CHELTENHAM
BOROUGH COUNCIL

Notice of a meeting of Council

Friday, 24 February 2012
2.30 pm
Council Chamber, Municipal Offices

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

Agenda

1.	**A MOMENT OF REFLECTION**	
2.	**APOLOGIES**	
3.	**DECLARATIONS OF INTEREST**	
4.	**TO APPROVE AND CONFIRM THE MINUTES OF THE MEETING HELD ON THE 10 FEBRUARY 2012**	(Pages 1 - 12)
5.	**PUBLIC QUESTIONS**	
6.	**COMMUNICATIONS BY THE MAYOR**	
7.	**COMMUNICATIONS BY THE LEADER OF THE COUNCIL**	
8.	**MEMBER QUESTIONS**	
9.	**COUNCIL TAX RESOLUTION 2012-13** Joint report of the Cabinet Member Finance & Community Development and the Director of Resources	(Pages 13 - 20)
10.	**REVIEWING THE 'DEVELOPMENT ON GARDEN LAND AND INFILL SITES' SPD** Report of the Cabinet Member Built Environment	(Pages 21 - 24)

11.	**NOTICES OF MOTION** **Proposed by: Councillor Wheeldon** **Seconded by: Councillor Walklett** This council is fully committed to reduce its output of greenhouse gases and therefore resolves that; Our current target of a 30% reduction by 2015 should be brought in line with other public bodies and changed to a 40% reduction target by 2020.	
12.	**TO RECEIVE PETITIONS**	
13.	**ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**	

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

Council

Friday, 10th February, 2012
2.30 - 4.40 pm

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

Minutes

1. PRAYERS

Reverend Tim Mayfield opened the meeting with prayer.

2. APOLOGIES

Councillors Bickerton, Jeffries and Wall had given their apologies. Councillor Smith had advised that he would be arriving late for the meeting and subsequently arrived at 4.25 pm.

The Borough Solicitor and Monitoring Officer had been unable to attend and therefore the Head of Legal Services had attended in her place.

3. DECLARATIONS OF INTEREST

Councillors Driver, C. Hay, Walklett and Wheeldon declared a personal and prejudicial interest in agenda items 12 and 13 as Board Members of Cheltenham Borough Homes.

4. TO APPROVE AND CONFIRM THE MINUTES OF THE MEETING HELD ON 12 DECEMBER 2011

The minutes of the last meeting had been circulated with the agenda.

The Mayor proposed an amendment to minute item 1 to record that the Reverend Tim Mayfield opened the meeting with a minutes silence rather than a prayer. This was seconded by Councillor Regan.

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on the 12 December 2011, as amended, be agreed and signed as an accurate record.

5. PUBLIC QUESTIONS

The following responses were given to the two public questions received. The questioner was not present at the meeting so there was no supplementary question.

1.	**Question from Mr Feilder to Cabinet Member Finance and Community Development. Councillor John Webster**
	When an £800k budget gap is forecast for the coming year, how can the council justify the planned £1.7 million expenditure on providing swimming pools and other 'leisure services' when there exists a variety of private providers of these facilities and services in the town?
	Response from Cabinet Member Finance and Community Development
	£1.7m represents the total cost of the leisure@ facility, including capital charges (e.g. depreciation) and internal recharges for staff time (e.g. ICT, Finance, Human Resources support services) The direct net cost of provision of Leisure Services is £683k. Appendix 4 to the budget papers includes a proposal to generate additional income of £35k in 2012/13, which will result in a net cost of service of £648k per annum. The service has also made savings of £45k from staffing restructures in the current year, which has been built into the base budget. In addition, the council receives funding from the NHS and other external sources to enable these services to be provided to the community, meeting the council's health and wellbeing agenda. The cost of the alternatives would mean that many people on low incomes or limited pensions would find it difficult to access them. Most LA's provide these kinds of facilities.
2.	**Question from Mr Feilder to Cabinet Member Finance and Community Development, Councillor John Webster**
	Why is the council planning to fund the Unison Social Club to the tune of £14,000?
	Response from Cabinet Member Finance and Community Development
	This amount is paid to Cheltenham Borough Homes to reimburse the company for one of their officer's time spent on union duties. No payments are made direct to Unison or any other Union.

6. APPOINTMENT OF MAYOR ELECT AND DEPUTY MAYOR 2012/13

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 2012-2013 had been put in place.

As a consequence Councillor C Hay as Deputy Mayor for 2011-2012 would become Mayor and Councillor Flynn had indicated her willingness to be put forward as Deputy Mayor for 2012-2013.

