approaching £1m help in kind to enable them to become independent. Having said this, we recognise that as a customer of the council they pay the council for hire of both the town hall and pump rooms and are important in the long term sustainability of both these venues.

They requested a transitional payment of £106k over the next two years to allow them to readjust to the reduction in grant. We thought long and hard about this and came to the conclusion that a better thing to do for the people of the Town, Britain in Bloom and CF was to invest in Imperial and Montpellier Gardens to improve them, and relax some of the conditions in the Catering contract for the Town Hall when it is due for renegotiation in 2012. This will allow CF to be more commercially effective. We have therefore allocated £140k to this as a first phase of works. This funding has only become available recently as a result of negotiations with the actuary over phasing pension contribution increases, which has released £259k of one off money for this year. I will, indicate how we recommend the residue of this be allocated as I go on.

- Item 52 – permanent cut to the Arts Council of their £10k grant. We recommend the allocation on a one-off basis of £6k for the coming year to allow a transition to the following financial year when they will get nothing. This is also from the pension fund adjustment.
- Item 55 – The Power Perfector is a device that optimises electrical current so that it is more efficient and is the first of a series of initiatives outlined in section 12 of the report. It has been installed at the Leisure Centre and will make the savings outlined. Because it is an ‘invest to save’ initiative it can be funded out of the long term Repair and Renewal

reserve with the pay-back being savings on electricity bills. Further schemes whose payback hasn't yet been accurately identified yet are outlined on para 12.5. These initiatives will reduce costs and the Council's carbon footprint.

- Item 59/ 60 – Stop the top up to Concessionary Fares and Cancel Taxi Voucher scheme for people with disabilities. The reason for this is that the total £2.25m annual budget for Concessionary Travel **including** local discretions i.e. 9 – 9:30am travel and taxi vouchers for the disabled is being transferred to the County. **They have indicated that only the statutory scheme will be kept.** As I've already said this move has cost local taxpayers almost £1million over and above the level of Government subsidy we received.

What we have done to address this is extend support (effectively in kind) to 'Third Sector Services' (the old Volunteer Bureau) that runs Cheltenham Community Transport so that they can further develop their transport service and the Volunteer Car service to help people with disabilities.

- Item 63 – shared waste service with Tewkesbury. This is the beginning of what we hope will be longer terms savings. So far it has been very successful and made savings. More will come.
- Item 65 – Stop some flower displays (unless local people will provide the labour) in all parts of the town except the Long Gardens, Imperial Gardens and part of Sandford Park, and move to 'sustainable' planting in Berkely Mews and Oxford Gardens. This will be a very visible result of the impact of the financial crisis at one of the most striking gateways to the town. We recognise the importance of Imperial Gardens and the Long Gardens to the economic and environmental attraction and success of the Town Centre and believe they should be protected – it is galling to see the damage sustained in the Long Gardens by people wearing muddy

paths through the displays, and in Imperial Gardens as a result of overuse by tents, which is one reason why we want to invest the money I outlined earlier in them.

- Item 66 – we are increasing allotment rents at the same time as investing substantially in new and replacement allotments and moving to a point at which they will be self-financing.
- Item 69 – you all know about the new Green waste collection system. The old system was funded through Council Tax. We simply couldn't afford to continue with this and since it is a discretionary service have to charge for it. The charge will, however, allow us to rollout the improved re-cycling scheme whilst keeping the overall waste and recycling service at an affordable level and protect other services from being cut. We expected only an initial take-up of 3000 before the beginning of the next financial year in April: take up so far has been more than double this as you can see from the answer to the question given earlier about this.
- Item 72 – closure of most toilets, though not Royal Well; external Town Hall or Pittville and Montpellier Gdns, or Sandford Park (which will only open in the summer months). People will be directed to alternatives in the other areas negotiated with local businesses and places such as the resource centres. This happens in a number of places – such as Gloucester.

The reality is that the toilets not only cost us a lot of money to open, close and clean, but they suffer a lot of vandalism and are focal points for drug taking and most are simply unpleasant to go into and feel unsafe. They cost us some £400k over a 20 year period just to maintain apart from the annual revenue to keep them open. At one time 'Public Toilets' were all that was available. These days many businesses have toilets. The arcades have toilets for the public. The resource centres have toilets for the public. They are stewarded and clean and safe, and simply better than

what we provide. This is one justification for taking a one-year holiday in the revenue contribution to the Repairs and Renewal reserve outlined in item 1. We save £100k a year in revenue costs, and a one-off saving from revenue to the Repairs and Renewals reserve of £125k.

As of today there are still a couple of locations where alternatives that are DDA compliant have not been definitely finalised. Toilets won't be closed until alternatives have been found that are accessible to disabled people except in the case of Cox's Meadow which will be closed permanently without any alternative. Everything will be re-evaluated in the June out-turn report which will come to full Council.

- Item 73 – Reduce frequency of cutting grass verges. This for us is probably the most contentious cut we considered. We have a contract with the CC for 5 cuts a year for which we receive £50k which is simply not enough. We top it up by £120k a year with 10 further cuts. The contract with the CC also includes – grass cutting around highways such as roundabouts; maintenance of landscape areas; alleyway treatment and removal of epicormic growth from highway trees and replacement of highway trees (which we would regardless continue to protect). If we withdraw our top-up there will be longer grass and there's a Health and Safety visibility issue here. We will need more robust cutting gear to do the 5 cuts; and there will be more mess and potentially blocked gulley's. That's why we've taken £110k from the pension money to continue funding this for one more year. We will pass the Highways contract back to the County Council the following financial year unless we can reach a negotiated alternative. What we didn't want was to just do 5 cuts a year knowing that this is inadequate and be held responsible for it when it is a Highway responsibility.
- Item 86 - Reduction of Civic and Mayoral Expenditure. This won't affect such things as the hire of the town hall for mayor making, the Mayors Ball and the pensioner's tea party. If we

cancel these then the income from the Town Hall goes down apart from the antagonism it will create. You either have a mayor, or you don't. We saw it as an important part of the social and cultural quality of the town – the first citizen represents the town and raises money on behalf of local charities. So despite the calls for its abolition we have resisted this.

