

Council

Monday, 15th December, 2014
3.00 - 4.30 pm

Attendees	
Councillors:	Simon Wheeler (Chair), Duncan Smith (Vice-Chair), Matt Babbage, Flo Clucas, Adam Lillywhite, Chris Mason, Chris Nelson, John Payne, Max Wilkinson, Andrew Chard, Paul Baker, Garth Barnes, Nigel Britter, Chris Coleman, Bernard Fisher, Colin Hay, Rowena Hay, Peter Jeffries, Steve Jordan, Andrew Lansley, Helena McCloskey, Andrew McKinlay, David Prince, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Malcolm Stennett, Pat Thornton, Jon Walklett, Andrew Wall, Roger Whyborn and Suzanne Williams

Minutes

1. APOLOGIES

Councillors Fletcher, Flynn, Harman, Holliday, Murch and Sudbury had given their apologies.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. MINUTES OF THE LAST MEETING

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

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on the 13 October 2014 be agreed and signed as an accurate record.

4. COMMUNICATIONS BY THE MAYOR

The Mayor expressed his sadness at the recent passing away of Chic Webb and the Reverend Jeremy Whales. He was pleased that he had been able to present Chic Webb with an award at his Mayoral Inauguration ceremony. The Reverend Jeremy Whales had served the town as a Councillor, as Mayor, as an Alderman and as Chaplain to many previous Mayors and he had been a really nice gentleman. The Mayor asked Members to stand for a minutes silence in their remembrance.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader advised that an Extraordinary Council Meeting had been arranged for 26 January 2015 following the county council meeting on 15 January to consider the Traffic Regulation Order for Cheltenham. The County Council had asked for an opinion from this Council to feed back into their final process.

The Leader advised that the report on the St Paul's Transformation Project had been withdrawn from this meeting following concerns raised about the tenders going over budget. The matter would be reviewed and would come back to Cabinet/Council at a later date.

6. PUBLIC QUESTIONS

No public questions had been received.

7. MEMBER QUESTIONS

Fifteen Member questions had been received and the following response were given.

8. MEMBERS ALLOWANCES

The Chief Executive introduced the report as circulated with the agenda. The report explained that the Independent Remuneration Panel (IRP) had completed the statutory four yearly review of the Members Allowance Scheme and their recommendations for implementation from April 2015 were set out in paragraph 5 of the report. The full report of the IRP was attached as an appendix to the main report. He indicated that the chair of the IRP, Paul Johnstone, was in attendance to answer any questions that Members had on their report.

A Member was puzzled that the basic allowance seemed to be in line with other councils in the same family as Cheltenham whereas the Cabinet Member's Special Responsibility Allowance (SRA) seemed much higher by comparison.

The chair of the IRP explained that the panel had set out to provide a matrix scheme for calculating all allowances which was transparent and could be open to change by Council. The factors in the scheme, which determined the SRAs, had been set by the panel after many different consultations with Members over several years and the scheme had been in place in its current form since 2006. There had been no objections to the methodology adopted and Council had the option to revise any factors they felt needed adjustment.

A Member queried the £100 that was being recommended to be included in the basic allowance.

The chair of the IRP referred Members to the panel's report where the panel explained that the additional sum was an allowance to Members for the use of their own home ICT, Wi-Fi and communication facilities.

In response to a question from a Member, it was confirmed that the current scheme did provide provision for a Dependent Carer's Allowance.

A Member expressed a view that Members with a poor attendance record should not continue to receive their allowance.

Another Member challenged this view, saying that Members could often achieve more through their casework in their ward than they could in attending a council or committee meeting. In their view the Council should acknowledge the financial hardship that many of their residents were experiencing and take no increases in their allowances which he considered were adequate.

The Leader proposed an amendment to the recommendations set out in section 5 of the covering report in that 2) and 5) should be deleted. This would mean that no SRAs would receive the recommended 1% inflationary increase. In proposing the recommendation he thanked the panel for their work. He acknowledged that the Council could not freeze allowances indefinitely as they must be mindful of the need to attract new Councillors. On this basis he considered it was appropriate that the basic allowance was increased by 1% but not the SRAs.

Councillor Clucas seconded the amendment and this became the substantive motion.

Regarding the additional ICT component, she highlighted that Members with a council iPad still needed access to WiFi at home which did have a cost. She also stressed the importance of ordinary working people being able to afford to stand as a Councillor and highlighted that in freezing allowances for the last 5 years, there had been an effective reduction in the basic allowance in the order of £1000.

This view was echoed by another Member who did not feel the basic allowance was financially incentivising people to become Councillors but he welcomed the increase.

Upon a vote it was

RESOLVED that;

- 1. The recommendations of the IRP report as amended be accepted for implementation from April 2015, as follows:**
 - i. That the Basic Allowance payable to all Councillors is increased by 1% and an additional amount of £100 per annum be incorporated to cover the essentials necessary to carry out the role as detailed in the report.**
 - ii. That the SRA for the role of Group Leader should only be payable where a political group has 4 Members or more.**
 - iii. That the level of knowledge and experience necessary for the chair of Audit Committee be increased with a corresponding increase to the SRA for 2014/15 from £454 to £681.**
 - iv. That the allowances for Mayor and Deputy Mayor are increased by 1%**
 - v. That all other aspects of the Members Allowance Scheme remain unchanged.**
 - vi. The next full review required by legislation will start in September 2018 reporting to Council in December 2018 with**

an intervening review each September as detailed in the scheme.

- 2. The Chief Executive be authorised to implement the necessary changes to the scheme of allowances and the Borough Solicitor and Monitoring Officer be authorised to make the necessary changes to the Council's constitution.**

Voting: For 24, Against 10 with no abstentions

9. TREASURY MID-TERM REPORT 2014/15

The Cabinet Member Finance introduced the report and explained that this report was in accordance with the CIPFA Code of Practice on Treasury Management which recommended that Members were informed of Treasury Management activity at least twice a year. The report therefore ensured that the authority had adopted the code and complied with its requirements.

