



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Council

Monday, 15 December 2014

3.00 pm

Council Chamber, Municipal Offices

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

Agenda

1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING To approve the minutes of meeting held on 13 October 2014	(Pages 1 - 38)
4.	COMMUNICATIONS BY THE MAYOR	
5.	COMMUNICATIONS BY THE LEADER OF THE COUNCIL	
6.	PUBLIC QUESTIONS These must be received no later than 12 noon on Tuesday 9 December.	
7.	MEMBER QUESTIONS Same deadline as public questions.	
8.	MEMBERS ALLOWANCES Report of the Chief Executive. The chair of the Independent Remuneration Panel, Paul Johnstone will be in attendance.	(Pages 39 - 80)
9.	TREASURY MID-TERM REPORT 2014/15 Report of Cabinet Member Finance	(Pages 81 - 90)

10.	COUNCIL TAX DISCOUNTS ON EMPTY PROPERTIES Report of Cabinet Member Finance	(Pages 91 - 98)
11.	COMMITTEE APPOINTMENTS FOLLOWING A RESIGNATION Report of the Chief Executive	(Pages 99 - 110)
12.	NOTICES OF MOTION	
13.	TO RECEIVE PETITIONS	
14.	ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION	
15.	<p>LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION The Council is recommended to approve the following resolution:-</p> <p>“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph ?, Part (1) Schedule (12A) Local Government Act 1972, namely:</p> <p>Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p>	
16.	ST PAUL'S TRANSFORMATION PROJECT Report of the Cabinet Member Housing (this item has been withdrawn from this meeting and will be tabled at a later date)	

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Andrew North
Chief Executive

Council

**Monday, 13th October, 2014
2.30 - 6.40 pm**

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

Minutes

1. APOLOGIES

Apologies were received from Councillors Thornton and Wall.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

A Member believed it was important to record in the minutes whether a member of the public who had submitted a public question was in attendance at the meeting and as such this should be indicated in the minutes of 21 July 2014. He also referred to minute item 16 and the particular reference to the approval of Councillor Whyborn as the elected representative on UBICO. For clarity, he proposed that this should be amended to read "board observer". These changes were supported by Members.

RESOLVED THAT

The minutes of the meeting held on 21 July 2014, as amended, were then approved and signed as a correct record.

4. COMMUNICATIONS BY THE MAYOR

The Mayor reported that he had attended a very interesting talk in the context of Black History Month. He urged Members to support the wide variety of events which were taking place around the town.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader of the Council reminded Members that at the last Council meeting Penny Hall had been appointed as the Council's representative on the Cotswold Conservation Board. Subsequent to this the Board had been in touch to say that

the nomination should be an elected Member of the Council. As a result an email had been sent to Members seeking a nomination for this position.

The Leader reported that the Statement of Accounts had now been signed off.

The Leader gave thanks to all those Members and officers who had been involved in the LGA peer review process. A detailed report from the peer review team was awaited.