- Item 87 – Twinning: we have reduced this by only £5k and I want to explain why. It relates to a wider agenda. Twinning began to heal the wounds of war. Today it is concerned with building understanding between different people's and cultures – and mainly involves schoolchildren and young people. It is an important part of general youth activity despite the fact that many uninformed and cynical people see it as just a jolly for idle councillors.

The CC is stopping general youth work and concentrating on 'vulnerable' children, which I can fully understand under the circumstances they are in. They have allocated £50k to Cheltenham to facilitate general youth work, and we are proposing to match this for next year – this is one of the initiatives from the LAA Performance funding outlined in para 6.3. This £50k will be for enabling youth work because we see this as important – training volunteers; organising and coordinating activity; involving young people; raising funding and doing CRB checks etc – **not** paying youth workers. **We simply can't fund what the youth service used to do.**

We have developed a brief to commission organisations to take this forward – and have protected most of our other services to seek to preserve facilities for young people. We have protected the play provision; the outreach work for the Museum because most of the visitors to the Museum are schoolchildren; twinning, because the main beneficiaries of this are school exchange visits; we support the Everyman and its youth initiatives and the park rangers because much of their community work is with young people. So we see

twinning as a substantial part of this youth work agenda and if we are to help address the issues relating to facilities for young people we need to organise things internally so we are better coordinated.

Most importantly, there are hundreds of voluntary sports, faith and uniformed youth organisations throughout the town apart from established youth centres like Oasis, Charlton Kings and Brizen. We want to coordinate these and direct young people towards them. This is now gaining in political importance.

3.0. GROWTH AND ADDITIONAL ITEMS.

3.1. **MM & COUNCIL:** We have frozen car parking charges (appendix 3). Everything in our budget is subject to an annual 2.5% uplift and if we exclude this uplift, then it needs to be funded, and this costs us £106,500 permanent loss in revenue, and in terms of the MTFs is a recurring loss. We have done this to help the towns economy. We will also be investing money - £250k - in the car parks to make them more efficient, as well as capital in upgrading the telephone system.

3.2. In addition to the funding I announced earlier for Imperial and Montpellier Gardens, and for the Arts Council from the £259k Pension fund money, we are also allocating an additional £3k for oiling of seagulls eggs over the next two years.

3.3. There is also expenditure from previously budgeted earmarked reserves on business change and shared services, and, as I mentioned previously, on Power Perfector from the Repair and Renewal Reserve.

3.4. From the LAA Reward Grant that we expect to receive I have already mentioned the one-off funding of £50k to match fund what the County is allocating to Cheltenham for Youth Work – consistent with the sentiments of the resolution proposed by Cllr Sudbury at the last full Council; £30k for a further bidding round of Community Pride open to community

organisations with the emphasis on 'Big Society' type issues, particularly volunteering initiatives, and we will be funding Cheltenham Voluntary and Community Action £10k a year over three years to help build capacity in the voluntary sector so that it can participate more effectively in the commissioning agenda.

3.5 The LAA grant will be received half in capital and half in revenue. With an underspend from previous years we estimate that the capital available will amount to £179,837 and I am suggesting that this be allocated over three years (60k) a year to the Warm and Well scheme – obviously subject to us receiving it. This is identified in para 6.3 of the report. The scheme, which is administered by the Severn Wye Energy Agency, provides grant aid and is targeted at vulnerable people to improve the heating and energy efficiency of their homes, make warmth more affordable and reduce the levels of health risk associated with cold living conditions and thus keeps them in their homes longer and helps the health agenda.

3.6 We expect there will be relatively modest underspend's that accumulate from LABGI and LAA Reward funding over the next few months, and will recommend these should be distributed in the out-turn report in June which of course comes to Full Council to be decided. **I am minded to be particularly considerate to use funds to support youth work and Cheltenham's festivals, but would not want to make any commitments until we are clear about how much money will be available.**

3.7. You will have noted that we have taken over £700k of Planning Delivery Grant that has been used to fund development control officers into the General Reserve to top it up to around £2m by bedding 6 FTE planning posts into base budgets. My view and that of the S151 officer is that we need to keep this reserve at about this level given the uncertain period we are moving into.

3.8 Finally, from earmarked reserves and the sale of property and by moving different pots of money around so that we stay on the right side of local authority financial rules we are allocating £1m to Civic Pride to support Cheltenham Task Force and contribute towards the Boots Corner development, and costs associated with bringing sites to market and the cost of the delivery vehicle.

The money for the regeneration of St. Pauls and for the other building schemes has been allocated already. We will continue to push forward with investment in the town despite the recession.

CONCLUSION

MM & COUNCIL: I've tried to outline the budget in a way that can be more easily understood because there's a lot in it. It contains a lot of unpleasantness, but less than there could have been. We have been creative in orchestrating the funding and there are some good things in it Madam Mayor – not least your continued existence – and more ammunition for your ongoing war with the seagulls.

Members, even if you disagree with it I think you'll acknowledge the work we've put into this budget. As a result of what it contains I believe that we can proceed with more confidence over the coming period which will still be difficult, but will be doable.

I expect that, given the huge problems we have had both with the scale of the cuts, the very late announcements by Government and the difficulty of some of the things that need to be done, we will have to re-visit a number of issues in the June out-turn report. I've made the point that the Budget is now a round-the-year activity given the nature of the financial circumstances that we are in so this is no surprise. Yet again I want to underline the importance of the Budget Working Group in the new circumstances.