The Cabinet Member explained that the main ratings agencies may remove some of the institutions' sovereign support following evolving regulatory changes and that this process may commence during this financial year. Therefore immediate changes to the credit methodology were required with the credit element of Capita's future methodology in future focusing solely on the Short and Long Term ratings of each institution.

The Cabinet Member then explained that the report noted the Council's portfolio position. He reported that external and short term borrowing were at a low level as the council was using internal borrowing to reduce costs. Long term borrowing in terms of the £1.4 m loan taken out in May 2014 on behalf of CBH was cost neutral for the council as CBH were repaying the Council in line with the repayment schedule. Investment growth had increased from £18m to £20.4 m due to increased short term lending. The Cabinet Member reported that the Council had operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Policy Statement and Annual Treasury Strategy Statement. He also reported that the average interest rate for temporary borrowing had been 0.33 % with lending at 0.63 %. He then took the opportunity to thank finance officers for their valued work.

A Member asked when the authority could expect to have recovered all the outstanding amounts from the Icelandic banks and how would Members be kept informed of progress.

The Cabinet Member referred Members to paragraph 4.6 in the report which indicated that the next dividend was expected to be paid out in early December 2014 and was estimated to be a 1p in the pound. The progress in recovering the debt would continue to be reported to the Treasury Management Panel. Some of the distribution from Glitnir's Winding up was being held in an escrow account and although it could not be immediately realised, it was earning a good rate of interest. In response to a question from a Member, the Director of Resources indicated that the council was likely to receive around £5,700 as

a result of an imminent distribution of 1p in £. He would be reporting back to Council in February as part of his budget report.

A Member asked whether any sensitivity analysis had been done on the projections for bank rates set out in the table in 6.1.

The Cabinet Member advised that it was a constantly moving picture and the council would be continuing to review the latest advice from their Treasury Management advisers.

In response to a question from a Member on the risk assessment in Appendix 1, the Director of Resources explained that a LOBO loan was a lender's option borrower's option loan. Although it was currently earning a good rate of interest, the lender did have the option to recall it at specific times and there was a risk that alternative arrangements may earn less interest.

A Member referred to recommendation 2. and asked what assessments had been done to support this recommendation.

The Cabinet Member Finance acknowledged that this recommendation needed more clarity and it would be firmed up before coming back to Council in February once government's intentions were clearer.

Upon a vote it was (unanimously)

RESOLVED that;

- 1. The contents of the summary report for the treasury management activity during the first six months of 2014/15 be noted.**
- 2. The changes to the credit methodology whereby, viability, financial strength and support ratings will be considered as key criteria in the choice of creditworthy investment counterparties, be approved.**

10. COUNCIL TAX DISCOUNTS ON EMPTY PROPERTIES

The Cabinet Member Finance introduced the report and explained that in December 2012 Council used its new discretionary powers to set the level of council tax discount awarded in respect of certain categories of empty properties which had previously been fully exempt. These new powers provided an opportunity to reduce the level of discounts as a measure to help bring empty properties back in to use and to increase council tax income. The policy had now been in place for a period of two financial years.

He explained that officers had been working with other districts to review the current levels in place and it was now being proposed to change the level of class C properties to 25 % for the first 6 month period after a property becomes unoccupied and substantially unfurnished, instead of 100 % for the first month and 25 % for the following 5 months. It was hoped that this proposal would reduce the potential for dispute between landlord and tenant and generate additional income.

He indicated that the recommendations had been supported by the Budget Scrutiny Working Group.

A Member asked whether the Cabinet Member had considered giving no discount for Class D properties.

The Cabinet Member explained the rationale behind the 25% discount for up to 12 months which acknowledged the fact that landlords were not necessarily able to fill empty properties immediately. It also made sense for this council's policy to be broadly in line with other authorities in Gloucestershire.

Having declared an interest as a landlord, Councillor Seacome echoed this view and said in his experience a landlord could expect to rent a property on average for 10 months out of the year every year.

A Member suggested that there may be special cases where people may have been left an empty property by a family Member and they are not in the same position as a social landlord. In response the Cabinet Member said there were a number of concessions and exemptions which would cover this situation.

Upon a vote it was

RESOLVED (with 1 abstention from Councillor Seacome) that;

- 1. The level of discount for class C empty properties be set at 25% for the first months.**
- 2. 6 weeks as the minimum required period of re-occupation before further empty property discounts apply, be confirmed.**

11. COMMITTEE APPOINTMENTS FOLLOWING A RESIGNATION

The Chief Executive introduced the report as circulated with the agenda. Following the resignation of Councillor Andrew Lansley, from the Liberal Democrats Group, there had been a change to the political balance of the Council, from 25 Lib Dems, 11 Conservatives and 4 PABs to 24, 11, 4 and 1 Independent Member. As a result of this there were some minor adjustments to some committees in order that they could maintain political balance. This matter had been discussed with the Group Leaders, who agreed the provisional options set out in the report, though the final decision was one for Council. Councillor Lansley had also resigned as one of the two Councillors on the Public Art Panel and as the Group Leaders had not been able to reach agreement on the matter of which of the two nominations should be appointed, this was being referred to Council also.

Upon a vote it was

RESOLVED that;

- 1. The amendments to the size and Membership of the Planning Committee and the Appointments and Remuneration**

Committee remaining unchanged, as set out in paragraph 1.9 of the report, be approved.