Upon a vote it was unanimously

RESOLVED that Council note the Order of Precedence in Appendix 2 and that Councillor Colin Hay and Councillor Wendy Flynn would be put to the Annual Council Meeting for election as Mayor and Deputy Mayor respectively for the municipal year 2012-2013.

7. COMMUNICATIONS BY THE MAYOR

The Mayor congratulated Councillor Stewart for the money he had raised for his charity shave off.

The Mayor informed members of the charity abseil which would be taking place in April in aid of the Mayor's charities. Councillor Barnes added that he would be participating in this event and sponsorship would be welcome.

8. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader of the Council reiterated his congratulations to Councillor Stewart for his charity shave off.

The Leader also announced that it had been confirmed that Paul Davies had resigned as Chief Executive of Cheltenham Borough Homes. The Leader wished to put on record his thanks on behalf of the town for the work he had done as Chief Executive at CBH over the last 9 years. Amongst his achievements was the £70 million investment into housing stock in Cheltenham and the Decent Homes Standard being reached ahead of schedule and within budget. On behalf of the Council he wished him all the best for the future. Paul Stephenson had been named Acting Chief Executive in the interim.

The Leader of the Council reminded members that the deadline for responses to the Joint Core Strategy Consultation were due on Sunday. He urged members to respond and to encourage local residents to respond too.

9. MEMBER QUESTIONS

The following responses were given to the four Member questions received:

1.	**Question from Councillor P McLain to Cabinet Member Corporate Services, Councillor Colin Hay**
	What were the staffing numbers (actual and fte) at CBC for the last three financial years and proposed staffing numbers for the 2012/13 financial year?
	Response from Cabinet Member Corporate Services
	2009/10 – 614.9 ftes 675 total staff as at 1/4/09 2010/11 – 598.0 ftes 641 total staff as at 1/4/10

	2011/12 – 524.9 ftes 603 total staff as at 1/4/11 2012/13 – 359.2 ftes 428 estimated total staff as at 1/4/12
2.	**Question from Councillor P McLain to Cabinet Member Corporate Services, Councillor Colin Hay**
	What proportion of CBC's total budget (actual and %) was spent on staffing costs for the last three financial years and proposed for the 2012/13 financial year?
	Response from Cabinet Member Corporate Services
	2009/10 - £16.657m 18% of gross revenue expenditure 2010/11 - £17.545m 17.5% of gross revenue expenditure 2011/12 - £16.565m 18% of gross revenue expenditure 2012/13 - £11.582m 13% of gross revenue expenditure
3.	**Question from Councillor P McLain to Cabinet Member Corporate Services, Councillor Colin Hay**
	What proportion of CBC's total budget was spent on pension contributions for the last three financial years and proposed for the 2012/13 financial year?
	Response from Cabinet Member Corporate Services
	2009/10 - 3% of gross revenue expenditure 2010/11 - 3% of gross revenue expenditure 2011/12 - 3.6% of gross revenue expenditure 2012/13 - 3.7% of gross revenue expenditure
4.	**Question from Councillor Regan to Cabinet Member Sustainability, Councillor Roger Whyborn**
	Weavers Field is a well known local beauty spot in Warden Hill and is much loved by local residents. Does the Cabinet Member for Sustainability recognise the strong opposition by local residents and users of this site to the plans to turn it into 88 allotment plots and a car park. **A.** Will he acknowledge that the plot holders will have uninterrupted views into the back gardens and bedrooms of all the houses surrounding this area and will he acknowledge the loss of privacy this will bring to those householders? **B.** Will the member confirm who will manage this site. If it is passed to the local Parish Council can the Cabinet Member confirm how much financial support will be given to the Parish by the Borough Council? **C.** Will the member confirm that all other sites have been investigated and acknowledge that there are already 4 other allotment sites in the nearby vicinity. Will the member therefore disband his proposals for this site, support local residents and seek other alternatives?
	Response from Cabinet Member Sustainability

