

Council

Monday, 22nd July, 2013
2.30 - 6.15 pm

Attendees	
Councillors:	Wendy Flynn (Chair), Colin Hay, Andrew Chard, Garth Barnes, Nigel Britter, Chris Coleman, Barbara Driver, Bernard Fisher, Jacky Fletcher, Rob Garnham, Les Godwin, Penny Hall, Tim Harman, Rowena Hay, Sandra Holliday, Steve Jordan, Andrew Lansley, Paul Massey, Andrew McKinlay, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Duncan Smith, Malcolm Stennett, Charles Stewart, Klara Sudbury, Pat Thornton, Jon Walklett, Simon Wheeler (Vice-Chair) and Suzanne Williams

Minutes

1. APOLOGIES

Apologies were received from Councillors Bickerton, Jeffries, McCloskey, McLain, Wall and Whyborn.

2. DECLARATIONS OF INTEREST

Councillor Stennett declared a personal interest in Gloucestershire Airport as he is on the board of directors. He subsequently left the chamber when the airport was discussed under agenda item 11.

3. MINUTES OF THE LAST MEETING

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

RESOLVED that the minutes of the meeting held on 24 June 2013 be agreed and signed as an accurate record.

4. COMMUNICATIONS BY THE MAYOR

The Mayor thanked members who had attended her real ale trail event. This raised £350 and helped to promote the Mayor's charities. There will be a second real ale trail event on Friday 26 July and she encouraged all members to attend.

The Mayor expressed her excitement for the arrival of the royal baby.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader of the Council expressed his condolences to Councillor Jeffries who was not in attendance at Council due to a family bereavement.

The Leader informed Council about the newly launched proposals from the Local Government Association for the restructuring of Local Government Finance. He would forward a link to the 'Rewiring public services' document which would provide more information.

The Leader gave an update on the motion which had been passed at the last Council meeting which expressed concern that ambulances would be permanently diverted between 8pm and 8am from Cheltenham General Hospital to Gloucester Royal Hospital. The Leader had sent a letter to the NHS in Gloucestershire however the change to ambulance service provision had since been ratified.

6. PUBLIC QUESTIONS

1.	Question from Mrs Maggie Rayner to the Leader/Cabinet Member Built Environment, Andrew McKinlay (in attendance)
	<p>Following the consultation meeting in St. Luke's Hall regarding proposed traffic flow changes I would like to put the following question to the Cheltenham Borough Council:</p> <p>May I have a copy of the alternatives considered when drawing up the plans to alter traffic flows around central Cheltenham?</p>
	Response from Cabinet Member Built Environment, Andrew McKinlay
	<p>The Cheltenham Transport Plan project is a joint project of the Borough and County Councils and is a development of the Borough Council's adopted Civic Pride proposals. Plans to address traffic as part of the project have been through a number of iterations, including early versions for 2007 which form part of the adopted Civic Pride SPD which is available of the Council's website – these were consulted on in 2007 and 2008.</p> <p>The version which was agreed to go to consultation is version 7 which has had a thorough traffic modelling study. Previously superseded layouts which were considered/modelled can be made available upon request from the Gloucestershire Highways.</p> <p>In a supplementary question, Mrs Rayner asked why these alternative plans had not been on display at the consultation meeting.</p> <p>The Cabinet Member responded that they were not on display at that meeting as they were not the proposals that were being consulted on at that time. Alternatives looked at earlier in the process may have been ruled out as being unviable and the purpose of the consultation was to consult on the latest thinking and to inform the next stage of the process.</p>
2.	Question from Jan Walters to the Cabinet Member Built Environment, Councillor Andrew McKinlay (not present)
	<p>Why were local voters not made aware of the Task Force activities and given opportunities to get involved at the design stage, rather than being presented with a proposal which has not been properly thought through and is detrimental to the quality of life for many residents as well as schools and hospitals?</p>
	Response from Cabinet Member Built Environment, Andrew

	McKinlay
	<p>The Task Force activities are directed through its Board. The Board meets in public every three months in the Municipal Offices. Its members include councillors from Borough and County, a community representative and members of the local business community. In accordance with normal local government protocol, there are parts of the meeting where confidential items are considered – these are normally, though not always, matters of commercial confidence. The Task Force has a website and Facebook page and produces a regular newsletter to publicise its activities which are available to the public - access details are available from the Task Force’s Managing Director.</p> <p>The Task Force was set up to deliver the Borough’s adopted Civic Pride proposals. In addition to a series of early public engagements (in 2000), Civic Pride went through 2 major consultations:</p> <ul style="list-style-type: none"> ○ In late 2006 information was gathered regarding early ideas, with feedback in July 2007 where emerging plans and proposals were available for comment, these included traffic proposals. ○ In March to April 2008 the adoption of the Civic Pride SPD went through a statutory consultation process, this included details of traffic plans and public realm designs. <p>The work undertaken since and in advance of the latest consultation, is founded in the ideas which were the subject of these earlier consultations and which were generally supported.</p> <p>The intention during this time was to work up proposals to get them to a stage where further consultation could take place – the stage we are currently at. During the design work detailed modelling took place with a variety of proposals trialled to attempt to refine or address concerns – including concerns from St Luke’s residents which were effectively raised during and following the earlier consultations.</p> <p>The consultation currently underway is part of the design stage and amendments will be made prior to the statutory Traffic Regulation Order process.</p>
3.	Question from Bob Hughes to the Cabinet Member Built Environment, Andrew McKinlay (in attendance)
	With reference to the proposed traffic changes using cash from the Local Sustainable Transport Fund bid, may we have a copy of the risk assessment carried out on the impact of the traffic changes on residential neighbourhoods like St Luke's and College Road area, and particularly the hospital Accident and Emergency access?
	Response from Cabinet Member Built Environment, Andrew McKinlay
	<p>I am informed by our Gloucestershire Highways colleagues that the procedure in terms of risk assessment is as follows.</p> <p>“Prior to being able to perform a meaningful assessment of risk it is important to understand what the potential hazards are along with the likelihood and consequence of that event occurring.</p>