Voting: unanimous

2. Councillor Sudbury be appointed to sit on the Public Art Panel.

Voting; For 19, Against 9, Abstain 4

12. NOTICES OF MOTION

Councillor Whyborn, seconded by Councillor Payne, proposed the following motion which had been circulated with the agenda together with a proposed draft letter to be sent by the Leader in response to the consultation referred to in the motion.

"Cheltenham Borough Council is pleased to note the proposals for an enhanced train service from Cheltenham to (especially) London within the Western Route Study Consultation, being conducted by Network Rail. However, this Council is very concerned that these much needed improvements are not projected to take place until 2019 at the earliest, rather than taking advantage of the recent doubling of tracks on the line between Kemble and Swindon, and also supporting the LEP growth strategy.

This Council also notes with approval that Cheltenham Spa Station features in the report as a candidate for improvement under NSIP (National Station Improvement Plan) and AfA (Access for All); this is in addition to funding offered by Gloucestershire Local Transport Board and other bids funded by this Council and partners at GCC for an improved Cycle-Rail link. However, the Council is concerned that station facilities are already under enormous strain from greatly increased levels of use in recent years, now expected to increase to 2 million journeys per annum; this Council is concerned that the limitations of access and parking, including disabled access, together with the London train service, are already restricting its use and hampering modal shift by passengers to rail.

Cheltenham Borough Council therefore urges Network Rail and First Great Western to do all in their power to expedite improvements to both the rail station and the train service and the authority is willing and keen to engage with all stakeholders in order to facilitate further improvements (e.g. car parking capacity and terminating train constraints), and to help secure the associated funding."

In proposing the motion, Councillor Whyborn explained that he was proposing it on the behalf of the Rail scrutiny task group which he chaired. The task group was bringing this motion to Council in order to meet the consultation deadline for responding to the Western Route Study Consultation. He acknowledged the work that had already been done, led by the Cheltenham development task force managing director, Jeremy Williamson, to put together bids for funding to improve Cheltenham Station.

He highlighted the inadequate facilities and indicated that there was evidence that people were using other modes of transport to reach intermediate stations to London rather than use Cheltenham Station with its parking and access

difficulties. He acknowledged that some people were keen to keep the station unchanged but he highlighted that it was expected that the façade would be maintained whilst the much-needed improvements were made.

Councillor Payne was pleased to be able to support the motion. He highlighted that the rail study covered the next 30 years with 2019 to 2024 being the central period. Although the need to upgrade the station had been recognized there was no guarantee that it would be completed in that central period. It was critical to the economic wealth of the town that the poor access to the station and inadequate car parking were addressed as well as the deplorable facilities for the disabled. With 2 million passengers a year, Cheltenham station was becoming a vital transport hub and was in urgent need of upgrading.

A Member asked what had been done to get a coalition of support from other parties in Gloucestershire as without this Cheltenham could become a lone voice with rail funding continuing to go to other parts of the county.

The Leader advised Members that at the last meeting of the Gloucestershire Joint Economic Growth Committee it had been suggested that there could be a countywide approach to the issue of rail funding bids. He would report back to Council when he had more information.

Another Member emphasised that as well as improved facilities at the station, there was an urgent need for improved transport facilities to get people to the station. She highlighted the situation at Charlton Kings where the last bus on weekdays was at 6.40 pm with no service at all at weekends.

Another Member urged that the car parking facilities at the station should be made more attractive in order to reduce the level of inconsiderate parking in residential streets close by.

Upon a vote the motion was resolved (with 1 abstention from Councillor Thornton who had declared an interest as she lived close to the station).

13. TO RECEIVE PETITIONS

No petitions were presented, nor had any been received since the last meeting.

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

There were no urgent items for discussion.

15. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION

The requirement to move into exempt session was no longer necessary given that the report, to which the exemption applied, had been withdrawn.

16. ST PAUL'S TRANSFORMATION PROJECT

This item had been withdrawn and would be tabled at a later date.

Simon Wheeler
Chair

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Council

15 December 2014

Member Questions

1.	Question from Councillor Smith to the Leader, Councillor Steve Jordan Member
	<p>1A. Can the Leader of council explain what changes that have been made to council services to support service personnel and their families following the signing of the armed forces community covenant in 2011?</p> <p>How many service families have been helped as a result of these changes?</p> <p>1B. The CBC website lists businesses who have signed up to the defence services discount.</p> <p>Can the Leader confirm how many businesses the council has signed up to this discount since 2011?</p> <p>1C. The CBC website has a link to an annual report on the activities of partners to the community covenant. The only listing is for 2012/13.</p> <p>Is the council no longer supporting the covenant or has it just forgotten to publish the reports?</p> <p>How seriously should the public take his administration's commitment to the covenant?</p>
	Response from Leader
	<p>1A</p> <p>Housing: Under the Gloucestershire Homeseeker Scheme, the needs of those leaving the armed forces were better recognised than they had previously been. Consequently, there have been 2 applications via homelessness and 1 via Gloucestershire Homeseeker website. All were housed, where pre-covenant this may not have been the case.</p> <p>Partnership Working A delegate from the Royal British Legion Cheltenham Branch sits on Positive Participation Partnership to represent military communities, both serving and ex-service. There is also greater engagement, awareness and joined up working with local armed forces charities who undertake welfare work within the Borough. The council supported and hosted Gloucestershire Aden Veterans Association's first service in Cheltenham in November 2014. This brought several new members to the branch.</p> <p>Communities and welfare: One referral made to Royal British Legion by the covenant officer and one individual connected to community groups and activities by covenant officer. WW1 Commemorations are providing engagement opportunities and linking</p>