6. PUBLIC QUESTIONS

1.	<p>Question from Mary Nelson to the Leader of the Council, Councillor Steve Jordan (questioner present)</p> <p>On the 24th September the Audit Committee received a report (Agenda Item 7) reviewing the implications of the Council's Action Plan, following the Public Interest Report of 2010, which resulted from the failed Laird High Court Action.</p> <p>Recommendation R11 of the PIR stated that:</p> <p><i>"The Council should, in all instances, take decisions based on a balanced range of success factors including service needs, legal issues, financial implications and risk.</i></p> <p><i>Decisions should be informed by appropriate risk scenarios or possible outcomes."</i></p> <p>The only aspect of Risk ever acknowledged and published on the Corporate Risk Register for the Cheltenham Transport Plan (Risk CR9), was stated to be that <i>"if Boots Corner/Royal Well Rd closure does not proceed then the Royal Well Development Plan will be prevented from going ahead "</i>.</p> <p>However, even this inadequate sole Risk - rated HIGH, coloured RED with a score of 16 was then downgraded to LOW/MARGINAL coloured GREEN and transferred in June 2012 from the Corporate Risk Register to the Cheltenham Development Task Force Divisional Risk Register (Risk TF03) where it could thenceforth be hidden from public view.</p> <p>The Cheltenham Transport Plan has huge financial, economic, reputational, and health/safety risks for the town, none of which have <u>ever</u> been acknowledged, assessed and recorded in any Risk Assessment.</p> <p>Question</p> <p>Would the Leader therefore agree that</p> <ol style="list-style-type: none"> 1. having no proper, full and adequate Risk Assessment for the Cheltenham Transport Plan entered on the Corporate Risk Register, and 2. having provided no Risk Assessment to Full Council when it voted to approve the CTP on the 18th November 2013 (other than one single risk i.e. that not considering the Petition at the same time as the CTP Public Consultation Report would
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	<p>be ignoring the concerns raised by the petition)</p> <p>is more than adequate proof that CBC has ignored this vital PIR Recommendation, and intends to continue to do so?</p>
	<p>Response from the Leader</p> <p>The risk management process is complex because there is a differentiation of responsibilities between Cheltenham Borough Council (CBC) and Gloucestershire County Council (GCC). CBC has been sponsoring the proposal as part of its wider town centre regeneration through the Task Force, evidence of which is now visible – Brewery II, Albion St, way-finding system, public realm works, whilst GCC is responsible for any aspects with a highways impact.</p> <p>For this reason CBC established a risk & accountabilities group as part of the Task Force, specifically to identify how risks are allocated. For this specific issue, GCC are the lead authority and have held an equalities impact assessment as part of their standard practices throughout the process. So in reality risks have been considered and will be further considered in detail as part of the GCC Traffic Regulation Order Committee process.</p> <p>In a supplementary question, Mary Nelson asked why there were no Cheltenham Borough Councillors on the Cheltenham Development Task Force’s ‘Risk Accountability Group’, only officers and two outside business people. Therefore how can there be real accountability to the residents of Cheltenham if there are no elected representatives taking any responsibility for this major risk to the viability of the town?</p> <p>In response the Leader advised that overall responsibility for that group lay with the County Council. There were Cheltenham Borough Councillors on the Cheltenham Development Task Force and any concerns could be reported through this process.</p>
2.	<p>Question from Mary Nelson to the Leader of the Council (questioner present)</p> <p>If the Cheltenham Transport Plan is implemented and there are major problems with traffic flows into, across and around Cheltenham, causing harm to business, tourism and the town’s reputation, <u>who</u> will be responsible for paying for the scheme’s reversal costs, or undertaking such expensive remedial work as may be required – Cheltenham Borough Council or Gloucester County Council (bearing in mind the £100,000 “Mitigation Fund” would be a mere drop in the ocean in the scale of costs for this work)?</p>
	<p>Response from the Leader</p> <p>CBC approved an additional £50k contribution to the GCC £100k mitigation fund at the full Council meeting in November 2013. If the scheme is implemented and any mitigation funds fail to address issues as identified by GCC, then as the highways authority they will determine any reversal strategy. Whether this is a wholesale reversal or a partial</p>

	<p>reversal will be determined by them as highways authority.</p> <p>In a supplementary question, Mary Nelson asked the following:</p> <p>Since the risk was transferred from the Corporate Risk Register to the Cheltenham Development Task Force's own "divisional" Risk Register, and is now inaccurately entitled merely as "North Place", the sole risk is stated to be that :</p> <p><i>"if the changes to the traffic network linked to the LSTF funding are not effectively managed then there is a risk to the council's reputation".</i></p> <p>Will you please take action to ensure that the title of the risk is listed in full as being "Cheltenham Transport Plan", and that all the <u>component</u> risks involved, especially the financial, but also the economic, and health and safety risks, are now properly assessed with realistic scores, as they would have been in any other business that is not funded by the tax-payer?</p> <p>Otherwise there is a serious chance of the same shameful risk failure scenario that occurred with the Laird High Court case.</p> <p>In response the Leader refuted any correlation with the case of the former Managing Director. He was happy to look again at the document but his understanding is that the wording is correct as it is.</p>
<p>3.</p>	<p>Question from Carl Friessner-Day to the Leader, Councillor Steve Jordan</p>
	<p>In light of the recent Council objection to the plans for building on lands in Leckhampton with one of the concerns being that such a development could cause severe congestion problems, would it not be prudent to re-evaluate the outdated Cheltenham Transport Plan as the vote on Leckhampton confirms that despite the modelling that has been done, there is genuine concern in and around Cheltenham about traffic and that the Cheltenham Transport Plan cannot be taken in isolation now that the JCS has been put in place?</p>
	<p>Response from</p>
	<p>The JCS has been subjected to public consultation but to date has not been formally adopted. The vote concerning Leckhampton was complex and emotive because of prematurity relative to the JCS process. It was not merely relating to traffic modelling.</p>
<p>4.</p>	<p>Question from Carl Friessner-Day to the Leader, Councillor Steve Jordan</p>
	<p>With the recent downgrade of Cheltenham A&E and Gloucester receiving money for congestion relief at one roundabout that is comparable to that being spent on the Cheltenham Transport Plan, Cheltenham having a similar sized population, it is apparent that Cheltenham is rapidly becoming the poor cousin and losing out to funding elsewhere in the county.</p> <p>Question</p>