	<p>One of the main functions of the consultation process is to obtain better understanding of what residents interpretations of the hazards are in addition to our own. An assessment of these risks along with appropriate mitigation, where required, will then follow “</p> <p>In a supplementary question, Mr Hughes asked whether there would be a further opportunity for him to access the risk assessment and raise any concerns for his local residents.</p> <p>In response the Cabinet Member said that his instinct would be to say that there would be such opportunities but he could not speak for his county council colleagues. As a formal consultation process was currently in progress, he suggested Mr Hughes should direct his question to his colleagues at the county council.</p>
4.	<p>Question from John Firth to the Cabinet Member Built Environment, Andrew McKinlay (may attend)</p>
	<p>The Cheltenham Transport Plans proposal is presented in a leaflet “selling” the traffic changes and the Boots Corner closure. As the Cheltenham Transport Plans Tell us your View form has a strong yes bias allowing almost any answer to be taken as support, how will the council interpret the results to ensure a fair representation of the wishes of Cheltenham residents?”</p>
	<p>Response from Cabinet Member Built Environment, Andrew McKinlay</p>
	<p>The Cheltenham Transport Plan leaflet explains, in outline, the proposals. I do not agree that “almost any answer” can be taken as support.</p> <p>There are only two substantive questions; only one of which relates to the traffic management proposals <i>“Do you support the package of measures contained in the Cheltenham Transport Plan?”.</i></p> <p>There are three tick boxes for responses:</p> <p><i>“Yes”, “Yes - with reservations” and “No” and a box for free text identified for “...comments or reservations...”.</i></p> <p>The second question seeks opinions on public realm “themes“ for Boots Corner – 4 ideas are shown; there is a tick box for each and another marked <i>“none of these”</i> plus a space for comments.</p> <p>The questions and leaflet were drawn up with specialist advice and I would consider that they invite a range of responses in an open ended manner.</p> <p>There are additional questions about the respondent to allow the Council’s to build a profile of respondents in order to understand the extent to which equality issues are accounted for.</p> <p>With regard to the question of interpretation, I understand that tick boxes</p>

	will be totalled – clearly identifying the level of support or otherwise; free text will be reproduced and a response will be available.																								
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	How many cars/day currently use St Lukes Road and College Road and how many cars/day are predicted to use St Lukes Road and College Road after the proposed closure of Boots Corner before the Smart Choices reduction?"																								
	Response from Cabinet Member Built Environment, Andrew McKinlay																								
	<p>Whole-day traffic data is available <u>only</u> in the base model (for the year 2010). We have requested it to be sent from the modellers – it will be passed to Mr Firth when it is available. Other than that, the data is modelled only as a peak hour extrapolation of the base data (08:00 – 09:00 and 17:00 – 18:00).</p> <p>The Smarter Choices Package is integral to the whole project. The model included assumptions about the impact of Smarter Choices and modelling without these measures for the consulted scheme would not have provided an accurate representation. A model showing the proposed scheme <u>before</u> smarter choices has <u>not</u> therefore been undertaken.</p> <p>As peak hour data, the currently published information represents a worst case scenario. This is the data published on the County Council website. The figures are:</p> <p><u>St Luke's Road 08:00 – 09:00</u></p> <table> <tr> <td>Base date (2010)</td> <td>= 250 vehicle per hour</td> </tr> <tr> <td>Design date (2026) without CTP project (+16)</td> <td>= 266 vehicle per hour</td> </tr> <tr> <td>Design date (2026) with CTP project (+39)</td> <td>= 305 vehicle per hour</td> </tr> </table> <p><u>St Luke's Road 17:00 – 18:00</u></p> <table> <tr> <td>Base date (2010)</td> <td>= 198 vehicle per hour</td> </tr> <tr> <td>Design date (2026) without CTP project</td> <td>= 194 vehicle per hour (-4)</td> </tr> <tr> <td>Design date (2026) with CTP project</td> <td>= 177 vehicle per hour (-17)</td> </tr> </table> <p><u>College Road 08:00 – 09:00</u></p> <table> <tr> <td>Base date (2010)</td> <td>= 735 vehicle per hour</td> </tr> <tr> <td>Design date (2026) without CTP project (+51)</td> <td>= 786 vehicle per hour</td> </tr> <tr> <td>Design date (2026) with CTP project (+103)</td> <td>= 889 vehicle per hour</td> </tr> </table> <p><u>College Road 17:00 – 18:00</u></p> <table> <tr> <td>Base date (2010)</td> <td>= 740 vehicle per hour</td> </tr> <tr> <td>Design date (2026) without CTP project (+11)</td> <td>= 751 vehicle per hour</td> </tr> <tr> <td>Design date (2026) with CTP project (+31)</td> <td>= 783 vehicle per hour</td> </tr> </table>	Base date (2010)	= 250 vehicle per hour	Design date (2026) without CTP project (+16)	= 266 vehicle per hour	Design date (2026) with CTP project (+39)	= 305 vehicle per hour	Base date (2010)	= 198 vehicle per hour	Design date (2026) without CTP project	= 194 vehicle per hour (-4)	Design date (2026) with CTP project	= 177 vehicle per hour (-17)	Base date (2010)	= 735 vehicle per hour	Design date (2026) without CTP project (+51)	= 786 vehicle per hour	Design date (2026) with CTP project (+103)	= 889 vehicle per hour	Base date (2010)	= 740 vehicle per hour	Design date (2026) without CTP project (+11)	= 751 vehicle per hour	Design date (2026) with CTP project (+31)	= 783 vehicle per hour
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7. MEMBER QUESTIONS

1.	Question from Councillor Seacome to the Cabinet Member Built Environment, Councillor Andrew McKinlay
	Can the Cabinet Member confirm or deny that PCSOs have been instructed by a Council Officer not to apprehend cyclists as they cycle on the pavement, essentially a pedestrian area, in front of Cavendish House?
	Response from Cabinet Member Councillor Andrew McKinlay
	<p>I am not aware that any CBC officer has instructed PCSO's not to enforce cycling restrictions in the town centre.</p> <p>PCSO's are employed by Gloucestershire Constabulary not CBC. Whilst the Council works in partnership with the police and generally seeks to promote walking and responsible cycling as more sustainable alternatives than using motorised transport, CBC officers are not in a position to instruct PCSO's.</p> <p>In a supplementary question, Councillor Seacome advised that the incident had taken place at a cycling event on 9 July 2013 and asked what a council officer was doing exceeding his brief.</p> <p>The Cabinet Member advised that it was difficult to respond without knowing the full facts of the case. He was not aware of any officers taking such action and he asked the councillor to supply him with more details.</p>
2.	Question from Councillor Andrew Chard to the Cabinet Member Built Environment
	Can the Cabinet Member tell me how many Civil Parking Enforcement Officers we now have, are they able to cope with the workload and would it not have been better to consolidate our parking enforcement services with the new County Council contract to achieve better economies of scale and an improved service?
	Response from Cabinet Member Councillor Andrew McKinlay
	<p>The Council now has four parking patrol officers providing enforcement, local advice and customer assistance within our car parks.</p> <p>During the first three months of 2013-14, the service was operating with two patrol officers, but performance was comparable with last year. With four officers in post, we expect to see an improvement in the off-street service.</p> <p>A review will be undertaken later in 2013-14 to consider whether the county parking contract might offer an effective alternative to the current in-house service. As part of this review, we will have the advantage of being able to look at how the GCC contract has performed so far this year.</p>