There we have it - I move the recommendations 1 to 9 outlined on p161

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Cheltenham Borough Council
Council – 25 February 2011

**Consideration of a petition requesting that land at Leckhampton
be protected from inappropriate large scale development.**

Accountable member	Leader
Accountable officer	Assistant Chief Executive
Accountable scrutiny committee	Environment
Ward(s) affected	Leckhampton Ward
Significant Decision	No
Executive summary	<p>A petition was received by the Council on 13 December 2010 requesting that the council considers designation of land in Leckhampton with a view to protecting it from inappropriate large scale development. The exact wording of the petition is set out in paragraph 2.1. As the petition had in excess of 750 signatures it is entitled to a debate at full Council.</p> <p>The council has an agreed process for dealing with petitions the detail of which is set out in paragraph 2.3. This report has been produced to enable members to consider the request of the petitioners. The council within its planning framework does have the opportunity to designate land as it feels appropriate and such designations are then tested through public consultation and wider stakeholder engagement and through public inquiry.</p> <p>The council is currently, through a partnership arrangement with Tewkesbury Borough Council and Gloucester City Council developing a Joint Core Strategy (JCS), and so any designation at this stage would be premature, but can be considered in developing strategic options.</p>
Recommendation	That Council requests officers to consider the issues raised by the petition as part of the developing options process for the Joint Core Strategy as set out in paragraphs 3.10 and 3.11 of this report.

<p>Financial implications</p>	<p>The council is facing an unprecedented period of financial constraint with a significant level of cuts in government support forecast over the next 4 years. The estimated revenue funding gap over the period of the MTFS (2012/13 – 2016/17) is £2.5m</p> <p>The council's resources for capital investment are also scarce and already committed. The council has significant aspirations for investment in its building and the town infrastructure for which funding sources have yet to be identified.</p> <p>As such, the council is unlikely to be in a position to contribute financially to either the set up costs or on-going running and maintenance costs of a country park.</p> <p>Contact officer: Mark Sheldon, Chief Finance Officer</p> <p>Mark.Sheldon@cheltenham.gov.uk, Tel 01242 264123</p>
<p>Legal implications</p>	<p>The petition must be considered in accordance with the Council's Petition Scheme made pursuant to the Local Democracy, Economic Development and Construction Act 2009. The petition will be considered in accordance with the Council Procedure Rules varied in so far as necessary to comply with the attached Process.</p> <p>The land at Leckhampton within Cheltenham Borough Council's boundaries is not designated for any development within the adopted local plan. The future planning status and policies for this land will be decided by the Joint Core Strategy process.</p> <p>The weight decision makers such as Council should attach to the Regional Spatial Strategy is set out in paragraphs 3.7 and 3.8 of this report.</p> <p>Section 7 of the Countryside Act 1968 gives the Council power to provide a country park. Where the land in question does not belong to the Council then the Council has the power to enter in to agreements with the landowner (including the payment of money) or compulsorily purchase the land. Compensation for compulsory purchase is payable and this is calculated as the amount which the land might be expected to realise if sold on the open market by a willing seller.</p> <p>In the Localism Bill there are provisions which allow community groups to nominate land to go on a Council's List of Assets of Community Value. If land is included on this list then owners of the land cannot sell the land without first allowing the community group to be treated as a potential bidder for the land. Compensation would have to be paid. This Bill has not yet received royal assent so these provisions could be amended or removed before then.</p> <p>Contact officer: Jonathan Noel, Solicitor jonathan.noel@tewkesbury.gov.uk 01242 775117</p>
<p>HR implications (including learning and organisational development)</p>	<p>None</p> <p>Contact officer: Amanda Attfield, AD HR and Organisation Development</p> <p>amanda.attfield@cheltenham.gov.uk, 01242 264186</p>

Key risks	Any risks associated with land use designations will be considered and recorded during the development of the JCS.
Corporate and community plan Implications	The JCS and development documents are the spatial interpretation of the community strategy and corporate plan outcomes.
Environmental and climate change implications	Any proposal for a county park would need to be considered within the Strategic Environmental Assessment undertaken to support the decision making of the Gloucester, Cheltenham & Tewkesbury Joint Core Strategy.

1. Background to the Petition Scheme

- 1.1** The petition provisions in the Local Democracy, Economic Development and Construction Act 2009 aim to address the perception nationally, as revealed in the results of the Place survey, that the community is unable to influence local decisions.
- 1.2** The Council's Petition Scheme (based on the national model scheme) is designed to ensure that the public has easy access to information about how to petition their local authority and they will know what to expect from their local authority in response. Included within the Scheme is the requirement to have a full Council debate should a certain number of signatures be achieved. Cheltenham Borough Council have set that threshold lower than that recommended by the legislation at 750 signatures.
- 1.3** The legislation also recommends a 15 minute maximum period for the debate and recognises that the issue may be referred to another committee where the matter is not one reserved for full Council. The purpose of the requirement for Council debate therefore, is not to ensure that the final decision relating to the petition issue is made at that Council meeting but to increase the transparency of the decision making process, ensuring that debates on significant petitions are publicised with sufficient notice to enable the petition organiser and public to attend. It also ensures that local people know that their views have been listened to and they have the opportunity to hear their local representative debate their concerns. The outcome of debates will depend on the subject matter of the petition.

2. The petition

- 2.1** The Mayor notified Council on 13 December 2010 that she had received a petition earlier that day from Kit Braunholtz, the chairman of the Leckhampton Green Land Action Group (LegLag). It had 2130 signatures which is in excess of the 750 signatures required to trigger a debate at Council. The wording of the petition is set out below:

"We the undersigned* urge the above Councils to allocate** a designated area to the South of Cheltenham (including the land formerly known as the Leckhampton White Land, Brizen Farm and Land West of Farm Lane) that shall be protected from inappropriate large scale development. This area of land is of high local community interest due its attractiveness, views in and out of the AONB and the contribution it makes to the setting of Cheltenham. We also highly value its easy accessibility for informal recreation, local food production, wildlife, environmental and ecological interest. We suggest that although parts of this area are in Shurdington, this designated land may for convenience (at the Councils' discretion) become known as: LECKHAMPTON COUNTRY PARK".