	<p>civilian and military communities; increasing understanding between the two.</p> <p>1B</p> <p>Cheltenham Borough Council does not administer this or any other similar discount scheme, or sign up businesses. It is up to individual companies to join if they so wish, or to offer their own informal discounts. There are currently 10 independent shops signed up to this scheme, as well as an unidentified number of chain stores of which there are branches in Cheltenham. Details of the scheme were sent out in the business bulletin in 2014 but it is not clear how many businesses signed up as a result of CBC's promotion of the scheme.</p> <p>The Defence Discount Service is keen to work further with CBC and the Cheltenham area, but this is moving slowly due to their small staff resources. The Corporate Covenant, as distinct from the Community Covenant, is administrated in Gloucestershire by 'Circles to Success' and has dozens of Cheltenham businesses signed up. This covenant mainly focusses on employment opportunities for service leavers.</p> <p>1C</p> <p>Cheltenham Borough Council is still a very proactive member of the Gloucestershire Covenant and works on projects with the whole group. I attended a stakeholder event hosted by ARRC in January 2014 to introduce the covenant to wider partners. The full annual reports are published not by CBC, but by Gloucestershire County Council which administers the covenant and collates the reports from each partner. The 2013 report was submitted by CBC to the County Council in September 2013, and published by them in July 2014. The full annual report for 2014 has not yet been produced. The deadline for reports to be submitted to the county council is December 31st. Cheltenham Borough Council's entry was submitted back in October. I would be happy for the CBC report to be published on our website, whilst we are waiting for GCC to publish the full document.</p> <p>CBC has applied a great deal of care and sensitivity to the commitments of the covenant, and has actively engaged relevant people and partners to ensure Cheltenham's contributions to the covenant are fit for purpose, and that we are working in partnership with community and other sectors to meet its aims. It is not a fixed document. Initial discussions have been held about a possible project in the borough which may be eligible for a grant from the covenant fund. Hannah Wright as the council's covenant officer has been trained by an armed forces charity (Hire a Hero), and is now part of their mentoring scheme for service leavers who need support during or after the transition to civilian life. She would be happy to discuss her role in more detail with any members who are interested.</p>
<p>2.</p>	<p>Question from Councillor Duncan Smith to Cabinet Member Healthy Lifestyles, Councillor Rowena Hay</p>
	<p>Would the Cabinet Member explain why she thinks that the council knows better than the professionals how to make chips?</p> <p>At a time of financial constraint, is this a wise use of public funds?</p>

	<p>What are the success criteria for this scheme? How will she monitor the effectiveness of the advice provided?</p> <p>Will she commit to coming back to Council next year to explain whether this scheme has proved to be value for money?</p>
	<p>Response from Cabinet Member</p>
	<p>Would the Cabinet Member explain why she thinks that the council knows better than the professionals how to make chips?</p> <p>The project builds on established research that the financial and health costs of obesity are unacceptably high, and that those costs tend to be borne by individuals in communities most affected by the wider determinants of health. In Gloucestershire, 63.8% of adults are overweight or obese. From the Joint Strategic Needs Analysis we know the percentage of children who were measured and were classified obese was 14.6% and the proportion of adults 16+ who are obese was 20.7%. This is what the project helps to address.</p> <p>The Gloucestershire health profile states that obesity is identified as a priority area for action in the Gloucestershire Health and Wellbeing strategy. The county rate of obesity has been steadily increasing in recent years in line with national trends. Research suggests a strong correlation between unhealthy lifestyle behaviours and deprivation. Rates of obesity are significantly higher in the county's more deprived neighbourhoods, which highlights the importance of targeted prevention work.</p> <p>It is not about who knows best, it is about this council acting responsibly through our professional officers to play our part in supporting & encouraging businesses to help reduce the health risks to our communities.</p> <p>At a time of financial constraint, is this a wise use of public funds?</p> <p>The County Council awarded Cheltenham Borough Council a £40,000 Health Inequality Fund to help address the top five public health priorities in Gloucestershire's Health & Wellbeing Strategy. One of those priorities was obesity. The estimated cost to the NHS of treating obesity related conditions is £4.2bn a year - costs to NHS Gloucestershire were estimated at £149.1 million.</p> <p>In this context, the sum of £3,251 for this project to work with takeaway proprietors is proportionate and good value for money.</p> <p>What are the success criteria for this scheme? How will she monitor the effectiveness of the advice provided?</p> <p>Food samples will be taken before and after the intervention and analysed for changes in fat content. A reduction in fat levels will be deemed a positive result in the short term. Post intervention audits will be carried out after a period of approx 3 months to assess medium term maintenance of the improvements.</p> <p>Assessments will also be made by officers during planned food hygiene</p>

	<p>inspections to assess sustained longer term maintenance of improvements.</p> <p>Businesses making the required change will be recognised by way of an acknowledgement letter/certificate to display so that the public can see those businesses which are making improvements thus allowing them to make an informed choice on where and what they eat.</p> <p>Will she commit to coming back to Council next year to explain whether this scheme has proved to be value for money?</p> <p>A feedback report will be compiled in December 2015 following the completion of the project which will be sent to the Commissioning Division before payment is made for the project.</p> <p>The results of all the health inequalities grants can be made available to Council and of course scrutiny can always request a report to them.</p>
<p>3.</p>	<p>Question from Councillor Duncan Smith to the Cabinet Member Finance, Councillor John Rawson</p>
	<p>Can the Cabinet Member explain who has been involved in the discussions between the council and Cheltenham Town Football Club in regard to possible land transfers?</p> <p>Specifically, in the last 12 months which officers and councillors have</p> <p>(A) had access to confidential reports, drafts reports and briefings (B) been present at internal meetings when these matters have been discussed (C) been present at meetings with the club and/or its representatives (D) been involved in the drafting of related press releases or have seen such press releases prior to publication</p>
	<p>Response from Cabinet Member</p>
	<p>A) There has only been one confidential report to Cabinet referring to the possible land transfer, though the main purpose of it was to authorise the purchase of three private homes in Cakebridge Place. It was restricted to officers directly concerned in the Cakebridge Place redevelopment project (see below), the Senior Leadership Team and the Cabinet. It came to Cabinet on 15 July 2014.</p> <p>(B) Internal meetings have been attended by the three officers involved in the Cakebridge Place project. They are David Roberts Head of Property, Jeremy Williamson Managing Director of the Taskforce and Gordon Malcolm representing CBH. In addition David Roberts has provided updates of the meetings to a Joint Project Group made up of various officers of both CBC and CBH, which considers sites predominantly for public housing provision. At all stages, confidential information has been limited to proposed site layouts to meet the constraints of the site.</p> <p>(C) The officers who have been in discussions with the Football Club have been David Roberts, Jeremy Williamson and more recently Gordon Malcolm. The discussions are as a direct result of an approach by the Borough Council to the</p>