	Detailed information about the pricing structure of the county contract, which CBC can utilise should it choose to do so, was not available soon enough and prior to the termination of the on-street parking agency arrangement at the end of March 2013, to allow outcomes, risks and value for money to be effectively assessed.
3.	Question from Councillor Rob Garnham to the Leader, Leader Steve Jordan
	The Cabinet of this council currently consists of 7 members. Four of those members are also full or reserve members of the Planning Committee, including the Cabinet Member for Built Environment. Will the Leader review the duties of his Cabinet Members, and the duties of other members of the Liberal Democrat Group, so as to ensure a more fair distribution of workload of all his members and to avoid the perception, real or otherwise, that there is undue influence of Cabinet at Planning Committee.
	Response from Cabinet Member Councillor Steve Jordan
	The moment I need Cllr Garnham's advice on distributing the workload in the Liberal Democrat group he will be the first to know. The proportion of the Cabinet serving as full members of the Planning Committee is in fact less than the proportion for members of the Council as a whole.
4.	Question from Councillor Rob Garnham to the Cabinet Member Corporate Services, Councillor Jon Walklett
	Given the fact that all IT services at Cheltenham Borough Council came close to a complete failure earlier this year, can the Cabinet Member please reassure this council, and the public of the town, that there is now a full IT Disaster Recovery Plan, and Business Continuity Plan, in place? Can you tell us when this was last tested and has it ever been subject to a peer review to make sure it is fit for purpose?
	Response from Cabinet Member Councillor Jon Walklett
	Given that a major virus caused certain ICT problems, I regard the assertion that CBC's IT services came close to a complete failure last year as an exaggeration of the facts. Until recently, the council had disaster recovery (DR) arrangements in place at the depot site. However, given the additional space requirements of Ubico and CBH, it became clear that this was no longer a practical DR site. I am therefore happy to reassure both the public and council members that one of early benefits of the shared ICT service with Forest of Dean District council means we have during June of this year been able to establish more robust reciprocal DR arrangements in the server rooms at both councils using DR software which was used to support the rollout of the GO Agresso system. The council has over 60 business applications. A programme to test the full recovery of key business systems and business continuity plans at reciprocal sites will take place within three months of the start up of the new DR arrangements and commences in September 2013.

	<p>The DR arrangements were independently reviewed by an employee from Cotswold DC as part of the due diligence work in respect of the establishment of the GO support and hosting centre of excellence and the review of the ICT service ahead of the creation of the shared service with FOD DC.</p> <p>Internal Audit are also due to validate these arrangements and processes before December 2013.</p> <p>In a supplementary question, Councillor Garnham, said that it appeared that the council had only sought advice from within local government and he asked whether any advice had been sought from commercial suppliers or external experts.</p> <p>The Cabinet Member advised that as far as he was aware this was not the case but he would provide Councillor Garnham with a written response.</p> <p><i>This was followed up subsequent to the meeting by the Director of Resources who confirmed that no external advice had been sought on this specific issue to date. However, the Business continuity arrangements and testing are to be subject to an audit by the South West Audit Partnership (SWAP) who are the external auditors for Forest of Dean District Council, which will provide members of both councils with assurance that the systems and processes in place to deal with business continuity are robust.</i></p>
5.	Question from Councillor Rob Garnham to the Cabinet Member Finance, Councillor Jon Rawson
	<p>Given that there is currently over £150,000 tied up in the stockpile of unsold and unused brown waste bins at the Depot, and that the ruling group will shortly vote against saving £100,000 over four years by moving to a four year election cycle, can the Cabinet Member for Finance tell this Council whether he feels he enjoys the support of his Cabinet colleagues when it comes to trying to deliver budgets that will even begin to attempt to meet the millions of pounds shortfall expected in the MTFS?</p>
	Response from Cabinet Member Councillor Jon Rawson
	<p>Cllr Garnham's question is a strange collection of non-sequiturs, wandering around frantically in search of an argument. I would give my answer as follows.</p> <p>First, while it is true that there is a stock of unused garden waste bins, which is slowly diminishing, Cllr Garnham's suggestion that the garden waste service is a contributor to our revenue budget problems is untrue. As I told the Council last March, the service is currently earning us around £430,000 a year, and is more than covering its costs. The garden waste service may be haemorrhaging money in the world of Conservative leaflets, but not in the real world.</p> <p>Secondly there is absolutely no doubt about the Cabinet's commitment to meet its budget challenges. The proof is that we have done so year after year, delivering about £5 million of savings since 2010 and £1.2 million in</p>

	<p>new savings in this year's budget alone. I suppose it is too much to hope that he might find the grace to acknowledge how much has been achieved, but it is a remarkable achievement nonetheless.</p> <p>Thirdly, going over to all-up elections would undoubtedly deliver a modest financial saving, as the report before the Council today confirms. However, I understand perfectly well that where the democratic process is concerned, many members may feel that finance is not the only consideration. Understanding other people's point of view, and keeping a sense of proportion, are part of what makes a mature approach to politics.</p> <p>In a supplementary question, Councillor Garnham asked the Cabinet Member again whether he was satisfied that he enjoyed the support of his Cabinet colleagues when making budget cuts as they were not supportive of the four-year election cycle.</p> <p>The Cabinet Member responded that he was staggered that the member felt he hadn't answered the question in his initial response.</p>
6.	Question from Councillor Barbara Driver to the Cabinet Member Sustainability, Councillor Roger Whyborn
	<p>Can the Cabinet Members responsible for Sport and Culture and Sustainability tell this Council exactly how much money has to be spent restoring Imperial Square Gardens and Montpellier Gardens after each Festival or other cultural event. Can the Cabinet Member responsible break down those costs into costs incurred by Cheltenham Borough Council and costs incurred by the event organisers. Figures for 2011/12 and for 2012.13 (so far) would be useful.</p>
	Response from Cabinet Member Councillor Roger Whyborn
	<p>I am currently clarifying details of the costs incurred by event organisers and permission to publish them from those concerned. I will then provide Cllr. Driver with a fuller answer.</p> <p>In a supplementary question, Councillor Driver requested that when the figures were available they should be sent to all members of Council.</p> <p>The Leader, speaking on behalf of Councillor Whyborn who had given his apologies for this meeting, explained that permission needed to be sought from the third party organisers before the figures could be made available but once this was done the information could be circulated to all members.</p> <p><i>The following response was provided after the Council meeting:</i></p> <p><i>All the costs for restoring the both Imperial and Montpellier Gardens are paid for directly by the event organisers. They are as follows:</i></p> <p>2012 <i>Montpellier Jazz Festival drill seeding - £835</i> <i>Imperial Science Festival drill seeding - £473</i> <i>Montpellier Food Festival turf and drill seeding - £2500</i></p>