* All Signatories declare that they have not signed another copy of this petition

** In their Joint Core Strategy, Local Development Framework or another relevant appropriate

planning policy or document

2.2 Kit Braunholtz was nominated as the petition organiser.

2.3 The Council is therefore required to debate the petition in accordance with the Petitions Scheme approved by Council on the 13 May 2010. A process for dealing with petitions was produced by officers and is attached as Appendix 1 as a process to be followed for the debate at this meeting. This process includes the possible extension of the debate for longer than 15 minutes. The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows

- taking the action requested in the petition (provided the matter is reserved to full Council for decision)
- referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- taking no further action on the matter

3. Background information to the subject of the petition

3.1 The Council's Strategic Land Use Team has been working with LEGLAG for many years and has provided advice in respect of the future use of land at Leckhampton. A public meeting was held on 29th September 2010, organised by LEGLAG, which was attended by the council's Strategic Land Use Manager. At this meeting LEGLAG outlined the proposals for land at Leckhampton to be designated as a country park and sought public support for this. The meeting was well attended by the local community and supporters of the proposal.

3.2 At the meeting the Strategic Land Use Manager clearly set out that such a proposal would need to be considered in the context of the emerging Joint Core Strategy for Gloucester, Cheltenham and Tewkesbury.

3.3 The land proposed by LEGLAG falls outside the Principal Urban Area of Cheltenham, but is well related to the town. The area proposed falls across the administrative areas of both Cheltenham and Tewkesbury Borough Councils. The land relating to Cheltenham does not form part of the designation of the Area of outstanding Natural Beauty or form part of the green belt. Within the context of Cheltenham Borough Local Plan (2006) the area is unallocated.

3.4 LEGLAG are recognised as an important interest group within the Borough and have been engaged with JCS activities at key milestones that have included stakeholder consultation.

Consideration of the proposal in the context of the Regional Spatial Strategy for the South West

3.5 The area proposed for protection has been under pressure from development for many years; it has been subject to debate and consideration in the preparation and approval of the current and previous local plan/environs plan for Cheltenham and significantly debated in regards to the draft Regional Spatial Strategy for the South West (RSS).

3.6 The area was identified as a proposed urban extension for 1,300 dwellings in proposed changes to the RSS made by the Secretary of State in 2008.

- 3.7 Cheltenham Borough Council has consistently objected to the RSS and legal advice has been sought via the Council's legal team to determine the weight which decision makers such as Planning Committees and Council should attach to the RSS both in the light of the current case law and following the publication of the Localism Bill.
- 3.8 In respect of land proposed as an urban extension via the Secretary of State's Proposed Changes, the legal advice is that limited weight should be attached to the RSS. Whilst recent case law is relevant, the court decisions applied to an approved RSS. They have therefore limited relevance to the South West RSS as this has not been approved and is not part of the development plan. This site was inserted into the emerging RSS at proposed changes stage so it has not been subject to an examination in public in the context of being allocated as a proposed urban extension or been subject to a strategic environmental assessment. Consequently this further reduces the weight to attach to the emerging RSS. The legal advice may change if decisions are made in the courts which are relevant to this issue.

Consideration of the proposal in the context of the emerging Joint Core Strategy

- 3.9 The JCS Developing Options document will be considered by the Council at a meeting on 25 July 2011. Once agreed the JCS - Developing Options document will be published for a statutory period of six weeks for public consultation. This consultation document will set out an emerging spatial strategy for the JCS area and identify a number of broad locations that have the potential to contribute to delivering the strategy. This will provide members of the public and stakeholders the opportunity to make formal representations through the statutory development plan process on their preference for land allocations.
- 3.10 Following consultation on the Developing Options document and after considering the responses and the evidence presented, if it is considered appropriate to identify areas within the JCS area as protected from certain types of development, then this will be set out within the Preferred Options document due to be presented to Council in 2012. Until this time, special designation of the Leckhampton land, or in fact any other strategic location within the JCS area, is premature.
- 3.11 Key areas of work which will help inform considerations of the proposal for protection of the Leckhampton land within the emerging JCS Preferred Options document in 2012 include;
- Gloucestershire Landscape Character Appraisal – published http://www.cheltenham.gov.uk/site/scripts/documents_info.php?documentID=378&pageNumber=25
 - Developing the Spatial Options: consultation reports – published <http://www.gct-jcs.org/EvidenceBase/JCSDevelopingtheSpatialOptions.aspx>
 - JCS: Green Infrastructure Study – in preparation
 - JCS: Landscape Assessment – in preparation
 - JCS: Urban Definition Study – published <http://www.gct-jcs.org/EvidenceBase/UrbanExtensionDefinitionStudy.aspx>
 - Cheltenham Green Belt Review – published http://www.cheltenham.gov.uk/site/scripts/documents_info.php?documentID=378&pageNumber=22
 - JCS: Green Belt Review – currently in preparation
 - Strategic Flood Risk Assessment (1 & 2) – SFRA 1 published , <http://www.gloucestershire.gov.uk/index.cfm?Articleid=17247> ; SFRA in preparation
 - Gloucestershire Revised Housing and Employment Projections – currently in preparation
 - JCS Habitats Assessment – currently in preparation
 - Cheltenham Biodiversity Audit – published http://www.cheltenham.gov.uk/site/scripts/download_info.php?fileID=976
 - Cheltenham Green Space Strategy – published http://www.cheltenham.gov.uk/site/scripts/documents_info.php?documentID=612&pageNumber=4
 - JCS: Spatial options – currently in preparation
 - JCS: Comparative Site Assessment – currently in preparation
 - Cheltenham Strategic Housing Land Availability Assessment – published

http://www.cheltenham.gov.uk/site/scripts/documents_info.php?documentID=378&pageNumber=8 , to be reviewed 2011

- JCS: Broad locations/identification of options – in preparation
- Cheltenham Employment Land Review – published http://www.cheltenham.gov.uk/site/scripts/documents_info.php?documentID=378&pageNumber=21
- JCS: Employment Land Review – currently in preparation
- JCS: Strategic Environmental Assessment – in preparation
- Detailed proposal of Leckhampton Country Park – awaited from LEGLAG based on work being undertaken by Gloucestershire University

4. Other options

- 4.1 The Council does have the power under the Countryside Act 1968 to enter in to agreements with landowners or compulsorily purchase land for the purposes of providing a country park. However, this would require considerable up front investment and ongoing running costs and is unlikely to be financially viable in the context of the Council’s current budget, commitments and aspirations and so is not a recommended option.
- 4.2 The Localism Bill includes provisions which allow community groups to nominate land to go on a Council’s List of Assets of Community Value. If land is included on this list then owners of the land cannot sell the land without first allowing a community group to be treated as a potential bidder for the land. Compensation would have to be paid. The Bill, and these provisions, have yet to be enacted and so this is not an available option at this time.