	<p>Could the council explain why Cheltenham is accepting a compromise in the Cheltenham Transport Plan and why instead they are not fighting for adequate transport relief in the form of a bypass, which Gloucester already has?</p>
	<p>Response from</p>
	<p>The Cheltenham Transport Plan has been funded through a GCC bid to the Department for Transport Local Sustainable Transport Fund. The A&E decision is one for the health authority.</p> <p>The congestion relief to which you refer is I believe being funded through the Gloucestershire Local Transport Board. Cheltenham has secured funding from this fund towards the A40 bus lane at Benhall, improvements at Cheltenham Spa station and A40 bus connectivity, so in reality Cheltenham has presented comprehensive bids and fared well in the current funding process.</p> <p>A bypass for Cheltenham is not identified in the GCC Local Transport Plan 3 so unless GCC as the highways authority change their position, it is currently not a realistic achievable outcome.</p>
<p>5.</p>	<p>Question from Helen Bailey to Cabinet Member Development and Safety, Councillor Andy McKinlay</p>
	<p>An extract from the licensing committee page of the Cheltenham Borough Council website states.._</p> <p><u>'18.1 In terms of regulation, our aim is to target those premises which are causing problems within our communities whilst supporting well managed premises and community activities, which provide worthwhile opportunities for the enjoyment of leisure time without having a negative impact. Premises that produce disorder, or threaten public safety, generate public nuisance, or threaten the well being of our children will be targeted for enforcement action.'</u></p> <p>The implication is that the committee include SEVs as 'worthwhile opportunities for the enjoyment of leisure time without having a negative impact'. Is this the case or do you consider SEVs to be incompatible with some of your policy statements? Having read the 'Evidence and Information in Support of a Zero Limit on Sexual Entertainment Venues in the Borough of Cheltenham' I am concerned about their possible negative impacts which may threaten the well being of our children and therefore our communities in subtle but profound ways.</p>
	<p>Response from Cabinet Member</p>
	<p>The policy extract is from Licensing Act 2003 Licensing Policy Statement adopted by Council in February 2012. The Licensing Act 2003 deals exclusively with the licensing of alcohol, entertainment and late night hot food outlets.</p> <p>The policy extract quoted is neither the policy nor the legislation relevant to the licensing of SEVs. The inference drawn from the policy extract and the Council's position with regards to the licensing of SEVs is therefore wrong not least because the statutory requirements and tests of the</p>

	<p>Licensing Act 2003 vary significantly from those of the Local Government (Miscellaneous Provisions) Act 1982.</p> <p>The Council's position with the regards to the licensing of SEVs is set out in its adopted "Sexual Entertainment Venue Policy".</p> <p>In response to the question posed, the Council does not consider the licensing of SEVs to be incompatible with its policy statement.</p>
6.	Question from Helen Bailey to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>Given that this debate is only relevant to permanent venues, and that the current loophole in the law allows infrequent sex entertainment to go unlicensed, what commitment will the council put in place to monitor the situation regarding infrequent sexual entertainment in the town? This relates to advertising, girls dressed in character, mobile vehicles publicising the sex venues and distribution of flyers.</p>
	Response from Cabinet Member
	<p>The Council has already undertaken a lot of work to monitor and regulate infrequent sexual entertainment in so far as it is able to, given that the exemption is a statutory one.</p> <ol style="list-style-type: none"> 1. Dedicated Council officers in partnership with Gloucestershire Police run special operations during March and November's race meetings specifically targeted at premises offering sexual entertainment. These have resulted in a number of closure notices being issued where offences and/or licensing breaches have been identified. 2. The Council has adopted a "Sexual Entertainment Code of Practice" that is specifically aimed at premises and operators offering sexual entertainment on an infrequent basis. The code of practice has been adopted through the local 'Pubwatch' group and is now fully implemented and being adhered to by operators. 3. Recent changes to temporary events forms have made it easier for the Council and police to identify premises that intend to offer sexual entertainment. The changes to the statutory form now require premises to tell the council if they intend to offer sexual entertainment which was not the case prior to October 2014.
7.	Question from Deanne Tombs to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>Recommendations from the Licensing Committee, which were subsequently agreed by a majority at a Cabinet meeting, involved setting a zero limit in areas of the Borough outside the cleansing area. Within the cleansing area, it was proposed to work on a case by case basis when deciding whether or not to grant an SEV license, and judge each application on its own merits. Was a limit >0 but still low, ever considered or explored and if so, why was it rejected? If not, why not? Surely no one,</p>