	The Cabinet member recognises the benefits of being able to enjoy walking on Weavers Field, and people will still be able to walk into and around the area in the future. However the Council must also balance this against the many benefits of allotments to people in urban areas – and specifically with the need to provide 290 allotment sites within reasonable distance of the plotholders' homes, mostly in the south of Cheltenham – as described in the allotment strategy. At the present time waiting lists on surrounding sites are: Alma Road – 276, Hatherley Road – 166, Reddings – 115, Warden Hill (existing site) – 129, many of whom have been waiting for several years. QA. The question of people being overlooked is one which officers are looking into, and in so far as it is a new problem will clearly be addressed sympathetically. Initial indications from the development manager are that consultations on the proposal would be carried out and opinions of the local residents will be taken into account when the recommendation on any such application is made. QB. The current favoured option is for CBC to provide and manage non-statutory allotments on Weavers Field, though CBC would look favourably at proposals by the Parish council and others to manage the site: By providing so-called "temporary" allotments would mean that the statutory provisions under the Local Government Act 1972 on use of the allotments by people outside of the council's areas would not apply. Therefore they could (and would) be used by residents in either CBC's or the PC's area. The site would generate income from allotment rents and this would be used to fund the running of the site. QC. Yes we have considered other sites and are still considering other sites i.e other land owned by the council, possible land nearby that might become available through housing development, and/or through land swaps with others. At this present time CBC is not yet in a position to bring other sites forward. However there will be formal consultations, as well as a forum at the Parish council which is to be undertaken before any decision will be taken to move forward with allotments at Weavers Field. Any decision would not be rushed. In a supplementary question Councillor Regan asked the Cabinet Member to explain what detailed criteria was used to decide on Weavers Field as an allotment site and who had been involved in assessing the site. In response the Cabinet member explained that the assessment had been carried out by officers, details of which would be passed to Cllr Regan. He explained that a number of sites had been examined and Weavers Field was the only site to be deemed appropriate. He emphasised that a statutory consultation and a thorough assessment would be undertaken before any definitive decisions were taken.

10. ADOPTION OF LICENSING ACT 2003 POLICY STATEMENT

The Cabinet Member Housing and Safety introduced the report which outlined the background to the Licensing Act 2003 which required the Council to review, determine and publish its Licensing Act Policy Statement every three years.

The Cabinet Member Housing and Safety thanked officers, the Licensing Committee and those that had responded to the consultation.

A member made reference to paragraph 5.32-the Violent Crime Reduction Act 2006 and requested that a footnote be added to make reference to the Police Reform and Social Responsibility Act 2011 which covers alcohol licensing and which repeals Alcohol Disorder Zones. In response the Senior Licensing Officer explained that Alcohol Disorder Zones would be repealed on 6 April 2012. The Policy Statement would be reviewed again at the end of next year and would be brought into line with the amendments of the Police Reform and Social Responsibility Act 2011.

The Mayor added that when granting licences in the future consideration should also be given to how the licensing department takes into account the views of the public.

Upon a vote it was unanimously

RESOLVED that the proposed draft revised policy statement at Appendix 2 be approved and adopted with immediate effect.

11. GENERAL FUND REVENUE AND CAPITAL - REVISED BUDGET 2011/12 AND FINAL BUDGET PROPOSALS 2012/13 FOR CONSULTATION (INCLUDING SECTION 25 REPORT)

The Mayor invited the Section 151 Officer to give a presentation to Council on the budget.

In response to questions from members, the Section 151 Officer gave the following responses;

- Regarding the freeze of council tax, the government grant would be equivalent to a 2.5% increase in council tax.
- Asked whether the council's levels of reserves were consistent with other councils comparable with Cheltenham, he advised that in setting reserves the council took a similar view to the advice from CIPFA that the reserves should be set at around 3% of the gross budget.
- He informed members that the savings from shared services amounted to an excess of £2 million over five years broken down as follows:
  One Legal - £80 K per annum p.a.
  Building Control - £30 K p.a.
  Audit Partnerhsip - £30 K p.a.
  GO - £270 K p.a. from 2013/14
- Regarding the timing of payments from Glitnir, Icelandic Bank he advised that discussions were currently underway with the winding up board and they were expecting a payment by the end of this financial year. However even if this payment was delayed, it was a matter of timing but the payment itself was not in question.

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 introduced the 2012/13 budget proposals with a detailed speech (please see attached).

The Cabinet Member Finance moved acceptance of the 2012/13 Budget as set out in the report. The motion was seconded by Councillor Rawson who reserved his right to speak.