5. Reasons for recommendations

- 5.1 To decide an appropriate course of action as required by the Petition Scheme.

Report author	<p>Contact Officers: Tracey Crews, Strategic Land Use Manager Tracey.crews@cheltenham.gov.uk 01242 264382</p> <p>Rosalind Reeves, Democratic Services Manager rosalind.reeves@cheltenham.gov.uk 01242 774937</p> <p>Jonathan Noel, Solicitor jonathan.noel@tewkesbury.gov.uk</p>
Appendices	<p>1. Process for dealing with a petition at council</p>
Background information	<p>1. Council’s petition scheme – report to Council 13 May 2010</p>

Appendix 1

Process for dealing with petitions at Council

The following is the recommended process to be followed for the debate of a petition at the Council meeting in accordance with the Council's Petition Scheme. The Council Procedure Rules shall be suspended in so far as necessary to facilitate this process.

1. The Mayor will remind members of the procedure to be followed

2. Statement by the petition organiser

The Mayor will invite the petitioner organiser or their representative to come to the microphone and speak for up to 5 minutes on the petition. There will be no questions and the petition organiser/their representative will take no further part in the proceedings.

3. Clarification on the background information in the officer's report

Members will be invited to ask any questions for clarification as to the facts in the officer's report.

4. Statement by the relevant Cabinet Member

The Cabinet Member whose portfolio is most relevant to the petition will be invited by the Mayor to speak for a maximum of 5 minutes on the subject of the petition. They may wish to refer to the background report from officers circulated with the papers for the meeting. They may also wish to propose a motion at this point; if so, the motion must be seconded.

5. Debate by members

Where a member has proposed a motion (which is seconded), the usual Rules of Debate (Rule 13) will apply.

If there is no motion, the Mayor will invite any member who wishes to speak on the petition to address Council for up to a maximum of 3 minutes.

When the 15 minutes set aside for the debate (as laid down in the Council's Petition Scheme) is up, the Mayor may decide to extend the time allowed for the debate but will bring it to a close when they feel sufficient time has been allowed.

6. Conclusion of Debate

The debate should conclude with one or more decisions taken pursuant to the Petition Scheme as follows:

- taking the action requested in the petition (provided the matter is reserved to full council for decision)
- referring the matter to Cabinet or an Appropriate Cabinet Member or Committee (including Overview and Scrutiny) for further consideration
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- taking no further action on the matter

**Cheltenham Borough Council
Council – 25 February 2011**

Council Tax resolution 2011/12

Accountable member	Cabinet Member for Finance and Community Development, Councillor John Webster
Accountable officer	Chief Finance Officer, Mark Sheldon
Accountable scrutiny committee	Economy and Business Improvement Overview and Scrutiny committee
Ward(s) affected	All
Significant Decision	Yes
Executive summary	The Council agreed its budget and level of council tax for 2011/12 at a meeting on 11 February 2011. The Council is required to formally approve the total council tax for residents of Cheltenham, including the council tax requirements of the precepting organisations Gloucestershire County Council (GCC) and the Gloucestershire Police authority
Recommendations	Approve the council tax resolution at Appendix 2 (to follow).

Financial implications	<p>Failure to agree the council tax resolution at this meeting would delay the preparation of council tax bills and the collection of the payments from residents. This may result in lost interest on income collected, which given the prevailing low interest rates, would be approximately £1-2k per month delayed.</p> <p>Contact officer: Mark Sheldon, Chief Finance Officer mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
Legal implications	<p>The Council must set its council tax in accordance with the Local Government Finance Act 1992 no later than 10th March 2011.</p> <p>Contact officer: Peter Lewis, One legal peter.lewis@teWKesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>None arising from this report.</p> <p>Contact officer: , @cheltenham.gov.uk, 01242</p>
Key risks	As outlined in the financial implications
Corporate and community plan Implications	None arising from this report

Environmental and climate change implications	
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1. Introduction

- 1.1 The Council agreed the budget and level of council tax for 2011/12 at a meeting on 11 February 2011. The Council is required to formally approve the total council tax for residents of Cheltenham including the council tax requirements of the precepting organisations, Gloucestershire County Council (GCC) and the Gloucestershire Police authority
- 1.2 Gloucestershire County Council (GCC) and Gloucestershire Police authority will have met to set their council tax by 16 February 2011.
- 1.3 The total council tax to be paid by residents of Cheltenham in 2011/12 by council tax band, including the precepting authorities, is contained in Appendix 2 (to follow)

2. Reasons for recommendations

- 2.1 Not applicable

3. Alternative options considered

- 3.1 Not applicable

4. Consultation and feedback

- 4.1 Not applicable

5. Performance management – monitoring and review

- 5.1 Not applicable

Report author	Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123
Appendices	<ul style="list-style-type: none"> 1. Risk Assessment 2. Council tax resolution (to follow)
Background information	<ul style="list-style-type: none"> 1. Council Budget Report 11 February 2011

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
c.tax 1	Failure to agree the council tax resolution may result in lost interest on income.	CFO	16/2/10	1	2	2	Reduce	Councillors to agree precept at meeting	24/2/11	CFO	

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CHELTENHAM BOROUGH COUNCIL

**COUNCIL
25th FEBRUARY 2011**

COUNCIL TAX RESOLUTION 2011/12

Pursuant to section 30 of the Local Government Finance Act 1992, the Council hereby calculates the council tax rate, for residents of Cheltenham, in accordance with the process set out below:

1. That it be noted that in accordance with regulations made under Section 33(5) of the Local Government Finance Act, 1992:

(a) **42,322.90** being the amount calculated by the Council, in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax Base) Regulations, 1992 (as amended) as its Council Tax Base for the year

(b) Part of the Council's area

Parish of Charlton Kings	4,233.90
Parish of Leckhampton with Warden Hill	1,858.70
Parish of Prestbury	2,946.30
Parish of Swindon	711.00
Parish of Up Hatherley	2,323.90

being the amounts calculated by the Council, in accordance with regulation 6 of the Regulations, as the amounts of its Council Tax Base for the year for dwellings in those parts of its area to which one or more special items relate (i.e. the number of taxable properties expressed as band 'D' equivalents).