	except perhaps SEV club owners, would want a proliferation of SEVs in the cleansing area?
	Response from Cabinet Member
	<p>For clarification, the majority Cabinet view was not to approve the designated area as the cleansing area but as the central shopping area.</p> <p>All options will be considered and properly debated by Members including whether a zero limit is a more appropriate policy.</p> <p>Setting a zero limit for outside the central shopping area is merely a proposal at this stage due to the fact that the formal debate is yet to take place.</p> <p>The Cabinet rationale for the approach is that:</p> <ol style="list-style-type: none"> 1. The Council accepts that sexual entertainment is a legitimate form of entertainment. 2. Permitting the operation of SEVs in the proposed shopping area would not be incompatible given that the area is inside the core night time economy area.
8.	Question from Deanne Tombs to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>Given the above recommendations for the cleansing area, do the Councillors not think that it would be a risky policy, given the previous granting of a license to premises which appear to fail on a number of counts mentioned as being sensitive in the Council's own guidelines on the matter, e.g. the venue is close to a park, places of worship and premises which offer young people facilities such as dance studios and youth theatres? What confidence can the public have in the Licensing Committee to make considered decisions in the future?</p>
	Response from Cabinet Member
	<p>The Licensing Committee functions in a quasi-judicial capacity which means it is obligated to objectively determine facts and draw conclusions from them so as to provide the basis of an official action.</p> <p>In respect of the Bath Road application the Licensing Committee in this capacity decided that the licensing of the premises was appropriate in light of the statutory requirements and policy.</p> <p>In response to the question, the Licensing Committee will continue to act as a quasi-judicial body and will continue to objectively determine applications on their facts and be guided by statutory requirements and its policies.</p>
9.	Question from Clare Winter to Cabinet Member Development and Safety, Councillor Andy McKinlay (questioner present in the public gallery and was invited to ask a supplementary question)
	Following the Licensing Committee meeting on the 5.9.2014, I was led to

	<p>believe that the current SEV on the Bath Road lay just outside the no limit zone, i.e. in an area where proposals were to set a zero limit. I was going to ask how this would affect license renewal, but I now understand that this is not true and that it lies on the boundary, i.e. in the town centre area where licenses would be decided on a case by case basis. Could this be clarified please, and were the proposals changed or was my initial information incorrect?</p>
	<p>Response from Cabinet Member</p> <p>A decision about amendments to the policy has not been approved and therefore the Council cannot comment on the individual licence.</p> <p>There are a number of proposals open to the Council including the option not to change the policy, the option to designate a number of areas as zero and/or no limited areas.</p> <p>As a general principle, Members must be guided by the policy but the policy itself should not fetter discretion. Hypothetically, there would be a presumption against the grant of a renewal application if the policy is amended and as a result the licensed premises falls inside an area where the limit has been set to zero but, notwithstanding, the Council would still be obligated to consider the renewal application.</p>
10.	<p>Question from Clare Winter to Cabinet Member Development and Safety, Councillor Andy McKinlay (as above)</p> <p>I would like to ask the council why, in the light of such strong local opposition for valid reasons which made reference to the council's own published guidelines on the matter, a license was granted to the Bath Road premises in the first place? The current legislation in the Home Office's own words, was introduced to 'further empower local communities' and 'give local people a greater say over where and how many lap dancing clubs open and operate in their neighbourhoods.'</p>
	<p>Response from Cabinet Member</p> <p>Reasons for the Licensing Committee's decision to grant the application are available on the Council's website (https://democracy.cheltenham.gov.uk/mqAi.aspx?ID=6796).</p> <p>In accordance with the guidance and statutory requirements, consultation was undertaken with the local community and these were taken into account by the committee when the application was determined.</p> <p>Similarly, local consultation has also been undertaken with the residents of Cheltenham about the Council's policy and these will fully be taken into account when amendments to the policy will be debated.</p>
11.	<p>Question from Ken Pollock to the Leader of the Council, Councillor Steve Jordan (questioner present)</p> <p>Until just before today's deadline for Public Questions we were approaching eight weeks after the close of the JCS consultation, yet councillors and MSG councillors (and of course the public) were and are still unaware of what the JCS Response contains.</p>

	<p>The major document responses (many of them very relevant to improving Cheltenham's deal) were all uploaded ready for viewing (since 12th September) but access continued to be blocked quite doggedly by officer decree (CBC Chief Executive), which was unnecessary and manipulative behaviour.</p> <p>Considering that (1) under Localism it is solely the responsibility of locally elected representatives to reach the wisest Core Strategy version, and considering that (2) once Submitted for Examination all local control of the JCS site choice is relinquished, and considering further that (3) Examining inspector(s) are not permitted to "improve" a Plan whatever the evidence set before them (they merely check for compliance and soundness), accordingly it is disreputable that key Response information (from both objectors and developers) has been suppressed from view by senior officers (which political leaders have been slow to correct) until it will soon be too late to be able to use those contributions to improve the JCS version.</p> <p>Question</p> <p>Therefore, will Cheltenham's Leader secure not only this (belatedly achieved) display of the document responses, (which now need rigorous independent analysis), but also the immediate publication of the officers' "Summary" of those Responses whatever its current shortcomings "pending update", because this emerging document 'guides' the Inspectorate and needs to be seen to be fair and accurate at all stages ?</p>
	<p>Response from Cabinet Member</p>
	<p>There was a large response to the JCS pre-submission publication with representations from over 2,800 individuals, groups and companies. Scanning these in, entering details onto a database for the Planning Inspector's use and then reading them has taken some time.</p> <p>There is a legal obligation on the Council to make copies of the representations available, so far as practicable, together with the main issues summary statement, as soon as practicable after the JCS has been submitted for examination.</p> <p>Although it is a number of weeks since the close of the consultation, going beyond the legal requirement, the representations are now already available to view on the JCS website and although a final summary of the main issues raised within the representations has yet to be completed, an interim draft of this is also already to view on the JCS website.</p> <p>In a supplementary question Mr Pollock asked the following:</p> <p>As there have been no appreciable changes (since the original JCS draft) to benefit Cheltenham's environment, (apart from the inevitable removal of the unsound Up Hatherley scheme, which would have narrowed the</p>