In response to questions from members, the Cabinet Member Finance gave the following responses:

- A member raised concerns about the extension of car parking charges to 8 p.m. in the evening and wanted to know whether this was cost effective. Another member had concerns about the number of shops closing in the town and whether this was linked with car parking charges. The Cabinet Member advised that this was currently being reviewed and a report would be produced. He had been advised by the Town Centre Manager that footfall in the town was fairly consistent with previous years and therefore he was not convinced that higher car parking charges was the reason behind shops closing down in the town centre. In his view the concessionary travel scheme was a more likely cause of the fall in car parking income. The county council had extended their on street car parking to 8 p.m. It was important that there was harmonisation between the county council's charges for on street parking and the charges the council made for its own car parks.
- Regarding green waste, the Cabinet planned to set up a cross party member working group to look at the way forward.
- He advised that the council had incredibly high collection rates for council tax and assumptions in the budget had been based on that level of return.
- A member asked what criteria would be used to ensure value for money from the funding allocated from the New Home Bonus (NHB) and what follow-up process will be put in place to demonstrate that the funding allocated had resulted in attracting inward movement into the town. The Cabinet Member advised that the criteria for allocating any funds from the NHB would be set and bids would be assessed by the group which had been set up for this purpose consisting of both members and outside people.

- He welcomed the appreciation expressed by a member in continuing to give financial support to youth provision in Cheltenham from the NHB.
- Regarding the suggestion that the council should encourage small businesses by reducing business rates, he reminded members that business rates were currently set by government. Under the proposed new scheme, the council may have more discretion to support new businesses but it was likely that any reduction in business rates would have to be funded locally.
- Regarding the suggestion that the council should be doing more to support Cheltenham Festivals who were experiencing financial difficulties, he advised that Cheltenham Festivals had bid for a grant from the Promoting Cheltenham Fund this year and he assumed they would apply again next year. He confirmed that the council had stopped the grant to the festivals last year however the council continued to provide contributions in kind such as ICT support. He confirmed that the next tranche of the fund was due to be distributed in March this year, however the Leader qualified that there was only a small amount of funding left so they would manage the response accordingly.

Councillor Garnham gave a response to the budget on behalf of the Conservative party. He paid tribute to Councillor Webster and the former Cabinet Member for Finance for taking control of the council's overspends and the achievements of the Bridging the Gap programme. He acknowledged that there had been little room to manoeuvre in bringing together a balanced budget and consequently his party were proposing no amendments.
However they did have a number of concerns which he highlighted.

- In proposing a council tax freeze, the budget accepted that there would be a £200,000 gap in the base budget in future years.
- There was concern about building a significant part of the New Homes Bonus (NHB) into the base budget
- Concern about the decision not to contribute £200,000 to the property maintenance budget in 2012/13.
- The real area of concern was that there were still huge areas of uncertainty in the budget and a massive gap of £2 million at the end of year five in the Medium Term Financial Strategy. There was an expectation that commissioning would deliver further savings but there were no specific targets. Until plans were in place to demonstrate how this gap would be closed, this would continue to be a concern for people.

Councillor Godwin gave a response to the budget on behalf of the People Against Bureaucracy party. He gave thanks to Councillor Webster for meeting with members of his party to explain the budget and answer any questions they had. He acknowledged that it had not been an easy budget given the current financial restraints set by government and it was down to the hard work of everyone involved in achieving a balanced budget. He highlighted the sting in the tail relating to the grant from Government to support the freeze in council tax which the Council would lose next year. He supported the budget and was confident that the Finance Team would be up to meeting the challenges in future years.

Councillor Jordan added his comments to the budget as Leader of the Liberal Democrat party. He paid tribute to Councillor Webster and Mark Sheldon and all his Finance team together with everyone involved in the success of the Bridging the Gap programme and the newly formed Budget Working Group. Whilst acknowledging the Conservative's concerns about the future, he highlighted that both the Local Authority Company and GO were due to go live in April and there was lots more to come. The Council would continue to achieve efficiency savings by working together with others and thereby avoid the need to cut services. The Council should continue to invest in initiatives which supported Cheltenham as a visitor destination and the use of the NHB was part of the process. As the NHB was guaranteed for the next six years he considered it was entirely right that part of it was built into the base budget and sensible to use the remainder for supporting youth services and the Promoting Cheltenham fund. He was aware that there was disagreement with the NHB strategy and Cabinet would be reviewing its success in due course. It was important that the council continued to support small businesses and start-ups by providing advice and guidance and was currently working with partners in Gloucestershire to determine the best way to do this. There would be difficult times ahead and he would be urging government to give local authorities as much advance warning as possible of future settlements. He urged members to support the budget which provided great investment in the town and no major cuts in services.