	<p><i>Montpellier Literature Festival turf - £22,704</i> <i>Imperial Literature Festival turf - £4756</i></p> <p>2013 <i>Montpellier Jazz Festival drill seeding - £600</i> <i>Imperial Science Festival fertilising - £340</i> <i>Montpellier Food / Jazz Festival fertilising – £470</i></p> <p><i>In addition to the above and starting this year event organisers are also required to pay for tree protection works that include specialist soil aeration to the root zone of trees and any tree pruning undertaken in Montpellier Gardens at the beginning of each year. This work is charged at £80 per day and includes setting up and taking down.</i></p>
7.	Question from Councillor Anne Regan to the Cabinet Member Sport and Culture, Councillor Rowena Hay
	<p>Can the Cabinet Member (Rowena Hay) tell me how many staff were employed at the Art Gallery and Museum in 2011/2012 and 2012/2013 and how many staff are envisaged to be employed once the Art Gallery and Museum re-opens(not including the Tourist Information staff transfer) Have any members of staff been made redundant?</p>
	Response from Cabinet Member Councillor Rowena Hay
	<p>The number of staff employed at the AG&M in 2011\12 was 27 which equates to 17.6 full-time equivalent employees (FTE's) 17.6.</p> <p>The number of staff employed at the AG&M in 2012\13 was 26, which equates to 17.5 full-time equivalents (FTE's)</p> <p>The number of staff to be employed at the AG&M for the re-opening of the new AG&M will be 37, this equates to 27 (FTE's)</p> <p>There have been 1.5 (FTE) redundancies. (One compulsory, 0.5 voluntary)</p> <p>The TIC & AG&M merged in 2011 as a result employment records reflect the merged service and do not extrapolate Tourist Information staff numbers as Cllr.Regan requested.</p> <p>The growth in staffing capacity, will ensure that the new AG&M will be structured and resourced in a manner that meets the needs of our customers, visitors and funding partners.</p> <p>In a supplementary question, Councillor Regan asked the Cabinet Member to reassure her that there would be sufficient staff to support the implementation of the multi-million pound project and deliver the benefits to customers.</p> <p>The Cabinet Member referred to her answer at the previous Council meeting and reiterated that the whole restructure was about delivering these benefits.</p>
8.	Question from Councillor Duncan Smith to the Leader, Councillor

	Steve Jordan
	Given that members of Council do not believe that the Cabinet is being held to account, what suggestions does he have for ways that the Cabinet and its decision making can be made more accountable to both council and public?
	Response from Leader Steve Jordan
	<p>The reason I gave that answer in the survey was because the O&S Committee seems to spend more time coordinating working groups to review and develop new policy rather than exploring issues from the Cabinet forward plan. While I have no problem with that it does reduce scrutiny of what the Cabinet is actually doing.</p> <p>I don't know why other members answered the question as they did but it may be an issue the O&S Committee wishes to look at in more detail. I and the Cabinet will happy to discuss options for improving the process.</p> <p>In a supplementary question, Councillor Smith, asked the Leader whether he would consider asking scrutiny task groups to develop policy rather than Cabinet Member working groups as currently O&S were frequently told it was too soon for O&S to get involved or that a Cabinet Member working group had already been set up to look at an issue.</p> <p>The Leader responded that he was happy for some matters to be referred to scrutiny task groups but Cabinet Members needed to be involved in the early stages of development of policies affecting their portfolio and he was aware that some scrutiny task groups had been reluctant to have the Cabinet Member involved at all. He would welcome further discussion and debate on the matter.</p>
9.	Question from Councillor Duncan Smith to the Leader, Councillor Steve Jordan
	Would he agree to extend an invitation to the Members of Parliament that represent Cheltenham, to attend a meeting of Council on an annual basis to report back on what they have been doing on behalf of their constituents?
	Response from Leader Steve Jordan
	I'm happy to look at that option and suggest it is discussed at the next group leaders meeting.
10.	Question from Councillor Duncan Smith to the Cabinet Member Housing and Safety, Councillor Peter Jeffries
	How much does the council spend on protecting the public against noisy neighbours?
	Response from Cabinet Member Councillor Peter Jeffries
	<p>The council does not have a specific budget for statutory noise nuisance work which includes noisy neighbours. The 2013-14 budget for Pollution Control is £114,100 and this covers a range of statutory functions such as:</p> <ul style="list-style-type: none"> • Statutory nuisances (noise is one of 12 categories of statutory nuisance) • Quality responses to planning and licensing consultations (statutory consultees) to protect against future nuisances • Environmental Permitting

	<ul style="list-style-type: none"> • Public Health Act work <p>The budget is modest compared to the level of work so the team also try to deliver preventative or partnered interventions such as:</p> <ul style="list-style-type: none"> • restorative practice is the default approach for noise complaints • advice given to event organisers via ECGs and SAGs • compliance monitoring for noise conditions in LUA for Montpellier & Imperial Gardens • spot monitoring for compliance with noise conditions at other large scale events eg Greenbelt, Wychwood or at potentially contentious events • multi-agency case conferences • task specific eg student noise in conjunction with the uni • joint operations with the police • education and awareness campaigns at specific noise sources <p>The cost of this work is also met from the same £114,100 budget.</p> <p>There are two officers dealing with statutory noise nuisance amongst other priorities.</p> <p>In a supplementary question, Councillor Smith asked whether the Cabinet felt it was providing staff with the necessary funding to deal with the issue.</p> <p>The Leader responded on behalf of the Cabinet Member who had given his apologies to this meeting. He considered that there was adequate funding but he would ask the Cabinet Member to provide a written response to the member if this was not the case.</p>
11.	Question from Councillor Duncan Smith to the Cabinet Member Built Environment, Councillor Andrew McKinlay
	<p>At the Cabinet meeting last July, under the approval of the Advertising & Sponsorship policy it was intended to" to appoint a specialist marketing company to assist the council in maximising its revenue which could result in the council generating extra funds to provide a better service and contribute to its overall financial position."</p> <p>Can he update Council as to the appointment process and how much additional revenue has been raised since that decision was taken?</p>
	Response from Cabinet Member Councillor Andrew McKinlay
	<p>The Advertising and Sponsorship policy is now in a formal part of the Council's policy framework following the Cabinet's decision in July 2012. As members will be aware the policy envisaged the introduction of commercial sponsorship and advertising for various council owned assets. The implementation of this policy has taken longer than originally expected. The current financial and economic downturn means that the time has not been right to undertake a marketing exercise that would allow the council to maximise the financial return from any arrangements that it enters into.</p> <p>In a supplementary question, Councillor Smith asked when would be the right time to enter into such arrangements.</p>