	<p>critical GreenBelt gap towards Shurdington and Brockworth), will our MSG leader councillors now take steps to achieve some significant improvement for most sensitive Cheltenham?</p> <p>In response the Leader advised that Council had debated the issue at their meeting in April when they had approved the JCS Pre-submission document for publication. The Up Hatherley site had been removed from the JCS plans before the Council meeting. Since Council agreed the document there have been no significant changes which would cause the plans to be revised. The council was awaiting the outcome of traffic modelling and housing numbers review. The next stage would be to submit the document to the Secretary of State.</p>
<p>12.</p>	<p>Question from Ken Pollock to the Leader of the Council, Councillor Steve Jordan (questioner present)</p>
	<p>In view of the clear scale and severity of the Objections (still being sustained at this late Pre-Submission stage), and in view also of the closeness of the most recent CBC and TBC votes (18-14 and 18-15 respectively), have Cheltenham's leaders sufficient commitment to fairness and openness to demand a Full Council debate and vote on the final Submission version, regardless of how negligible are the amendments which the officers are willing to propose (in the very short time they have contrived to leave remaining following their suppression of the major responses)?</p> <p>Railroading this (still defective) Plan silently onwards, with near zero modification, is a national outrage in peerless Gloucestershire, most especially for Cheltenham's environment.</p>
	<p>Response from Cabinet Member</p>
	<p>The Council discussed the Pre-Submission JCS at length on 9 April 2014. The Council resolved that authority be delegated to the Chief Executives in Cheltenham and Tewkesbury and the Corporate Director of Services and Neighbourhoods for Gloucester City Council in consultation with the relevant Lead Members to make any necessary minor amendments including the identification of any saved plan policies as considered appropriate by the three JCS Councils before the plan is sent to the Planning Inspectorate for independent examination.</p> <p>The response to Question 11 deals with issues around publication of responses. The Plan has not changed significantly since the council meetings in April; therefore another meeting of all three full councils would be unnecessary.</p> <p>In a supplementary question, Mr Pollock asked the following:</p> <p>Will Cheltenham's Leader ensure that the 'Interim Response Report' (just disclosed) is amplified (close to its final version) and thereby contains some real discussion/analysis of the initiatives which have been advanced by Pre-Submission respondents (major developers as well as objectors), and that the report is published immediately, to enable its debate by CBC Full Council prior to Submission ?</p>

	<p>There may be no need for a Gloucester debate, because the city has secured virtually all its preferences (and it duly approved the JCS version by 33 votes to 3). If Tewkesbury want a speedy Submission, they can easily accommodate Cheltenham's site preferences.</p> <p>In response the Leader highlighted that the council had undertaken a non-statutory process consultation in 2013 in order to gain as much feedback as possible on the draft strategy. Many of the latest submissions had already been taken on board. He advised that the Interim Response Report was still being worked on but once completed would be published.</p>
13.	Question from Ms Kit Mallet to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>I understand the current SEV on the Bath Road falls just outside the cleansing area. I am assuming that this will be a significant factor when deciding whether or not to renew the current license. What are the councillors views on this?</p>
	Response from Cabinet Member
	<p>As a general principle, Members must be guided by the Council's policy but the policy itself should not fetter discretion. Hypothetically, there would be a presumption against the grant of a renewal application if the policy is amended and as a result the licensed premises falls inside an area where the limit has been set to zero but, notwithstanding, the Council would still be obligated to consider the renewal application.</p>
14.	Question from Ms Kit Mallet to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>I have heard Councillors talk about the 'spirit of the Act' and the 'will of Parliament', e.g. that Parliament's intent was that SEVs would occur in places, and that they should be regulated rather than banned. However, I think this should be balanced with the comments in the Ministerial Forward of the Home Office document Sexual Entertainments Venues Guidance for England and Wales, in which Alan Campbell writes of the: "Government's intention to give local people greater say over the number and location of lap dancing clubs in their area. These new measures, which take effect on 6th April 2010 in England and on 8th May in Wales, will, if adopted by local authorities, give local people a greater say over where and how many lap dancing clubs open and operate in their neighbourhoods. These are important reforms to further empower local communities."</p> <p>Question Do the councillors think that the above should necessarily mean that a zero limit couldn't be placed in the cleansing area also? If it is true that Parliament's intent is that SEVs would occur in places, does that necessarily mean occur in places in every town?</p>
	Response from
	<p>The council has taken a balanced approach between the legitimacy of these types of premises to operate and the views of local residents (via</p>