	<p>Football Club due to the proposed redevelopment of Cakebridge Place, part of which is at risk of flooding. No councillor has been in the discussions representing the Council, which I would consider inappropriate, though at various times the Chairman of the Football Club, who has been a councillor since July, has attended representing the club.</p> <p>(D) There has been no media release by the Council. The Council received a media enquiry to which I responded confirming that discussions were taking place but that no agreement had been made. We understand that the publicity resulted from a meeting the football club had with its supporters.</p> <p>May I also add a few words to put this question in context. The proposal currently being explored is to swap part of the football club's car park which is not within the flood zone for the land in Cakebridge Place which is owned by the Borough Council. This will assist the provision of an affordable housing development, and putting a much lower flood risk activity, namely car parking into the former Cakebridge Place area. Such an approach could also have other advantages such as reducing traffic flow on Whaddon Road on match days, subject to highways approval for an alternative access and egress for the Football Club.</p> <p>I should also emphasise that whilst the principle and benefits of a land swap has been discussed and well received by the Football Club, no agreement has been reached. Currently the feasibility of the land swap is being investigated and, should the proposal be proved to be viable, then a formal report in support of the land swap and its redevelopment will be brought forward in the normal way.</p>
<p>4.</p>	<p>Question from Councillor Andrew Chard to the Cabinet Member Finance, Councillor John Rawson</p>
	<p>Would the Cabinet Member of the Council agree with the Cheltenham Resident, Bob Rogers, that the Royal Well Bus station is a disgrace to the Town?</p>
	<p>Response from Cabinet Member</p>
	<p>I am very pleased that Councillor Chard has given me the opportunity to address this issue in Council, especially as I have recently been in correspondence with Mr Rogers.</p> <p>Councillor Chard is well aware that I am concerned about the state of the bus station, as he took part in a discussion in the Asset Management Working Group which I initiated. The purpose of it was to explore options for improving the bus station.</p> <p>As members are well aware, the Council was obliged to close the waiting room in Royal Well after complaints about serious anti-social behaviour. Vagrants were sleeping in the waiting room, fouling it, taking drugs in it, and causing a potential danger to passengers. This danger was real, as can be seen from the fact that one member of the Ubico staff was assaulted.</p> <p>I promised the Asset Management Working Group that I would write to the Police and Crime Commissioner seeking more support from the police, and I have done so. Even so, I do not believe that simply reopening the waiting room and hoping for the best is a viable way forward. There are two other and, to my mind more</p>

	<p>satisfactory, ways forward.</p> <p>The first option is to put the old waiting room to some new use, maybe as an information centre or a small coffee shop. This possibility is being explored by officers.</p> <p>The second option is to demolish the present waiting room and adjacent shelter and replace them with a modern shelter in the style of the other four shelters in Royal Well. This would certainly address one problem, which is the ugly and shabby appearance of the current building. It would also provide more protection from the elements than the old shelter immediately next to the waiting room which has windows missing – a major cause of concern to Mr Rogers.</p> <p>These are matters on which I hope to take a view in the next few weeks. In the meantime I propose to include a question on the future of the bus station in the budget consultation which starts tomorrow. My aim will be to get a feeling for whether residents wish to see improvements to the Royal Well bus station or whether they would favour some other solution.</p>
<p>5.</p>	<p>Question from Councillor Andrew Chard to the Leader, Councillor Steve Jordan</p>
	<p>Would the Leader of the Council please advise us what action his administration took on 6th December in support of Small Business Saturday?</p>
	<p>Response from Leader</p>
	<p>The council provides a range of support for small businesses throughout the year. The council funds an independent advice service for small business as well as funding for traders groups such as Bath Road Traders through Community Pride to support their Christmas parade. In addition the council has frozen parking charges for over 4 years. On 6th December the council help arrange both the Christmas Market and Charity Fair.</p> <p>The problem with Small Business Saturday is that it coincides with one of the busiest days of the year. The council consulted both the Cheltenham Business Partnership and Chamber of Commerce who confirmed their previous advice that any parking discount would be more useful at a quiet time of year rather than the busiest. The council will be following that advice as was the case this year when there was free parking on the afternoons of Race Week in March.</p> <p>In a supplementary question, Councillor Chard asked if the Leader was aware that Gloucestershire County Council had withdrawn roadside parking charges on the 6th December.</p> <p>In response, the Leader replied that the council had listened to local businesses and their views on what support they wanted. He was not sure that the County Council had done so.</p>
<p>6.</p>	<p>Question from Councillor Seacome to Cabinet Member Healthy Lifestyles, Councillor Rowena Hay</p>
	<p>Can the Cabinet Member please inform us whether those organisations that hire Montpellier Gardens, and Imperial Gardens, receive discounted rates. I have in</p>