(c) Part of the Council's area

Parish of Charlton Kings	£47,000.00
Parish of Leckhampton with Warden Hill	£31,500.00
Parish of Prestbury	£56,000.00
Parish of Swindon	£7,100.00
Parish of Up Hatherley	£23,000.00

being the individual amounts of all special items referred to in Section 34(1) of the Act (i.e. the amounts precepted by Parish Councils).

2. That the following amounts be now calculated by the Council for the year 2011/12 in accordance with Sections 32 to 36 of the Local Government Finance Act, 1992:-

APPENDIX 2

- (a) £70,173,544 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a) to (e) of the Act
(i.e. the Gross revenue expenditure)
- (b) £55,931,650 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a) to (c) of the Act
(i.e. Revenue income excluding National Non-Domestic Rates, Revenue Support Grant and additional grants. Excludes internal recharges)
- (c) £14,241,894 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with Section 32(4) of the Act as its budget requirement for the year
(i.e. General Fund net budget £14,077,294
PLUS
Parish Precepts £164,600)
- (d) £6,157,833 being the aggregate of the sums which the Council estimates will be payable for the year into its general funds in respect of redistributed non-domestic rates and revenue support grant payable under the Local Government Finance Report, and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the directions under section 98(4) of the Local Government Finance Act, 1988.
(i.e. Revenue Support Grant £1,439,927
National Non-Domestic Rates £4,658,406
Collection Fund surplus contribution £59,500)
- (e) £191.01 being the amount at 2(c) above less the amount at 2(d) above, all divided by the amount at 1(a) above, calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.
- (f) £164,600.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.
- (g) £187.12 being the amount at 2(e) above less the result given by dividing the amount at 2(f) above by the amount at 1(a) above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

APPENDIX 2

(h)	Part of the Council's area:	Parish of Charlton Kings	£11.10 + £187.12 = £198.22
		Parish of Leckhampton with Warden Hill	£16.95 + £187.12 = £204.07
		Parish of Prestbury	£19.01 + £187.12 = £206.13
		Parish of Swindon	£ 9.99 + £187.12 = £197.11
		Parish of Up Hatherley	£ 9.90 + £187.12 = £197.02

being the amounts given by adding to the amount at 2(g) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned at 1(c) above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(i)

Part of the Council's area	Valuation Bands								
	Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£	£
Charlton Kings	132.15	154.17	176.20	198.22	242.27	286.31	330.37	396.44	
Leckhampton with Warden Hill	136.05	158.72	181.40	204.07	249.42	294.76	340.12	408.14	
Prestbury	137.42	160.33	183.23	206.13	251.93	297.74	343.55	412.26	
Swindon	131.41	153.31	175.21	197.11	240.91	284.71	328.52	394.22	
Up Hatherley	131.35	153.24	175.13	197.02	240.80	284.58	328.37	394.04	
All other parts of the Council's area	124.75	145.54	166.33	187.12	228.70	270.28	311.87	374.24	

being the amounts given by multiplying the amounts at 2(g) and 2(h) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuations band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

APPENDIX 2

3. That it be noted that, for the year 2011/12 the Gloucestershire County Council and the Gloucestershire Police Authority have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act, 1992, for each of the categories of dwellings shown below are:-

Precepting Authority	Valuation Bands							
Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Gloucestershire County Council	727.00	848.17	969.33	1,090.50	1,332.83	1,575.17	1,817.50	2,181.00
Gloucestershire Police Authority	133.13	155.31	177.50	199.69	244.07	288.44	332.82	399.38

4. That having calculated the aggregate in each case of the amounts at 2(h) and 3 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act, 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2011/12 for each of the categories of dwellings shown below:-

Part of the Council's area	Valuation Bands							
Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Charlton Kings	992.28	1,157.65	1,323.03	1,488.41	1,819.17	2,149.92	2,480.69	2,976.82
Leckhampton with Warden Hill	996.18	1,162.20	1,328.23	1,494.26	1,826.32	2,158.37	2,490.44	2,988.52
Prestbury	997.55	1,163.81	1,330.06	1,496.32	1,828.83	2,161.35	2,493.87	2,992.64
Swindon	991.54	1,156.79	1,322.04	1,487.30	1,817.81	2,148.32	2,478.84	2,974.60
Up Hatherley	991.48	1,156.72	1,321.96	1,487.21	1,817.70	2,148.19	2,478.69	2,974.42
All other parts of the Council's area	984.88	1,149.02	1,313.16	1,477.31	1,805.60	2,133.89	2,462.19	2,954.62

**Cheltenham Borough Council
Council 25 February 2011
Council Diary September 2011 to August 2012**

Accountable member	Cabinet Member Corporate Services, Councillor Colin Hay
Accountable officer	Chief Executive, Andrew North
Accountable scrutiny committee	Not applicable
Ward(s) affected	
Significant Decision	No
Executive summary	<p>The proposed diary of Council meetings for September 2011 to August 2012 is attached as an Appendix 1.</p> <p>A provisional diary for September 2011 to August 2012 has not been produced at this stage but the meeting dates will follow the same pattern once this has been agreed.</p> <p>The start time for planning view meetings is again omitted to give greater flexibility in arranging an appropriate start time dependent on the time of the year and number of sites to be visited. The dates and times for the Cabinet are shown in bold are for information only as it is for the Leader of the Council to determine the Cabinet meeting dates.</p> <p>If it is necessary to make any subsequent amendments to the draft diary, these will be reflected in the published diary.</p>
Recommendations	I therefore recommend that the draft Council Diary of meetings for September 2011 – August 2012 be approved.