	<p>the consultation) in terms of where it may be appropriate for them to do so.</p> <p>It is not outside the council's legal powers to also restrict SEVs in the central shopping area but the approach must be balanced taking into account all the relevant factors including consultation feedback, statutory requirements, the legitimacy of these types of premises and the local character and use of the area.</p>
15.	Question from Penelope Oliver to Cabinet Member Development and Safety, Councillor Andy McKinlay
	<p>My question is why can't Cheltenham council set a zero limit for sexual entertainment venues? Other councils such as Exeter, Haringey, Harrow, Richmond and Slough have a zero limit. Has Cheltenham borough council spoken to any of these councils for advice? Surely it is important to gain information from these other councils when considering a zero limit and this must surely be considered?</p>
	Response from Cabinet Member
	<p>Officers have extensively researched the approach by other Councils and the outcome of this was presented at the Licensing Committee meeting in September. Consideration was also given to a number of recent high profile court cases involving Leeds, Oxford and Cheshire.</p> <p>Whilst the approach and reasons for such approaches have been taken into account, it would be inappropriate and unlawful for the Council to adopt a similar approach simply because other Councils have.</p> <p>The statutory requirement is for the Council to consider the appropriateness of SEVs taking into account local factors such as the character of areas and the use to which any premises in the vicinity are put (i.e. the prevalence of sensitive premises in the vicinity).</p>
16.	Question from Steven Smith to Cabinet Member Development and Safety Councillor Andy McKinlay (questioner present)
	<p>Captain Steve Smith of the Salvation Army previously has presented research which suggested that SEVs result in an increased probability of sexually related crime, and crime figures from London which support this. In papers prepared by Council Officers for the meeting of the Licensing Committee on 5 September, there was a suggestion made that there was no evidence to suggest that the research and figures were relevant to Cheltenham, and that there were a number of 'external factors' which needed to be considered.</p> <p>Questions</p> <p>1) Could you please explain what the external factors and special circumstances which make Cheltenham exempt from the possible negative effects of SEVs are?</p> <p>2) If there are no specific factors, is it not the case that the research that shows a rise in the probability of sexual crime as a result of SEVs <u>is</u> as relevant to Cheltenham as it would be anywhere else?</p>
	Response from Cabinet Member
	<p>The external factors referred to are wide ranging and include:</p>

	<ol style="list-style-type: none"> 1. Has the relevant authority adopted provisions to control SEVs? 2. Have they adopted a robust policy and fit-for-purpose conditions? 3. Are these enforced and properly so? 4. The location of the licensed SEV i.e. located in a saturation zone with potentially high crime and disorder levels. 5. How, and how effectively, crime is recorded, interpreted and used. <p>The point is that Councils have an incredibly wide discretion in terms of the control and regulation of SEVs in their local areas and the purpose of this is to enable Councils to use local understanding and circumstances to adopt an approach right for the localities. Due to this wide discretion, no one approach is the same and circumstances vary between districts.</p> <p>In a supplementary question, Mr Smith asked what part of the research he had provided at the last Council meeting was not relevant to Cheltenham and therefore would it not be fair to say that this evidence needs to be considered.</p> <p>In response the Cabinet Member advised that the evidence provided by Mr Smith was only part of a large body of evidence, some of it contradictory, which the Council needed to consider today. It was also important that the evidence was relevant to Cheltenham today and evidence from other towns 5 years ago may not be so relevant to the debate.</p>
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7. MEMBER QUESTIONS

1.	<p>Question from Councillor Tim Harman to the Cabinet Member Finance, Councillor John Rawson</p> <p>The area of the Royal Well Bus station used for Coach departures operated by National Express is in a deplorable state with most windows missing , the waiting room closed due to anti social behaviour and an abandoned bicycle with a wheel missing which has been in the cycle area for some months.</p> <p>Can the Cabinet Member inform council of his plans to improve this facility and bring it up to the standard that should be expected of this important gateway into and out of our town?</p>
	<p>Response from Cabinet Member Finance</p> <p>The Borough Council owns the bus station and is therefore responsible for maintaining it, a responsibility we take seriously.</p> <p>Currently a number of different contracts are in place for cleaning and maintaining the site, including a specialist contractor to remove human waste.</p> <p>Earlier this year, the Council closed the waiting room because it had become a regular place for vagrants to sleep and perform other functions and this was a cause of serious nuisance to bus passengers. The waiting room continues to be closed for this reason. The glass in the shelter adjacent to the waiting room was removed by the Council some considerable time ago for safety reasons as it was subject to constant vandalism.</p>