The Cabinet Member Built Environment responded to the concern regarding the lack of top of the property maintenance fund in 2012/13. He highlighted that the planned expenditure on property maintenance was in excess of £1.6 million next year which compared favourably with previous years. The plan included some important projects for the town such as improvements to the Grosvenor Terrace car park and Town Hall facilities. He sympathised with the concern about charging for evening parking and the Cabinet were considering a number of pilots which would promote the town centre as an evening destination. He also highlighted that the County Council were significantly increasing the charges for on street parking for residents and businesses which would also have an impact.

The Cabinet Member Sustainability raised a point of clarification regarding the highways maintenance contract. Although the County Council were not proposing any reductions to grass verge cutting, there were significant cuts planned with regard to weed killing and foliage reduction in alleyways and removal of epicormic growth from trees which would have a significant impact in the town.

Upon a vote it was

RESOLVED that having considered the budget assessment by the Section 151 Officer at Appendix 10;

1. **The revised budget for 2011/12 be noted.**

2. **The final budget proposals including a proposed council tax for the services provided by Cheltenham Borough Council of £187.12 for the year 2012/13 (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 savings / additional income at Appendix 4 be approved.**

5. **The reserve re-alignments at Appendix 5, as outlined in section 9 be approved.**

6. **The proposed capital programme at Appendix 6, as outlined in Section 10 be approved.**

7. **The updated Medium Term Financial Strategy at Appendix 7 including the impact of the 'bridging the gap' programme on the forecast budget gap be noted.**

8. **The proposed Property Maintenance programme at Appendix 8, as outlined in Section 11 be approved.**

9. **A level of supplementary estimate of £100,000 for 2011/12 as outlined in section 14 be approved.**

(Voting: 25 For, 7 Against, 4 Abstentions)

12. HOUSING REVENUE ACCOUNT BUSINESS PLAN

Having declared a personal and prejudicial interest in this item Councillors Driver, C. Hay, Walklett and Wheeldon left the room for this item and agenda item 13 and did not participate in the debate for either item.

In the absence of the Mayor and Deputy Mayor the Chief Executive asked for nominations to chair the meeting and Councillor Barnes was duly appointed.

The Cabinet Member Housing and Safety introduced the report which set out plans for the management and maintenance of CBC-owned housing stock from 2012-2042. She welcomed the forthcoming implementation of the self financing regime which would provide both an increase in resources and greater control of those resources. She wished to put on record her thanks to the Senior Leadership Team, CBH Board and CBH frontline staff.

The Leader of the Council welcomed the investment in Cheltenham's housing stock which represented a big opportunity for the town.

A member asked whether the new social housing could be quantified. In response the Assistant Director CBH explained that this could not be quantified in the short to medium term but there were currently firm proposals on developing St Pauls phase 2, Cakebridge Place and the Garages. A report would be going to Cabinet in March. Subsequent to this CBH would seek to develop a continuous programme of development although this may be restricted by land availability at that time.

Upon a vote it was unanimously

RESOLVED that the strategy as outlined in the business plan at Appendix 2, be approved as part of the budget setting process.

13. HOUSING REVENUE ACCOUNT - REVISED BUDGET 2011/12 AND FINAL BUDGET PROPOSALS 2012/13 FOR CONSULTATION

The Cabinet Member Finance & Community Development introduced the HRA revised budget for 2011/12 and the Cabinet's final HRA budget proposals for 2012/13. He asked members to note that the proposals were not 'for consultation' as stated in the report.

This was already considered to be a good news story and would result in an estimated £13.8 million to spend over the next 10 years, invested in new build, improving existing stock and service improvements. The Cabinet Member highlighted the increase of £68k to the CBH budget which would enhance the role of Safer Estates and allow for the creation of a new post for an Arrears Officer. CBH had done fantastically well achieving 3 stars, completing the Decent Homes programme ahead of schedule and the Senior Leadership Team needed to be commended for these achievements. The Cabinet Member wished to put on record his thanks to Paul Davies for his achievements at CBH.

Prior to formally moving the recommendations the Cabinet Member Finance & Community Development asked members to note that in respect of recommendation 3 of the report the financial implications of the reorganisation will be met from CBH own resources.