	<p>mind the Cheltenham Festivals, the Food Festival, and the Funfair, and similar organisations. It would be helpful to know how any rate is applied (by the square metre, by the garden etc) and how they differ (if they do) from rates charged to non-Cheltenham bodies.</p> <p>Also, as far as is known, given the new status of the Town Hall and Pittville Pump Room, what are the financial arrangements there, or what are they likely to be (if this is known)?</p>
	<p>Response from Cabinet Member</p>
	<p>The approved land hire fees and charges for events in Montpellier and Imperial Gardens are: Commercial £568.50, Registered Charity £223.30 and Community £37.30.</p> <p>These rates are per day whilst the event is operating, setting up and taking down is charged at 50% of these per day.</p> <p>Commercial Operators such as the funfair or food festival pay at the commercial rate, the Cheltenham Festivals pay the registered charity rate, and organisations such as the Scouts pay at the community rate.</p> <p>The hire rate is for gardens it is not charged per square metre.</p> <p>The rate does not differ to hirers from outside Cheltenham.</p> <p>The Town Hall and Pittville Pump Rooms, now run by the Cheltenham Trust do within their management agreement have a section, under protected activities, which states that registered charities will be given a 20% discount.</p> <p>In a supplementary question Councillor Seacome commented that these rates seemed remarkably cheap in comparison to room hire rates at the Town Hall and in view of the amount of work needed to remedy the gardens, and asked whether the prices should be increased.</p> <p>In response, the Cabinet Member replied that comparisons with other local authorities, including Gloucester, Oxford and Bath, had been carried out in 2011. Cheltenham's charges were found to be in line with other councils. Charges continue to be increased annually in line with other councils.</p>
<p>7.</p>	<p>Question from Councillor Chris Ryder to the Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>During the Literature Festival, a contractor was instructed by The Festival to remove a Memorial bench by unscrewing it within Imperial Gardens to take up to Montpellier Gardens, as it was alleged, Montpellier Gardens required more seating for the Festival.</p> <p>Can the Cabinet Member explain what he has done to ensure that this never happens again. Has he explained to The Festivals their responsibilities?"</p>
	<p>Response from Cabinet Member</p>
	<p>Consent was granted for the temporary removal of a bench in the North East corner of Montpellier Gardens for the duration of the Literature Festival to allow VIP access to the rear of the main area.</p>

	<p>The contractor, when instructed by Cheltenham Festivals to remove the bench, took away the one in the South East corner of Imperial Gardens in error. When this was drawn to their attention, they returned the bench and took the correct one.</p> <p>Cheltenham Festivals are aware that they are not allowed to move park furniture without consent.</p>
8.	Question from Councillor Chris Mason to Cabinet Member Housing, Councillor Peter Jeffries
	<p>What criteria was used when selecting private dwellings to be improved at the taxpayers' expense on the St Paul's Phase 2 - Improvement Project?"</p>
	Response from Cabinet Member
	<p>Cheltenham Borough Council engaged the services of Professional Partnership Services Group to undertake the process known as Neighbourhood Renewal Assessment. The Conservative Cabinet led by Cllr Smith in 2006 agreed the actions from the Neighbourhood Renewal Assessment report, in this report it identified boundaries based on cohesive neighbourhoods. All housing (public and private) within these boundaries were subject to the same systematic appraisal method.</p> <p>In a supplementary question Councillor Mason asked if it was appropriate for property owned by private landlords to be improved at the public's expense.</p> <p>In response, the Cabinet Member replied that he was not aware of any private landlords within this project.</p>
9.	Question from Councillor Chris Mason to Cabinet Member Housing, Councillor Peter Jeffries
	<p>How does the Cabinet Member expect the Asset Management Working Group to agree to the recommendations in the report of St Paul's Phase 2 - Improvement Project if it does not contain sufficient detail to do so?"</p>
	Response from Cabinet Member
	<p>I do not necessarily agree with Councillor Mason that the St Pauls Phase 2 report was insufficient in its detail as it was accompanied by a detailed report regarding the proposed revised scheme costs. Councillor Mason will be aware that the role of the Asset Management Working Group is advisory, a sounding board for strategic asset management issues and that is why the report was brought to its attention prior to it being considered further by the Council. I am grateful for the feedback from the working group and Members will be aware that Cabinet at its meeting on 9 December determined that further work should be undertaken with regard to the scheme specification and costings.</p> <p>In a supplementary question Councillor Mason suggested that the size of the increases in costs were not supported by the data in the exempt report and asked the Cabinet Member whether there were any other factors which could equate for the misunderstanding?</p> <p>In response, the Cabinet Member replied that this had already been raised in Cabinet, which is why they were re-examining the costings regarding the tenders,</p>

	in order to identify any anomalies and look at them again.
10.	Question from Councillor Smith to the Leader, Councillor Steve Jordan
	<p>Does the Leader of the council agree with his Lib Dem colleague that Cheltenham is 'miserable and gloomy' and needs 'urgent improvement' this Christmas.</p> <p>Given that his administration has increased the Christmas lights budget by 10 % this year, how does he justify this use of public money in the face of such high profile criticism?</p> <p>Is Cllr Rawson's dismissal of these concerns as 'carping', a reflection of his administration's contempt for any expression of the public's view that contradicts their own?</p>
	Response from Leader
	<p>Personally I prefer the subtle lighting displays currently in place in comparison to some of the ones in previous years.</p> <p>There hasn't been a 10% increase in the budget for council support for Christmas in Cheltenham which totals £53300 and includes running and maintaining of the Christmas Lights. However, the Cheltenham Business Partnership did make a successful bid to the Community Pride fund of £4000 to help fund street entertainment on the day of the lights switch-on.</p> <p>Whatever any personal opinion about the current lights, there is an issue about the best way to upgrade and refresh them over time. This may be something scrutiny wish to look at and if so the Cabinet would be happy to support such a review.</p>
11.	Question from Councillor Matt Babbage to Cabinet Member Clean and Green Environment
	<p>A. Following the recent publication of national recycling league tables, Cheltenham once again lags behind our two neighbouring councils. What ambition is there to catch up with, or even surpass, Tewkesbury and the Cotswolds District Councils' recycling success?</p> <p>B. Has the council considered setting up a council reuse and recycle programme? If not, would he support this?</p>
	Response from Cabinet Member
	<p>A</p> <p>It is not reasonable to compare the recycling performance of Cheltenham Borough Council with Cotswold District Council or Tewkesbury Borough Council given the differences between the urban nature of Cheltenham and the rural nature of the Tewkesbury Borough and the Cotswolds. Traditionally, urban authorities do not capture the same amount of recyclate as rural authorities.</p> <p>I am however focussed on improving on our own position and with that in mind am working on a variety of plans aimed to boost recycling, including promotional and educational campaigns. I am hopeful that these initiatives, when added to the recent service enhancements locally such as the mixed plastics service at our</p>