	In response the Cabinet Member indicated that a review was planned in the next six months. In the current recession it was important not to sell the council short by entering into arrangements for the sake of it. It would be better to wait for the economic fortunes of companies to be raised who would then have more money to spend and there would be a better potential range of partners for the council to negotiate with.
12.	Question from Councillor Duncan Smith to the Cabinet Member Sustainability, Roger Whyborn
	Can he confirm how many Garden Waste Bins are in stock currently, and how many residents did not renew their £36 subscription in April and how many additional residents have signed up for the scheme since April?
	Response from Cabinet Member, Councillor Roger Whyborn
	<p>The garden waste scheme year commences on 1st February each year with a total of 13,317 households currently signed up. 76% of the total number of customers have renewal dates between 1st February and 1st May, so in order to provide an accurate assessment of renewals it is therefore more informative to provide the figures for this period than solely for April.</p> <p>9,600 or 96% of the garden bin subscriptions due between 1st February and 1st May have renewed with a total of 400 bin subscriptions having not been renewed for this period. Since 1st April 2013 there have been 870 new bin subscriptions.</p> <p>The total bin subscriptions as at 30 June 2012 was 11,867 while the figure as at 30 June 2013 was 13,199 giving a net annual increase of 1,332</p> <p>There are currently 7,806 brown bins in stock at the Swindon Road depot.</p>

8. THE FUTURE FUNCTION, CULTURE AND STRUCTURE OF THE PAID SERVICE WITHIN CHELTENHAM BOROUGH COUNCIL

Andrew North, the Chief Executive, introduced his report. The report explained how Cheltenham Borough Council had evolved over the last few years to become a major commissioner of services, resulting in a smaller amount of staff who were directly employed by the council and a smaller budget to support those remaining directly providing services. This together with the climate of current financial austerity had made it appropriate to consider the potential for reducing the amount of senior management in order to reduce costs. He explained that the process had started with a consideration of the type of organisation that the council aspired to be in terms of its vision and organisational culture. He also highlighted the main features of the "Cheltenham Futures" programme that had been set up to manage these changes going forward. He now sought approval from Council to formally consult on the proposed changes to the structure of senior management and authority for the

Borough Solicitor to make technical changes to the Constitution to facilitate implementation of the new structure.

In responding to questions from members, the Chief Executive made the following responses:

- He reminded members that some years ago he had been involved in exploring the possibility of a shared Chief Executive with Tewkesbury Borough Council. He confirmed that active consideration was being given to sharing the Chief Executive post across the four councils involved in the GO partnership as they increasingly worked more closely together. A proposal was currently being put together to apply for government funding to progress the transition still further.
- He reassured members that the one-off payments referred to in section 2.3 of the report related to contractual entitlements only and followed the council's redundancy pay policy; though this was more generous than the statutory minimum redundancy payment, it had not been enhanced in any way.
- Asked whether he was sure that the council could effectively monitor and influence the performance of providers in commissioning arrangements, he responded that the council had already learned from mistakes made. They had certainly learnt from the experiences with Ubico during the period of heavy snow and the importance of clarifying the decision-making process.
- He confirmed that scenario planning was very important. With increasing reliance on particular providers such as GO and Ubico it was important to plan for the risk of service failure and have the necessary backup arrangements in place.
- He agreed that it was very important to support staff through the process. Staff were already living with the implications of a three year pay freeze and this years limit of 1% plus the loss of benefits such as free staff car parking. He was very pleased to note that throughout a period of radical change, staff had maintained a high morale and commitment to their work and he attributed this to the high quality of staff and management being open with them about the need for change. A section on the intranet was now dedicated to the Cheltenham Futures Programme and suggestions and comments from staff were encouraged. He was nervous about future next steps from central government and how these might affect the workforce but he was confident that staff morale continued to be as high as it possibly could be in the circumstances.

In the debate that followed, members paid further tribute to staff who were prepared to go the extra mile and the savings that had already been achieved with very few cuts to front-line services. It was important that the council should look for further opportunities to make savings but they must be confident that the council can continue to function effectively with any reductions in management and staff that it makes.

The Cabinet Member Finance considered it was appropriate in the current financial climate for the senior management team to take part of the strain in making budget savings and he reassured members that the payments proposed were no more than the contractual minimum.

Upon a vote it was **RESOLVED** that:

1. **The content of the Cheltenham Futures programme, as set out in appendix 2 of the agenda be noted.**
2. **The proposed Senior Staff structure and redundancies as set out in section 2 of this report be approved so that these proposals can be taken forward for consultation.**
3. **The Appointments and Remuneration Committee be instructed to:**
 1. **approve any terms necessary to implement any redundancies within the financial parameters set out in this report**
 2. **approve the formal job descriptions of the Deputy Chief Executive, Director of Corporate Resources and the Director of Environmental and Regulatory Services**
 3. **decide and oversees any process for confirming staff in the revised roles**
4. **The Chief Executive take forward any necessary changes to the structure proposals arising from the formal consultation that do not affect the substantive or financial parameters of this report.**
5. **The Borough Solicitor be authorised to amend the Council Constitution as set out in section 3.3 of the report.**

Voting: CARRIED with 1 abstention.

9. REVIEW OF COUNCIL SIZE AND ELECTORAL CYCLE

The item was introduced by Councillor Jon Walklett, Cabinet Member Corporate Services. The report set out the findings of a Cabinet Member working group set up to review the Council size and electoral cycle. Following three meetings of the working group and a member seminar, the group concluded that they did not wish to make any recommendations regarding initiating a review of Council size at this stage. A similar argument applied to the community governance review where their recommendation was that further work should not be progressed at this stage. Regarding the future electoral cycle, the group could not reach a consensus. In order to facilitate a debate by Council he proposed that recommendation 3 in the report should request Council to resolve **not** to commence the process to move to a four-year electoral cycle. In proposing this recommendation, he highlighted to members that the proposed annual savings of £26,000 p.a resulting from the move to four yearly elections would not kick in until 2018. He indicated that those members on his side of the chamber had considered all the pros and cons set out in the report and had put the needs of the people of Cheltenham before party politics in deciding to give their support to maintaining the current two-year cycle.

Councillor Garnham requested that a separate vote be taken on each part of the recommendations and indicated that members would be requesting a recorded vote on recommendation 3.

Councillor Seacome, speaking as a member of the working group, said that he had originally been in favour of a two-year cycle but he had been convinced by the arguments that a four-year cycle would be more advantageous. He could not see any justification for the frequency of borough elections being different to those for parliamentary elections. He considered that the by-election issue was

almost an irrelevance in view of the number of by-elections that had been required in recent years. He was convinced that the four-year cycle would enable better planning and would be better for officers supporting the implementation of Council policy. The move to a four-year cycle would also provide savings for local parties as well as savings for the authority. The issue of member continuity had been raised but he felt that if the right candidate had been chosen they should be able to slot into their work on the council fairly easily. He encouraged members to have a full debate on this issue and not be constrained by party politics.

In the debate that followed a number of members spoke in support of four yearly elections. Councillor Garnham, as leader of the Conservative group, had been a member of the working group and he felt it would encourage a greater turnout at elections and address the current decline in voter turnout by giving the public something to vote on as parties set out their four-year manifesto. He encouraged members not to sit on the fence and to take what he saw as a bold decision to initiate change.