	<p>An initial working group meeting has recently been held between some of the relevant partners (Property Services, Community Protection, Police, Cheltenham Development Taskforce) to discuss a strategy for the bus station. Subsequent to that, I have agreed the following courses of action with officers:</p> <ol style="list-style-type: none"> 1. We will review the cleaning and maintenance contracts to ensure that they are functioning in the most effective way. 2. We will put up notices making it clear that the bus station is a council facility and giving people points of contact if they wish to complain about mess or antisocial behaviour. 3. We will review the condition of the waiting room and shelters to see whether short-term improvements can be made, bearing in mind that the role of the bus station may change in the longer term if the Cheltenham Transport Plan is given the go-ahead. This could include considering whether the waiting room can be modified to provide shelter for passengers without being so attractive to vagrants. <p>I understand action is now being taken to remove the bicycle Cllr Harman refers to.</p> <p>In a supplementary question Councillor Harman asked whether any immediate measures could be taken to improve the facility, particular given the inclement weather and requested that the matter should be referred to the Asset Management Working Group (AMWG).</p> <p>In response the Cabinet Member Finance undertook to talk to property services and to bring this matter to the attention of AMWG.</p>				
2.	Question from Councillor Anne Regan to Cabinet Member Clean and Green Environment, Councillor Chris Coleman				
	<p>The Ward Councillors in Warden Hill are experiencing continual and increasing complaints from members of the public about Dog Fouling.</p> <p>The Dog Fouling Scrutiny task group report passed by Cabinet in April laid down 13 careful recommendations of improvements that need to be made. Have any of the recommendations actually been actioned to date?</p>				
Response from Cabinet Member Clean and Green Environment					
	<p>Yes - most of the recommendations of the Scrutiny Task Group have been actioned, including all of the immediate and short term actions identified in Appendix 2 to the Cabinet report of 15th April 2014. A brief summary of those follows:</p> <table border="1" data-bbox="411 1704 1453 1975"> <thead> <tr> <th data-bbox="411 1704 935 1776">STG recommendations actioned so far</th> <th data-bbox="935 1704 1453 1776">Narrative</th> </tr> </thead> <tbody> <tr> <td data-bbox="411 1776 935 1975">1. Ensure press releases are issued to provide information about the council's efforts to tackle dog fouling and successful enforcement action.</td> <td data-bbox="935 1776 1453 1975">Press releases have been issued about dog awareness days in various locations such as Springfield Park and Clyde Crescent, as well as about responsible dog ownership enforcement. Updates have also</td> </tr> </tbody> </table>	STG recommendations actioned so far	Narrative	1. Ensure press releases are issued to provide information about the council's efforts to tackle dog fouling and successful enforcement action.	Press releases have been issued about dog awareness days in various locations such as Springfield Park and Clyde Crescent, as well as about responsible dog ownership enforcement. Updates have also
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1. Ensure press releases are issued to provide information about the council's efforts to tackle dog fouling and successful enforcement action.	Press releases have been issued about dog awareness days in various locations such as Springfield Park and Clyde Crescent, as well as about responsible dog ownership enforcement. Updates have also				

		<p>been provided internally through the fortnightly Leaders Briefings.</p>
	<p>2. Introduce bin stickers to highlight that bagged dog waste could be disposed of using standard public litter bins/investigate sponsorship opportunities of bins</p>	<p>The Community Protection team do not have responsibility for bins or their related signage, but have discussed the use of waterproof stickers on standard litter bins as part of the wider joint waste strategy-this will continue to be progressed. The team have not investigated sponsorship opportunities for dog waste bins because dog waste can be placed in standard litter bins so this would be an unnecessary expense. At the time of the STG report, Members were informed that it costs £380 to £400 to install a dog waste bin with an annual cost to the council of £5630 for the emptying and haulage of these dog waste bins.</p>
	<p>3. Increase the use of dog floor stencils/blue spray circling</p>	<p>Increased floor stencilling has taken place in areas where reports of dog fouling indicate it would be of benefit – examples include entrances to parks like Caernarvon Park and on footpaths. Blue spray circling is also used to measure the incidence of fouling (eg Hatherley Park). To some extent, these measures can act as a deterrent to potential offenders as it is clear the council's officers are monitoring the area.</p>

	<p>4. Investigate funding streams or sponsorship to reintroduce free dog waste bags in targeted hot spot areas</p>	<p>This action has not been progressed as it does not directly support the anti-dog fouling message. Dog faeces can be placed in any bag (eg carrier bag, nappy bag, bread bag, food bag) and to reintroduce branded dog waste bags may suggest that they are the only suitable receptacle. The message is that any bag can be used as long as the faeces is picked up. Para 4.2.7 of the STG report noted that "Evidence has also suggested that despite the council withdrawing free dog bags several years ago, people were purchasing and using their own which were now very widely available for as little as £1 for 200 bags", which also indicated this action is not a priority, and in fact, may not even be appropriate.</p>
	<p>5. Initiate hard-hitting anti-dog fouling campaigns</p>	<p>The team hope to launch an anti-dog fouling glow-in-the-dark in the town's parks and green spaces with the Parks team and Keep Britain Tidy.</p>
	<p>6. Provide better information on the website/use social media to get the anti-dog fouling message across</p>	<p>The team have explored having a Facebook or Twitter presence dedicated to responsible dog ownership issues such as cleaning up after fouling, and preventing dogs from straying. The advice from the communications team is that the content is unlikely to be enough to ensure daily interest, so the preference is to use the corporate accounts to communicate these messages.</p>
	<p>7. Continue to encourage and attend community events</p>	<p>There has been a series of responsible dog ownership awareness days over the summer with various partners. Anti-dog fouling has been the key message delivered by the team.</p>
	<p>8. Introduce a regular programme of visits and work by Community Protection Officers in schools</p>	<p>This recommendation has not yet been actioned but the team have provided visits and talks for outside organisations. These are in addition to events such as dog awareness days.</p>
	<p>9. Encourage public involvement in tackling dog fouling/build on the Partners and Communities Together</p>	<p>An internal PACT working group has been set up and responsible dog ownership/anti-dog fouling is a key</p>