	<p>bring sites and the changes to the food waste service, will go some way to improving performance.</p> <p>B The Council has supported Vision 21 in setting up a bulky waste collection in Cheltenham and this is now the recommended option for residents. All of the usable items collected are reused with anything which is not fit to be reused being recycled wherever possible. In addition, there is a bicycle reuse project which the Council supports and which is operated using bikes collected at the Household Recycling Centre on Swindon Road.</p> <p>In a supplementary question Councillor Babbage asked why Cheltenham Borough Council should not be compared to neighbouring authorities and what level of recycling did the Cabinet Member think was appropriate?</p> <p>In response, the Cabinet Member replied that Cheltenham Borough Council was currently around the middle of the league table at 45% and residents had worked hard to increase recycling levels. Recycling represents a significant part of his portfolio and increasing levels of recycling was his highest priority. With this aim he considered that doing the right thing for Cheltenham was more important than worrying about its position in the league tables.</p>												
<p>12.</p>	<p>Question from Councillor Matt Babbage to Cabinet Member Development and Safety, Councillor Andy McKinlay</p>												
	<p>What costs have been incurred on the Regent Arcade car park system since the decision to replace the meters back in 2012? How are these costs split by installation work, support, maintenance and any other relevant categories? What is the estimated lost revenue from times when the system was out of use or not operating correctly?</p>												
	<p>Response from Cabinet Member</p>												
	<p>For the period April to November 2014 the actual income and expenditure for the Regent Arcade car park are as follows:-</p> <table data-bbox="316 1339 1005 1646"> <tr> <td>Income.</td> <td>£680,089</td> </tr> <tr> <td>Capital expenditure</td> <td>£87,680</td> </tr> <tr> <td>Revenue expenditure</td> <td></td> </tr> <tr> <td>Equipment repairs and maintenance</td> <td>£19,975</td> </tr> <tr> <td>Connectivity services for parking equipment</td> <td>£22,790</td> </tr> <tr> <td>Miscellaneous supplies and services.</td> <td>£12,645</td> </tr> </table> <p>These eight month figures are within budget for 2014-5.</p> <p>It has not been possible to provide figures for 2011-2, 2012-3, or 2013-4 in the time available. I have asked officers to compile the information requested and pass it to Cllr Babbage when it is completed.</p> <p>The Council does not keep data on issues that lead to lost revenue, however losses are not believed to be significant. Such losses that do occur are the result</p>	Income.	£680,089	Capital expenditure	£87,680	Revenue expenditure		Equipment repairs and maintenance	£19,975	Connectivity services for parking equipment	£22,790	Miscellaneous supplies and services.	£12,645
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	<p>of payment authorisation issues, barrier issues, and occasionally power outages. For comparison the total income of Regent Arcade car park over the past four years is as follows:-</p> <p>2011-2 £967,174 2012-3 £897,943 2013-4 £935,959 2014-5 £680,089 (8 months).</p> <p>This suggests that income has not been significantly affected by the installation of the new parking system.</p> <p>We are however continuing to experience some customer dissatisfaction, and there is still a need for a staffing presence at busy times to ensure that the service operates effectively from the customer point of view.</p> <p>In a supplementary question Councillor Babbage asked if given the costs that had arisen and the need to replace the equipment again, did the Cabinet Member feel that the decision to replace the equipment had been the right one?</p> <p>In response, the Cabinet Member replied that it had been the right choice based on the information available at the time and hindsight was a wonderful thing. Officers were currently reviewing whether the replacement could be done in a different way and he reassured Members that they would be kept informed of progress.</p>
<p>13.</p>	<p>Question from Councillor Matt Babbage to Cabinet Member Finance, Councillor John Rawson</p>
	<p>What costs, both financial and officer time, have been incurred to date by the council in the process of looking to move out of the Municipal Offices.</p>
	<p>Response from Cabinet Member</p>
	<p>As members will be aware, there is now considerable unoccupied space in the Municipal Offices and, at circa £700k per annum (including maintenance) this cannot be sustained in a period of reduced funding. There is now a generally held view that the Council needs to relocate from the Municipal Offices in order to reduce this overhead cost, avoid cutting frontline services and see a redevelopment of the Municipal Offices which will deliver significant economic value to Cheltenham. This strategy was endorsed almost unanimously by full Council last March.</p> <p>To progress this strategy, the Council has established an accommodation strategy project team which has continued to meet over a considerable time to consider options including those leading to discussions with the agents for some key buildings in Cheltenham. The team includes the Director of Resources, the Property Manager and the Managing Director of the Cheltenham Development Taskforce. They do this work as part of their 'day job' alongside many other duties and activities. The Council does not have a record of the time spent by officers specifically on the accommodation strategy.</p> <p>In addition, some external valuation advice has been sought on occasions, the</p>