Other members referred to the strong arguments set out by Bristol City Council in the case study set out in section 6.2 of the report. Many members felt there was no justification for the borough council to have a two-year cycle whilst MPS, MEPS and County Councillors were all elected on a four-year cycle.

One member felt that council was increasingly becoming an irrelevance as the scope of what councillors could actually influence was being diminished as councils were stripped of their powers and finances and services were being taken out of council control and into commissioning arrangements. He highlighted the case of Bristol where the city council maintained a whole range of services that could help shape the town and therefore would engage the interest of the electorate. In his view however hard members worked they would never convince the electorate in Cheltenham of their ability to make changes to their local community. As such the argument for maintaining the current number of councillors was diminished.

Councillor Jordan, as Leader of the Council, had also been a member of the working group. He said it had been a useful exercise and he was pleased that the member seminar had been so well attended. He accepted that the options for the electoral cycle was a finely balanced argument but in his view the cost savings that would be achieved by a move to four-year elections were minimal. He felt the current system of 10 county council divisions and 20 wards in Cheltenham worked well. In the next three years, potential housing allocation would trigger the need for boundary changes and therefore he would support the first two recommendations in the report.

Other members spoke in support of maintaining the current two-year election cycle and rejected the inference that they were sitting on the fence in holding that view. They put forward the argument that it enabled residents to have their say on a more frequent basis and four years could be a long time to wait. They highlighted that the 2 yearly borough elections currently attracted a higher turnout than the county or parliamentary elections. One member suggested that turnout only increases when there is a particular issue in a ward which the public feel strongly about. A number of members felt that the argument for change had not been made and in the words of one member "why change if it's

not broken?" Councillor Godwin as leader of the PAB, had also been a member of the working group. He considered that the cost savings of four yearly elections were relatively small and the council should be looking elsewhere for higher cost savings particularly in the cost of printed reports and documents that the council produces. He had no confidence that the percentage of people turning out to vote would increase and it would continue to be the same 20 to 30% of the electorate who took the trouble to vote.

A member who had experience of both the two-year and four-year cycle, felt the two-year cycle did provide valuable opportunities for him to engage with his constituents. He did not think that democracy should be diminished for the sake of the cost savings set out which he compared to the cost of an Echo for a year.

A member suggested that it was a moral issue as much as a financial one that councillors should not be exempt from change. For this reason he had written to the working group setting out his views for reducing the number of councillors to 30 and supporting all out elections every four years. It was right that the council should slim down the political structure not just because of the financial savings but because there was a public expectation that it would be appropriate to do so.

The Mayor advised that a separate vote would be taken on each of the recommendations and upon seven members rising in their seats a recorded vote was requested on recommendation 3.

Upon a vote it was **RESOLVED** that:

- 1. A review of council size will not be progressed at this stage.**
Voting: For 29, Against 2, Abstentions 1
- 2. The community governance review will not be progressed at this time for the reasons set out in paragraph 4.6 of the report.**
Voting: For 29 with 1 Abstention
- 3. The process to move to a four year electoral cycle would not be progressed at this stage.**
Voting:
For 21 - Councillors Barnes, Britter, Coleman, Fisher, Flynn, Godwin, Colin Hay, Rowena Hay, Holliday, Jordan, Lansley, Massey, McKinlay, Reid, Stennett, Stewart, Sudbury, Thornton, Walklett, Wheeler and Williams.
Against 11 – Councillors Chard, Driver, Fletcher, Garnham, Hall, Harman, Rawson, Regan, Ryder, Seacome and Smith.

10. SCRUTINY ANNUAL REPORT

The item was introduced by Councillor Duncan Smith as chair of the Overview and Scrutiny Committee (O&S). The report reviewed the new arrangements for Overview and Scrutiny which were implemented following the elections in May 2012. The annual report set out the achievements of scrutiny over the last 12 months and in particular highlighted the outcomes of a range of scrutiny task groups. He hoped that members would acknowledge that the annual report set out the very positive contributions made by O&S and he thanked all those members who have been engaged in the process during the year. He

particularly thanked Rosalind Reeves, the Democratic Services Manager and her team and all the officers who had supported the scrutiny process throughout the year.

Regarding the scrutiny questionnaire, although it had received a comparatively full response from members, he was still disappointed that 25% of the members in the chamber couldn't pick up a pen to complete a simple survey. Whilst excusing some members who felt they were not in a position to comment, that still left 6 members who hadn't bothered to respond in any way. He encouraged those members who had not responded to speak in this debate so that he could understand why they had not engaged in the process. He emphasised that all members had a role to play in scrutiny whether they were Cabinet members, members of the O&S committee or others. The O&S committee had adopted a strategy of supporting every idea that have been put forward by members but it had a very thin agenda going forward so he encouraged members to suggest suitable topics. These could be a issue causing problems, an area that was going well or a direction of travel which members would like to look at more closely.

The Mayor invited questions and Councillor Smith made the following responses:

- Asked whether Cabinet Members should be more involved in scrutiny task groups, he felt that engagement with Cabinet Members was important but he had some difficulty in them becoming a permanent part of a task group. There could be a potential conflict of interest if the Cabinet Member was then required to be questioned by the task group. He questioned the need for Cabinet Member working groups and felt it would make more sense for Cabinet Members to use scrutiny task groups as a policy development tool.
- Asked to comment on why some members felt they had lost opportunities to be kept informed under the new arrangements, Councillor Smith acknowledged that clearly members wanted to hear more from the Cabinet Members. In his view there were only 10 members on the O&S committee and he felt the comments about not being informed had come from those members not on the committee. Therefore he felt this should be more of a challenge for Cabinet as how they were going to address this issue.
- Asked to comment on using the results of the skills audit to assist in matching members to working groups, he acknowledged that the information from the audit could be useful but it would still be down to members to come forward with topics for scrutiny. The approach had been to invite all members to join the scrutiny task groups on a voluntary basis and unless they move to a system where group leaders forced members to become part of the scrutiny task group it was difficult to see how some of these skills might be utilised if members were not prepared to put themselves forward.
- Asked how Cabinet Member working groups fed into the O&S process, Councillor Smith advised that currently there was no feedback from such groups unless the Cabinet Member choose to report back. This was an area that needed to be looked at.
- In response to a question about the costs of the scrutiny process, he confirmed that there was no dedicated scrutiny budget but officers would

be able to provide a written response giving more details on the time spent on scrutiny if required.

In the debate that followed, Councillor Regan, speaking as a chair of a scrutiny task group, said that she had found it a very rewarding experience and commended the excellent support from officers that the task group had received. She also highlighted the valuable involvement of the Cabinet Member Sustainability, Councillor Roger Whyborn, who had attended a meeting of the scrutiny task group on allotments to give his views and had responded to the recommendations in the report. She hoped other members would bring up items for potential scrutiny.