Financial implications	<p>No Financial Implications Contact Officer: Mark Sheldon E-mail mark.sheldon@cheltenham.gov.uk Tel 01242 264 123</p>
Legal implications	<p>None</p> <p>Contact officer: Peter Lewis@tewkesbury.gov.uk, 01242</p> <p>Email peter.lewis@tewkesbury.gov.uk</p>

HR implications (including learning and organisational development)	No Human Resources implications. Contact Officer: Amanda Attfield email: amanda.attfield@cheltenham.gov.uk Tel 01242 264186
Key risks	None
Corporate and community plan Implications	The diary of council meetings supports the democratic process.
Environmental and climate change implications	None

1. Consultation and feedback Page 53

- 1.1 The draft diary was circulated to all councillors and relevant officers in January as part of the consultation. This resulted in a rescheduling of some Planning Committee meetings to avoid school holiday dates. Other minor changes were made as a result of the feedback received.

2. Performance management –monitoring and review

- 2.1 Not applicable

Report author	Rosalind Reeves, Democratic Services Manager, 01242 774937, Rosalind.reeves@cheltenham.gov.uk
Appendices	1. Draft Council Diary September 2011 – August 2012
Background information	

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Draft

September 2011 to August 2012

September 2011

Thursday 1	<i>Start of School Term 1</i>	
Friday 2	Licensing	2.30 p.m.
Monday 5	Social and Community	6.00 p.m.
Tuesday 6		
Wednesday 7	<i>Member Seminar (provisional)</i>	6:00 p.m.
Thursday 8		
Friday 9		
Monday 12		
Tuesday 13	<i>Planning View</i>	
Wednesday 14	Environment	6.00 p.m.
Thursday 15	Planning	6.00 p.m.
Friday 16		
Monday 19	Economy and Business Improvement	6.00 p.m.
Tuesday 20		
Wednesday 21	Audit	6.00 p.m.
Thursday 22	Asset Mgmt Working Group	5.00 p.m.
Friday 23		
Monday 26		
Tuesday 27	Cabinet	6.00 p.m.
Wednesday 28		
Thursday 29		
Friday 30		

Note: September 14 is Battle of Britain Day. (Date of commemoration service to be confirmed).

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October 2011

Monday 3	Treasury Management Panel	5.00 pm
	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadlines for Council motions</i>	<i>12 noon</i>
Tuesday 4		
Wednesday 5		
Thursday 6		6.00 p.m.
Friday 7	Licensing	2.30 p.m.
Monday 10	Council	2.30 p.m.
Tuesday 11		
Wednesday 12	<i>Member Seminar (provisional)</i>	6.00 p.m.
Thursday 13		
Friday 14	Standards	2.30 p.m.
Monday 17		
Tuesday 18	Planning View	
	Cabinet	6.00 p.m.
Wednesday 19		
Thursday 20	Planning	6.00 p.m.
Friday 21		
Monday 24	<i>School Half Term all week</i>	
Tuesday 25		
Wednesday 26		
Thursday 27		
Friday 28		
Monday 31	<i>Start of School Term 2</i>	

November 2011

Tuesday 1	<i>Member Seminar (provisional)</i>	6.00 p.m.
Wednesday 2		
Thursday 3		
Friday 4	Licensing	2.30 p.m.
Monday 7	Social and Community	6.00 p.m.
Tuesday 8		
Wednesday 9		
Thursday 10		
Friday 11		
Monday 14		
Tuesday 15	Cabinet <i>Planning View</i>	6.00 p.m.
Wednesday 16		
Thursday 17	Planning	6.00 p.m.
Friday 18		
Monday 21	Treasury Management Panel	5.00 p.m.
Tuesday 22		
Wednesday 23	Environment	6.00 p.m.
Thursday 24		
Friday 25		
Monday 28	Economy and Business Improvement	6.00 p.m.
Tuesday 29		
Wednesday 30		
Remembrance Sunday 13 th		

December 2011

Thursday 1		
Friday 2	Licensing	2.30 p.m.
Monday 5	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadline for Council motions</i>	<i>12 noon</i>
	<i>Member Seminar (provisional)</i>	6.00 p.m.
Tuesday 6	Cabinet	6.00 p.m.
Wednesday 7		
Thursday 8	Asset Management Working Group	5.00 p.m.
Friday 9	Standards	2.30 p.m.
Monday 12	Council	2.30 p.m.
Tuesday 13	Planning View	
	Cabinet (Interim Budget)	6.00 p.m.
Wednesday 14		
Thursday 15	Planning	6.00 p.m.
Friday 16		
Monday 19	<i>Start of School Christmas Holidays</i>	
Tuesday 20		
Wednesday 21		
Thursday 22		
Friday 23		
Monday 26	Offices closed	
Tuesday 27	Offices closed	
Wednesday 28		
Thursday 29		
Friday 30		

January 2012

Monday 2	Offices closed	
Tuesday 3	<i>Start of School Term 3</i>	
Wednesday 4		
Thursday 5		
Friday 6	Licensing	2.30 p.m.
Monday 9	Social and Community	6.00 p.m.
Tuesday 10		
Wednesday 11	Audit	6.00 p.m.
Thursday 12		
Friday 13		
Monday 16		
Tuesday 17	Cabinet <i>Planning View</i>	6.00 p.m.
Wednesday 18	Environment	6.00 p.m.
Thursday 19	Planning	6.00 p.m.
Friday 20		
Monday 23	Economy and Business Improvement	6.00 p.m.
Tuesday 24		
Wednesday 25		
Thursday 26	Treasury Management Panel	5.00 p.m.
Friday 27		
Monday 30	<i>Member Seminar(provisional)</i>	6.00 p.m.
Tuesday 31		