Upon a vote it was unanimously

RESOLVED that;

1. **The revised HRA budget and capital programme for 2011/12 be noted.**

2. **The 2012/13 HRA budget including a proposed average rent increase of 6.43% (applied in accordance with rent restructuring guidelines) and increases in other rents and charges as detailed at Appendix 5 be approved.**

3. **The 2012/13 management fees and charges for Cheltenham Borough Homes as detailed in Section 4 be approved subject to any changes relating to the current reorganisation being acceptable to Cabinet.**

4. **The 2012/13 HRA capital programme at Appendix 6 be approved.**

14. TREASURY MANAGEMENT STRATEGY STATEMENT AND ANNUAL INVESTMENT STRATEGY 2012/13

(with the agreement of Council this item was taken before the item on the Housing Revenue Account Business Plan)

The Head of Financial Services introduced the Treasury Management Strategy Statement and Annual Investment Strategy for 2012/13 which had been scrutinised and endorsed by the Treasury Management Panel. He explained that following print and circulation of the documents, DCLG had revised the HRA self-financing figure from £27.881 million to £27.414 million, resulting in a reduction in debt of £467k.

Upon a vote it was unanimously

RESOLVED that the attached Treasury Management Strategy Statement and Annual Investment Strategy for 2012/13 at Appendix 2 be approved including;

1. **The general policy objective 'that Council should invest prudently the surplus funds held on behalf of the community giving priority to security and liquidity'.**

2. **The Prudential Indicators for 2012/13 including the authorised limit as the statutory affordable borrowing limit determined under Section 3 (1) Local Government Act 2003.**

3. **Revisions to the Council's lending list and parameters as shown in Appendix 2 11.2 and 11.4 are proposed in order to provide some further capacity. These proposals have been put forward after taking advice from the Council's treasury management advisers Arlingclose and are prudent enough to ensure the credit quality of the Council's investment portfolio remains high.**

4. **For 2012/13 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 notices of motion had been proposed.

16. TO RECEIVE PETITIONS

No petitions had been received since the last meeting.

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

There were no urgent items for discussion.

Barbara Driver
Chair

Cheltenham Borough Council

Council – 24 February 2012

Council Tax resolution 2012/13

Accountable member	**Cabinet Member for Finance and Community Development** **Councillor John Webster**
Accountable officer	**Director of Resources (Section 151 Officer), Mark Sheldon**
Accountable scrutiny committee	Economy and Business Improvement Overview and Scrutiny committee
Ward(s) affected	**All**
Significant Decision	**Yes**
Executive summary	The purpose of this report is to enable the Council to set the Council Tax for 2012/13. The Council agreed its budget and level of Council Tax for 2012/13 at a meeting on 10th February 2012. 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 formal Council Tax resolution at Appendix 2 (to follow) and note the commentary in respect of the increase in Council Tax at Paragraph 6 of Appendix 2.**

Financial implications	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. **Contact officer: Mark Sheldon, Director of Resources** **mark.sheldon@cheltenham.gov.uk, 01242 264123**
Legal implications	The Council must set its Council Tax in accordance with the Local Government Finance Act 1992 no later than 10th March 2012. **Contact officer: Peter Lewis, One legal** **peter.lewis@tewkesbury.gov.uk, 01684 272012**
HR implications (including learning and organisational development)	None arising from this report. **Contact officer: Julie McCarthy** **julie.mccarthy@cheltenham.gov.uk** **01242 264355**
Key risks	As outlined in the financial implications

Corporate and community plan Implications	None arising from this report
Environmental and climate change implications	None arising from this report

1. Introduction

1.1 The Localism Act 2011 has made significant changes to the Local Government Finance Act 1992, and now requires the billing authority to calculate a Council Tax requirement for the year, not its budget requirement as previously.

1.2 The Council agreed the budget and level of Council Tax for 2012/13 at a meeting on 10th February 2012. 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

1.3 Gloucestershire County Council (GCC) and Gloucestershire Police authority will have met to set their council tax by 16th February 2012.

1.4 The total Council Tax to be paid by residents of Cheltenham in 2012/13 by council tax band, including the precepting authorities, is contained in Appendix 2 (to follow)

2. Reasons for recommendations

2.1 To enable the Council to set the Council Tax for 2012/13.

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	1. Risk Assessment 2. Council Tax resolution (to follow)
Background information	1. Council Budget Report 10th February 2012

Risk Assessment

Appendix 1

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 2012/13 Council Tax resolution may result in lost interest on income.	DoR	10/02/12	4	1	4	Accept	Councillors to agree precept at meeting	24/02/12	DoR	

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CHELTENHAM BOROUGH COUNCIL
COUNCIL
24th FEBRUARY 2012

COUNCIL TAX RESOLUTION 2012/2013

1. It be noted that on 01 December 2011 the Council calculated the Council Tax Base for 2012/13 as follows:

   (a) for the whole Council area as **42,568.8**

   [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")] ; and

   (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached **Table B** below.