Similarly Councillor Hall, as chair of two scrutiny task groups, praised the work of the members and the excellent support they had received from officers. She also welcomed the timely involvement of the Cabinet Member in the grass verge cutting scrutiny. The Events scrutiny task group had been stressful and challenging but she was pleased that it had achieved a positive outcome and the Cabinet Member, Housing and Safety had supported its recommendations.

Councillor Sudbury as vice-chair of the O&S committee highlighted the positive achievements of the scrutiny task groups but emphasised that the time commitment from members was higher than that required in attending the previous O&S committees. She felt that the two challenges for scrutiny going forward were engaging Cabinet and encouraging members to participate. There was a need to look at how Cabinet and O&S worked together and the need for protocols to be clearly set out. She felt that Cabinet Members should attend O&S meetings to brief members. She also supported removing the differentiation between Cabinet Member working groups and scrutiny task groups and making them all report back to O&S.

Another member suggested that it was useful for the Cabinet Member to attend the initial scoping meeting for a new scrutiny task group as they would be able to advise on any current work relevant to the task group. Their involvement nearing the end of the review was also helpful to ensure that there were no surprises when the task report came to Cabinet for consideration of the recommendations. He acknowledged that there could be difficulties if members of a Cabinet Member working group were then asked to scrutinise the policy they had helped to develop but he felt these could be overcome if the roles were clearly defined at the start. Regarding the skills audit, he suggested that this could be used to issue a personal invite to a member to join a scrutiny task group and this could have more success than a global invite to all members. He highlighted the importance of joint overview and scrutiny with other districts and partnerships, particularly where those partnerships may have access to funding such as Local Enterprise Partnerships.

A member highlighted the importance of engaging the public in the scrutiny process and getting community groups to highlight issues.

The Leader of the Council congratulated the chair on a very good report. He advised that Cabinet had tried to address the issue of provision of information to members through a range of member seminars on important issues. He was more than happy to attend scrutiny meetings and had recently attended a meeting of the budget scrutiny working group to set out his vision for the

Council moving forward. One of the difficulties for Cabinet had been supporting some of the recommendations arising from the scrutiny task groups when they were not directly linked with priorities in the corporate strategy. An example of this had been the recommendations arising from the scrutiny task group looking at the sex trade. He did not agree with Councillor Smith that policy development should be handed over to scrutiny task groups. He pointed out that it was the Cabinet Member who would ultimately take a report to Cabinet for approval and therefore they must be involved in the development of policy and happy with the outcome. He was happy to have further conversations with scrutiny on this matter to find a suitable solution.

Another member thought it was a very good annual report from scrutiny and there had been some excellent work done by the scrutiny task groups which he hoped would generate further interest in scrutiny. He highlighted the importance of regular follow up of scrutiny recommendations to review what progress had been made on their implementation. He also suggested a number of topics for scrutiny including bereavement services, the nursery, car parking and enforcement, CBH, the council's obligations to young people, HR and appraisals and the policies for the winter workforce.

In responding to the points made in the debate, Councillor Smith was still disappointed that members who had not contributed to the scrutiny process had not spoken up in the debate. He urged them to think about it more deeply and come back to O&S with their views. He was still of the view that the O&S committee meeting was not a suitable place for Cabinet Member briefings. If all members of Cabinet were to attend this could require a three-hour meeting on a regular basis and if they were to have one Cabinet member to each meeting it would take a whole year to get through the cycle.

He thanked members for their comments and it would now be for the O&S committee to work with members to take scrutiny forward and build on what had already been achieved. He looked forward to reporting on their success in a year's time when the second annual report was presented to Council.

Resolved that the Council the Annual Report of Overview and Scrutiny be noted.

11. FINANCIAL OUTTURN 2012/13 AND QUARTERLY BUDGET MONITORING REPORT TO END OF MAY 2013

The item was introduced by Councillor John Rawson, Cabinet Member Finance. The report highlighted the Council's financial performance for the previous year which set out the General Fund and Housing Revenue Account (HRA) revenue and capital outturn position for 2012/13. The information contained in the report had been used to prepare the Council's Statement of Accounts for 2012/13.

The Cabinet Member Finance explained that the Financial Outturn report had been put together in difficult circumstances with unprecedented levels of cuts in Government funding. He indicated that the council had managed its resources well and delivered services slightly within budget, leaving a budget saving of £201,000 in 2012/13. He was proposing that this was added to the General Reserve. In addition £186,000 had been set aside to provide a safety net against possible future fluctuation in business rates income, following the

localisation of business rates.

Where budgets were committed or still needed to be spent on the items for which they were budgeted, the Section 151 officer had delegated power to carry them forward. Other carry forward items required member approval were set out in the report and he highlighted two of these.

He proposed that £10,000 should be carried forward from the Town Hall underspend mainly to fund initial costings and designs for the Town Hall redevelopment scheme. This was a hugely important project which had the potential to increase the council's income as well as giving Cheltenham a Town Hall fit for the 21st century.

He was also proposing that £170,000 of the substantial Ubico underspend should be reinvested in Ubico, to fund new vehicles and technology, to assist in rationalisation, and to train staff. This would result in a better and more efficient service for the people of Cheltenham.

The Council received £100,000 of funding from the High Street Innovation fund. This had paid for retail skills workshops for local businesses as well as enabling the continuation of the business rates discount scheme. However, take up of the scheme had been lower than expected. Therefore, there was a plan to reallocate some funds to other services. For example, £15,000 would be spent on funding consultation with the business community regarding the possibility of setting up a Business Improvement District and £24,000 was to be spent on new equipment for the pedestrianised area of the town centre to make it cleaner and more welcoming for businesses, tourists and shoppers.

The Cabinet Member Finance informed members that the investment that Cheltenham Borough Council had put in to Gloucestershire Airport had seen a disappointing return. Gloucestershire City Council and Cheltenham Borough Council had each provided a temporary lending facility of £350k which had been provided to support the extension of the runway. They had not seen a return on investment and the airport could not afford to repay the loan in the original timeline set. He also indicated that Cheltenham and Gloucester councils would not be receiving any dividend this year, though to be fair this was as a result of the pension deficit which is outside the control of the airport. It was also important to recognise that the airport was being supported financially by the councils that own it, because it draws rents from sub-letting airport land, some of which would otherwise come to the council. All this meant that the airport was currently delivering a very poor return on investment to Cheltenham and Gloucester councils, and he felt it was important for the council to take a long, hard look at the airport's performance.

The Treasury Management Panel had considered the matter and decided that the loan should be reviewed annually and the Cabinet Member felt this was appropriate as council tax payers should not be expected to support the airport financially.

He referred members to Appendix 4 which demonstrated the 2013/14 budget and showed that in 2015 there will be a 10% cut in funding across the whole of the local authority. There had been £5 million of savings made by the council since 2010. A third of a million of new savings had already been identified

towards bridging next year's budget gap and the council would need to consider radical changes in order to bridge the remaining gap. This would be partially achieved through new technology and accommodation.