February 2012

Wednesday 1		
Thursday 2		
Friday 3	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadline for Council motions</i>	<i>12 noon</i>
	Licensing	2.30 p.m.
Monday 6		
Tuesday 7	Cabinet (Budget)	6.00 p.m.
Wednesday 8		
Thursday 9		
Friday 10	Council (Budget)	2.30 p.m.
Monday 13	<i>School Half Term all week</i>	
	<i>Provisional additional Council(if required)</i>	2.30 p.m.
Tuesday 14		
Wednesday 15		
Thursday 16		6.00 p.m.
Friday 17	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadline for Council motions</i>	<i>12 noon</i>
Monday 20	<i>Start of School Term 4</i>	
Tuesday 21	<i>Planning View</i>	
Wednesday 22		
Thursday 23	Planning	6.00 p.m.
Friday 24	Council Tax Setting	2.30 p.m.
Monday 27	Social and Community	6. 00 p.m.
Tuesday 28		
Wednesday 29	Environment	6.00 p.m.

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March 2012

Thursday 1		
Friday 2	Licensing	2.30 p.m.
Monday 5	Economy and Business Improvement	6.00 p.m.
Tuesday 6		
Wednesday 7		
Thursday 8	Asset Mgmt working group	5.00 p.m.
Friday 9	Standards	2.30 p.m.
Monday 12	<i>Member Seminar (provisional)</i>	6.00 p.m.
Tuesday 13	Cabinet	6.00 p.m.
Wednesday 14		
Thursday 15		6.00 p.m.
Friday 16		
Monday 19	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadline for Council motions</i>	<i>12 noon</i>
Tuesday 20	<i>Planning View</i>	
Wednesday 21	Audit Committee	6.00 p.m.
Thursday 22	Planning	6:00 p.m.
Friday 23		
Monday 26	Council	2.30 p.m.
Tuesday 27		
Wednesday 28		
Thursday 29		
Friday 30	Licensing	2.30 pm

April 2012

Monday 2	<i>Start of School Easter Holidays</i>	
Tuesday 3		
Wednesday 4	<i>Member seminar (provisional)</i>	6.00 p.m.
Thursday 5		
Friday 6	Good Friday	
Monday 9	<i>School Easter Holidays</i>	
	Bank Holiday	
Tuesday 10		
Wednesday 11		
Thursday 12		
Friday 13		
Monday 16	<i>Start of School Term 5</i>	
Tuesday 17	Cabinet <i>Planning View</i>	6.00 p.m.
Wednesday 18		
Thursday 19	Planning	6.00 p.m.
Friday 20		
Monday 23		
Tuesday 24		
Wednesday 25		
Thursday 26		
Friday 27	Licensing	2.30 p.m.
Monday 30		

May 2012

Tuesday 1		
Wednesday 2		
Thursday 3	Borough Elections (to be confirmed)	
Friday 4		
Monday 7	Bank Holiday	
Tuesday 8		
Wednesday 9	Members Open Day	
Thursday 10		
Friday 11		
Monday 14	Annual and Selection Council	2.30 pm
Tuesday 15		
Wednesday 16	Inauguration of the Mayor (Town Hall)	6.30 p.m.
Thursday 17		
Friday 18		
Monday 21	Social and Community	6.00 p.m.
Tuesday 22	<i>Planning View</i>	
Wednesday 23		
Thursday 24	Planning	6.00 p.m.
Friday 25		
Monday 28		
Tuesday 29	Cabinet	6.00 p.m.
Wednesday 30	Environment	6.00 p.m.
Thursday 31		

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June 2012

Friday 1	Licensing	2.30 p.m.
Monday 4	School Half Term all week	
	Bank Holiday	
Tuesday 5	Diamond Jubilee Bank Holiday	
Wednesday 6		
Thursday 7		
Friday 8		
Monday 11	Start of School Term 6	
	Economy and Business Improvement	
Tuesday 12		
Wednesday 13	Treasury Management Panel	5.00 p.m.
Thursday 14	<i>Member seminar (provisional)</i>	6.00 p.m.
Friday 15		
Monday 18	<i>Deadline for Council questions</i>	<i>10.00 a.m.</i>
	<i>Deadline for Council motions</i>	<i>12 noon</i>
Tuesday 19	Cabinet	6.00 p.m.
	<i>Planning View</i>	
Wednesday 20	Audit Committee	6:00 p.m.
Thursday 21	Planning	6.00 p.m.
Friday 22		
Monday 25	Council	2.30 p.m.
Tuesday 26		
Wednesday 27		
Thursday 28	Asset Mgmt. Working Group	6.00 p.m.
Friday 29	Licensing	2.30 pm

Monday 2		
Tuesday 3		
Wednesday 4	<i>Member Seminar (Provisional)</i>	6.00 p.m.
Thursday 5		6.00 p.m.
Friday 6	Standards	2.30 p.m.
Monday 9	Social and Community	6.00 p.m.
Tuesday 10		
Wednesday 11	Environment	6.00 p.m.
Thursday 12		
Friday 13		
Monday 16	Economy and Business Improvement	6.00 p.m.
Tuesday 17	<i>Planning View</i>	
	Cabinet	6.00 p.m.
Wednesday 18		
Thursday 19	Planning	6.00 p.m.
Friday 20	Start of School summer holidays	
Monday 23	School summer holidays	
	Council (if required)	
Tuesday 24		
Wednesday 25		
Thursday 26		
Friday 27	Licensing	2.30 p.m.
Monday 30	School summer holidays	
Tuesday 31		

August 2012

Wednesday 1

Thursday 2

Friday 3

Monday 6

School summer holidays

Tuesday 7

Wednesday 8

Thursday 09

Friday 10

Monday 13

School summer holidays

Tuesday 14

Wednesday 15

Thursday 16

Friday 17

Monday 20

School summer holidays

Tuesday 21

Planning View

Wednesday 22

Thursday 23

Planning

6.00 p.m.

Friday 24

Monday 27

School summer holidays I

Bank Holiday

Tuesday 28

Wednesday 29

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