2. Calculate that the Council Tax requirement for the Council's own purposes for 2012/13 (excluding Parish precepts) is £7,965,474

3. That the following amounts be calculated for the year 2012/13 in accordance with Sections 31 to 36 of the Act:

   (a) £72,612,875 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.

   (b) £64,477,321 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.

   (c) £8,135,554 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).

   (d) £191.12 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).

   (e) £170,080 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached **Table B** below).

   (f) £187.12 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (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 Parish precept relates.

4. To note that Gloucestershire County Council and Gloucestershire Police Authority have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in **Table A** below.

5. To note that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in **Table A** below as the amounts of Council Tax for 2012/13 for Cheltenham Borough Council, Gloucestershire County Council and Gloucestershire Police Authority, for each of the categories of dwellings.

Table A

Council Tax for 2012/13 for each of the categories of dwellings shown below :

Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Cheltenham Borough Council	124.75	145.54	166.33	**187.12**	228.70	270.28	311.87	374.24
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
Aggregate Council Tax (Excluding Parishes)	984.88	1,149.02	1,313.16	**1,477.31**	1,805.60	2,133.89	2,462.19	2,954.62

Table B

Parish amount of Council Tax for 2012/13 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	7.61	8.88	10.15	**11.42**	13.96	16.50	19.03	22.84
Leckhampton with Warden Hill	11.23	13.10	14.97	**16.84**	20.58	24.32	28.07	33.68
Prestbury	12.95	15.10	17.26	**19.42**	23.74	28.05	32.37	38.84
Swindon	8.89	10.38	11.86	**13.34**	16.30	19.27	22.23	26.68
Up Hatherley	6.62	7.72	8.83	**9.93**	12.14	14.34	16.55	19.86

Table C

Aggregate of amounts of Council Tax for the year 2012/13 for the Borough of Cheltenham and each Parish, 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	132.36	154.42	176.48	**198.54**	242.66	286.78	330.90	397.08
Leckhampton with Warden Hill	135.98	158.64	181.30	**203.96**	249.28	294.60	339.94	407.92
Prestbury	137.70	160.64	183.59	**206.54**	252.44	298.33	344.24	413.08
Swindon	133.64	155.92	178.19	**200.46**	245.00	289.55	334.10	400.92
Up Hatherley	131.37	153.26	175.16	**197.05**	240.84	284.62	328.42	394.10

Table D

Aggregate of amounts of Council Tax the year 2012/13, for Gloucestershire County Council, Gloucestershire Police Authority, the Borough of Cheltenham and each Parish, 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	992.49	1,157.90	1,323.31	**1,488.73**	1,819.56	2,150.39	2,481.22	2,977.46
Leckhampton with Warden Hill	996.11	1,162.12	1,328.13	**1,494.15**	1,826.18	2,158.21	2,490.26	2,988.30
Prestbury	997.83	1,164.12	1,330.42	**1,496.73**	1,829.34	2,161.94	2,494.56	2,993.46
Swindon	993.77	1,159.40	1,325.02	**1,490.65**	1,821.90	2,153.16	2,484.42	2,981.30
Up Hatherley	991.50	1,156.74	1,321.99	**1,487.24**	1,817.74	2,148.23	2,478.74	2,974.48
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

Table E

Parish Council Precepts, Tax Base and Council Tax for 2011/12 and 2012/13

	2012/13			2011/12			Council Tax Increase/ (decrease)
Parish	**Tax Base**	**Precept £**	**Council Tax Band D (£)**	**Tax Base**	**Precept £**	**Council Tax Band D (£)**	
Charlton Kings	4,240.00	48,400	11.42	4,233.90	47,000	11.10	2.88%
Leckhampton with Warden Hill	1,870.90	31,500	16.84	1,858.70	31,500	16.95	(0.65%)
Prestbury	2,970.30	57,680	19.42	2,946.30	56,000	19.01	2.16%
Swindon	712.30	9,500	13.34	711.00	7,100	9.99	33.53%
Up Hatherley	2,316.90	23,000	9.93	2,323.90	23,000	9.90	0.30%
TOTAL		**170,080**			**164,600**		

6. To note that the relevant basic amount of council tax for the financial year 2012/13, which reflects a nil increase, is not excessive in accordance with the principles approved by the Secretary of State under Section 52ZB of the Local Government Finance Act 1992 as amended and the Referendums Relating to Council Tax Increases (Principles) (England) Report 2012/13 and, therefore, the requirement to hold a referendum is not engaged.