He advised Members that the authority along with four others in Gloucestershire and Oxfordshire were pursuing a joint bid to the Government for Transformation Challenge Award funding. The application would be for £1.5 million of investment with a view to achieving £4 million a year of savings across the five councils by the end of year 5.

He concluded that it was an encouraging report which demonstrated the council's sound financial management. It demonstrated how much had been achieved in cutting costs but also set out clearly the work still to be done. He thanked officers, including the Senior Leadership Team, for their help and guidance.

It was agreed that recommendation five – which reads 'Approve the revision of the Treasury Management policy to reflect the revised borrowing facility to support the airport' would have the words 'subject to annual review' added to it.

A Member made reference to the disabled facilities grant which was referred to in appendix 3 of the report on page 107. This outlined that there was a budget of £81,000, but adjustments were made which brought the total to £107,354. The councillor asked why there had been an overspend of £37,000. The Finance Officer stated that the £81,000 had come from staffing budgets to administer the disabled facilities. The 2012/13 expenditure on disabled facilities had been £416,000 of which £350,000 had come from government grants. The Finance Officer referred members to Appendix 11 which demonstrated that the disabled facilities grant was part of the capital programme.

Councillor Harman, as the chair of the Treasury Management Panel, told Members that the addition to recommendation five was sound and that it sent a strong message to the airport.

A Member suggested that they should be careful regarding what they said and did regarding Gloucestershire Airport. In his view it may be better to have an airport and the greenbelt land around it rather than have houses built on the land. He also made reference to the amount of highly skilled jobs at the airport and its contribution to the local economy.

The Leader of the Council, reminded Council that the loan to the airport would be under annual review as this had been a Treasury Management Panel recommendation. He said that a report into the airport, initiated by Gloucester City Council, would be available shortly and this council would review the report with interest and respond accordingly.

Councillor Rowena Hay, Corporate Member Leisure and Culture, commented on the HRA supporting people grant and said that people who found it difficult to support themselves had received £5,000 in support. She said that Cheltenham Borough Homes were working well to support this scheme.

The Cabinet Member Finance thanked the Treasury Management Panel for their work during the year. Responding to the comments made relating to the

airport, he reiterated that the council were not thinking of closing the airport, but the council did need to review its position as a shareholder. He could distribute more information to members on this matter if required.

Upon a vote it was unanimously,

RESOLVED that the following recommendations be approved:

1. **Receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that services have been delivered within the revised budget for 2012/13 resulting in a saving (after carry forward requests) of £201,801.**
2. **a) Approve £216,400 of carry forward requests (requiring member approval) at Appendix 6.
b) Approve the transfer of the budget saving £201,801 to general fund balances.**
3. **Note the updated MTFs and budget strategy at Appendix 4.**
4. **Note the treasury management outturn at Appendix 8 and approve the actual 2012/13 prudential and treasury indicators.**
5. **Approve the revision to the Treasury Management policy to reflect the revised borrowing facility to support the airport (Appendix 9) subject to annual review.**
6. **Approve the amendments to financial rule 19 in respect of write-off limits as set out in Appendix 15 (section 7).**
7. **Approve the High Street Innovation Fund reallocation (section 8).**
8. **Note the capital programme outturn position as detailed in Appendix 11 and approve the carry forward of unspent budgets into 2013/14 (section 10).**
9. **Note the position in respect of section 106 agreements and partnership funding agreements at Appendix 12 (section 11).**
10. **Note the outturn position in respect of collection rates for council tax and non domestic rates for 2012/13 in Appendix 13 (section 12).**
11. **Note the outturn position in respect of collection rates for sundry debts for 2012/13 in Appendix 14 (section 13).**
12. **Receive the financial outturn performance position for the Housing Revenue Account for 2012/13 in Appendices 16 to 17 (section 14).**
13. **Note the budget monitoring position to the end of May 2013 (section 15).**

12. IMPERIAL GARDENS-REINSTATEMENT OF HISTORIC RAILINGS

The item was introduced by Councillor McKinlay, Cabinet Member Built Environment as Councillor Whyborn, Cabinet Member Sustainability was not in attendance at the meeting and had given his apologies. The report highlighted that the Friends of Imperial Square Heritage and Conservation (FISHAC) had started to raise the substantial funds required to restore the historic railings to Imperial Gardens. The intention was that Cheltenham Borough Council would then procure and subsequently deliver the works, in three phases. In order for the project to progress to its construction phases it was a requirement that FISHAC entered into a legal agreement with Cheltenham Borough Council which would require funding raised by them to be provided to the Authority.

The Cabinet Member Built Environment stated that the report was not about the design or whether there should be any railings. He said that the purpose of the report to Council was to help Members decide whether to allocate a budget for external funding. This was necessary due to the amount involved and it was therefore, effectively, an emergency item. If passed, the Council would enter into a procurement phase and may have to pay out some of the money before the money is received from FISHAC.

A Member asked about the phasing of the works and questioned whether the payments would also be in three separate phases. The Cabinet Member Built Environment responded that this was detail still to be worked out. He said the work would only be carried out if the money was raised and that money wouldn't be spent unless there was a guarantee that the money would be received.

One Member suggested there could be a risk that only half the park was completed if the remaining funds could not be raised.

Another Member thanked Councillor McKinlay for the report and urged him to give the project his support.

A Member stated that he could not support the recommendation as felt the decision to install railings around an open space such as Imperial Gardens was the wrong one to take. They acted as a barrier to the gardens and ruined the vista. He suggested that it was a good thing that this had taken a year to get through planning as there had been a debate to be had. He said that in Victorian times the railings had been there to help keep undesirables out, however this was not the approach that should be taken in the 21st century. There was also the potential that people may get their head or limbs stuck in between the railings as the width between each bar is quite large. He told members that he was pleased that the height of the railings had been altered, but stated that 'we could sleep walk into changing the nature of our best gardens'.

Another Member informed the meeting that getting an agreement from Council was important to FISHAC as it meant they could go forward and get funding from charitable bodies.

One Member expressed the benefits of the railings – they helped keep children safe within boundaries and they mean that people would use the designated paths and were less likely to run out on to the roads. Flowers could also be placed in the corners of the park, where at present people may walk on them.

The Cabinet Member Built Environment summed up the debate. He said that how the railings changed the park – either positively or negatively, was a matter of opinion. The Friends of Imperial Gardens would however be given a boost if the resolution were to be passed by Council. He said that a decision should be made in order to allow the project to progress.

Upon a vote it was:

RESOLVED that the budget for the project and the budget for the external funding within the Authority's capital programme be allocated.

Voting: CARRIED with 2 abstentions.

- 13. NOTICES OF MOTION**
No notices of motion had been received.
- 14. TO RECEIVE PETITIONS**
None received.
- 15. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**
There were no urgent items for discussion.

Wendy Flynn
Chair