	cost of which is £7,850 to date.
14.	Question from Councillor Chris Nelson to Chair of the Planning Committee, Councillor Garth Barnes
	<p>In his role as Chairman of Planning Committee (rather than as an individual voting Member), does he not accept that there is some measure of conflict between this Council's April decision to accept the JCS and the Planning Committee's later rejection of the 650 application in Leckhampton (at the 31 July meeting)? If not, why not? After all, the Planning Committee is a Regulatory Committee and its decisions are legally binding on the Council.</p> <p>Can he please explain what he did to ensure that the contradictory position of Planning Committee on this issue was adequately reflected within the subsequent JCS process?</p> <p>What evidence can he provide that the carefully considered opinion of the Planning Committee on 31 July (where the vast majority of the Committee voted to reject the 650 proposal) has been genuinely respected by the JCS process?"</p>
	Response from Chair of Planning Committee
	<p>Cheltenham Borough Council on 9th April 2014 approved the pre submission version of the JCS, including a strategic allocation at south Cheltenham for 1,124 new homes. The Council resolved "The Joint Core Strategy Pre Submission, set out in Appendix 1, be approved for publication under regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 as the version of the JCS proposed to be submitted to the Secretary of State for independent examination".</p> <p>At Planning Committee on 31 July 2014 all members present were made aware of the context of the application before them in relation to the JCS and the position that in the context of determining the application the JCS was a material consideration. In total Planning Committee refused the application on 9 separate grounds, refusal reason 1 related directly to the strategic allocation of A6 South Cheltenham, Leckhampton within the JCS. The refusal reason was as follows;</p> <p>"The grant of planning permission for the proposed development in advance of the finalisation of the Joint Core Strategy could prejudice decisions about the size, scale, sustainability and phasing of new housing development. Therefore it is unclear at this time whether the proposed development would be in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for the area or whether the proposals would undermine wider policy objectives. The application is therefore contrary to guidance set out in paragraphs 150 and 156 of the NPPF.</p> <p>The decision made by Planning Committee does not contradict the JCS in regards to the inclusion of a strategic allocation, but clearly expressed the concerns of the Committee in regards to the timing of the application – considering the scheme premature.</p> <p>The application presented to Planning Committee was an outline application which sought to determine the principal means of access with appearance, landscaping, layout and scale reserved for future consideration. However,</p>

	<p>accompanying the proposal was a detailed indicative layout which members also took into consideration in their determination of the application. The refusal reasons reflect members' concerns in regard to the layout and context detail submitted alongside strategic concerns relating to issues including the impact of traffic.</p> <p>The decision made by Planning Committee was raised by Councillor Nelson in his role as representative of Cheltenham Borough Council on the JCS Member Steering Group, other representatives include Councillor Jordan and Councillor Stennett.</p> <p>Detailed representations in regard to the strategic allocation of A6 South Cheltenham, Leckhampton submitted in response to the publication of the Pre Submission JCS were considered in reaching the decision to submit the JCS to the Secretary of State. The responses received were reported to the JCS Member Steering Group. Clearly there are issues which are outstanding objections to the strategic allocation at South Cheltenham, these will be debated at a future examination in public of the JCS, expected Spring 2015.</p> <p>In a supplementary question Councillor Nelson asked if the Chair of the Planning Committee was surprised that the same Councillors who had supported the JCS were so passionate in their opposition to the planning application for 650 homes.</p> <p>In reply the Chair of the Planning Committee said that he had been on the Council for many years and nothing surprised him.</p>
<p>15.</p>	<p>Question from Councillor Chris Nelson to the Chair of the Planning Committee, Councillor Garth Barnes</p>
	<p>Can the Chair of Planning explain why his Committee was not consulted on the officers' response to Tewkesbury Borough Council on the planning application for 376 dwellings at Farm Lane, Leckhampton (14/00838/FUL)? Can he detail who he spoke to in accordance with this cross party request from Planning Members on 20 November (initiated by his Ward colleague Cllr Sudbury) and what advice was taken that led to this unique and reasonable request being ignored?</p>
	<p>Response from Chair of Planning Committee</p>
	<p>Advice was taken from One Legal post Planning Committee on 20th November 2014 in regards to the constitution and the role of the Committee in considering applications outside the administrative boundary of Cheltenham. The advice received was that although the determination of planning applications (applications within the administrative boundary of Cheltenham) is a non-executive function, the provision of comments in respect of being consulted on an application (that is on an application not in respect of land within the Borough, but likely to affect land within the Borough), is an Executive Function and so something for the Leader as the relevant portfolio holder or any delegation down from the Leader.</p> <p>The comments submitted to Tewkesbury Borough Council were prepared in consultation with the Leader of the Council who holds the Cabinet portfolio for strategic planning. In preparing the comments the Leader of the Council was made aware of the discussion which took place at Planning Committee on 20th November 2014. The comments drafted in regards to application 14/00838/FUL</p>

were submitted to Tewkesbury Borough Council under the Leaders delegated powers as set out in the constitution.

In addition during the debate by Planning Committee, the Head of Planning informed members present that in any consultation response sent there would be reference to the decision by Cheltenham Planning Committee to refuse application 13/01605/OUT and the reasons given in that refusal.

In a supplementary question, Councillor Nelson was surprised that planning considerations from outside the boundary went straight to the Leader rather than to the Planning Committee, with all their knowledge and experience, and asked whether the constitution should be changed so they could go to the Chair of the Planning Committee instead?

In response the Chair of the Planning Committee replied that he had the greatest respect for the Leader's knowledge and experience, and doesn't see it as the Chair's role to comment on other authorities' applications. He would be concerned if other authorities were to do the same to applications coming before Cheltenham..