Cheltenham Borough Council

Council - 24 February 2012

Reviewing the Development on Garden Land and Infill Sites SPD

Accountable member	**Cllr John Rawson, Cabinet Member, Built Environment**
Accountable officer	**Robert Lindsey, Development Manager, Built Environment**
Accountable scrutiny committee	**Environment**
Ward(s) affected	**All**
Key Decision	**No**
Executive summary	In June 2011 Council requested that Planning Committee should review the implementation of the Development on Garden Land and Infill Sites Supplementary Planning Document. (SPD). A working group was established for the purpose and this reported back with recommendations at the November Planning Committee meeting. The purpose of this report is to inform Council of the results of the review.
Recommendations	Council notes the decision by Planning Committee set out in paragraph 4.1 of this report: • **The SPD should continue in use in its present form without a statutory review, at least until the Localism Bill is enacted and the National Planning Policy Framework (NPPF) is published.** • **Textual amendments necessary as a result of changes in higher level policy should be re-published as an addendum.** • **Members should be provided with a further note to explain current policy considerations, following clarification on the implementation of Local Plan Policy HS1 and recent appeals relating to this.** • **A further meeting of the Member working group is arranged following the publication of the approved NPPF to consider its effects on decision-making.** • **These resolutions are reported back to Council.**

Financial implications	None for the purposes of this report **Contact officer, *nina.philippidis@cheltenham.gov.uk*, 01242 775221**
Legal implications	None for the purposes of this report **Contact officer, *jonathan.noel@tewkesbury.gov.uk*, 01684 272690**
HR implications (including learning and organisational development)	No direct HR implications arising from this report **Contact officer *sarah.baxter@cheltenham.gov.uk*, 01242 775215**
Key risks	Risk of challenge to Council over continued use of document in original form.
Corporate and community plan Implications	Cheltenham's natural and built environment is enhanced and protected
Environmental and climate change implications	None

1. Background

1.1 At the June 2011 meeting full Council approved a notice of motion in the following terms:

1.2 *"It is now two years since the Garden Land and Infill Sites SPD was published and a first review should be undertaken. Council requests that Planning Committee reviews the implementation of the SPD and reports back to Council if it feels any changes are necessary"*

1.3 In July 2011, Planning Committee considered a discussion paper from the Director, Built Environment. This set out options for the next steps. A working group was convened, at which it was noted that with the overhaul of national planning policy guidance represented by the draft National Planning Policy Framework (NPPF) and the impending abandonment of the Regional Spatial Strategy (RSS), the Council was in an extremely fluid policy environment.

2. Reasons for recommendations

2.1 Although there were some areas where the wording of the SPD required updating to reflect the changes to PPS3, the group felt that the document was essentially fit for purpose as it stands.

2.2 The group considered that a simple way forward would be:

(1) to provide an updated addendum to reflect any changes to national policy since the publication of the SPD, such as the June 2010 changes to PPS3 and in due course the abolition of Regional Strategies;
(2) to provide Members with a guidance note on local plan policy HS1 now that the implications of the PPS3 changes are fully understood (as clarified by recent appeal decisions);
(3) to assess the implications of the NPPF once this has been approved and published by Government (timescale unknown at present).

3. Alternative options considered

3.1 Not applicable.

4. Consultation and feedback

4.1 Planning Committee decided on 17th November 2011 as follows:

- The SPD should continue in use in its present form without a statutory review, at least until the Localism Bill is enacted and the National Planning Policy Framework (NPPF) is published.
- Textual amendments necessary as a result of changes in higher level policy should be re-published as an addendum.
- Members should be provided with a further note to explain current policy considerations, following clarification on the implementation of Local Plan Policy HS1 and recent appeals relating to this.
- A further meeting of the Member working group is arranged following the publication of the approved NPPF to consider its effects on decision-making.
- These resolutions are reported back to Council.

5. Performance management – monitoring and review

5.1 Not applicable.

Report author	**Contact officer: Robert Lindsey, robert.lindsey@cheltenham.gov.uk,** **01242 264168**
Appendices	1. Risk Assessment
Background information	1. Decision by Council June 2011 2. Decision by Planning Committee Nov 2011

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-4	Likeli-hood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	Risk of challenge to Council over continued use of document in original form.	Director, Environment		2	2	4	Accept	Publication of the textual amendments and Member briefing note referred to in the report will update the document in line with previous national policy changes.		Development Manager	