(PACT) initiative	theme going forward. The public have also been encouraged to tackle dog fouling through the dog awareness days.
10. Trial a multi-agency approach – undertake joint patrols with CPOs and PCSOs to demonstrate positive cross service support for this exercise, work together with Cheltenham Borough Homes on this issue	The team has worked with these partners where their priorities and resources permit. Examples are working with the PCSOs on patrols of the Honeybourne Line and briefing CBH teams on the work of the CPOs. The team leader is on a multi-partner project team at Waterwells HQ for the implementation of the Anti-social Behaviour, Crime and Policing Act 2014, which includes responsible dog ownership.
11. Investigate opportunities to use mobile CCTV in dog fouling hotspot areas; improve signage along with targeted enforcement in hotspot areas	The team leader is exploring sharing a camera with a partner or the police, but their priorities are likely to be higher level crimes such as fly tipping and anti-social behaviour. The team do increase signage where intelligence suggests it is necessary and undertake targeted surveillance and enforcement as appropriate – for example, Caernarvon Park and Wells Close.
12. Ensure the Community Protection Team has the resources to fulfil its duties in this area including seeking external sources of funding.	The financial implications of the Cabinet report stated that the recommendations would have to be delivered within existing budget and there are sometimes conflicting service demands and priorities. A meeting to discuss enforcement priorities is imminent, and the systems thinking regulatory and environmental services review should also help. External sources of funding are not currently an option for salaries but the team is exploring ways of thrifty service delivery – from making their own floor stencils to sharing costs with the Parks Manager for a Keep Britain Tidy glow-in-the-dark anti-dog fouling poster campaign (which would also support recommendations 1, 5, 6 and 9).
13. Publicise the good work the Community Protection Officers undertake across the borough	This has been carried out through press releases, public awareness days and Leaders’ Briefings.

	<p>Members receiving complaints from residents about dog fouling can report them through the normal channels.</p> <p>In a supplementary question Councillor Regan asked what the time frame was to roll out the bin sticker scheme.</p> <p>In response the Cabinet Member said that the roll out of the scheme would take place in the not too distant future and he would contact the Member to inform her of the exact date. He also took the opportunity to ask Members to report peaks in dog fouling incidences to him so that he could take appropriate action. He also thanked the Scrutiny Task Group for their work on this important issue.</p>
<p>3.</p>	<p>Question from Councillor Chris Nelson to the Leader, Councillor Steve Jordan</p>
	<p>Eric Pickles, Secretary of State for Communities and Local Government stated at a DCLG Briefing at the Conservative Party Conference last week that Green Belt should be protected from development and only allowed in the most exceptional circumstances; there was no pressure from Government to build on Green Belt. He has subsequently issued new guidance to protect the Green Belt: “once established, Green Belt boundaries should only be altered in exceptional circumstances”. Specifically the new guidance makes clear that councils do not have to build on the Green Belt just to meet the locally set long term housing targets. It has been reported that: “Many council planning officers are telling their councillors that they have to remove Green Belt protection when drawing up their Local Plans, in order to meet housing demand. We are making clear that this isn’t the case, and they can take into account development restrictions – such as ongoing Green Belt protection – when drawing up their Local Plans and determining how many houses they want to plan for.”</p> <p>Why is it that the JCS Authorities seem determined to press forward with their plans for urban sprawl and building on Green Belt?</p>
	<p>Response from</p>
	<p>Obviously I can’t speak for the Conservative administrations in Gloucester and Tewkesbury and I’m not sure whether Cllr Nelson seriously expects me to consider Tory conference gossip as evidence. The second quotation he uses does not refer to official Government policy. It comes from a “Government source” quoted in the Daily Telegraph on the 4th of October. Little weight can be attached to it.</p> <p>The Government has updated its national Planning Practice Guidance (nPPG) for local authorities and the development industry. It once again confirms the importance the Government attaches to preserving the openness of the Green Belt and the importance of the local plan making process as the place when decisions may be made to review Green Belt boundaries.</p> <p>However, the Government’s starting point in the plan making process remains that councils should meet objectively assessed needs for housing unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework as a whole. This was confirmed by the Secretary of State in March this year to the head of the Planning Inspectorate, and has not changed in the updated guidance. The updated guidance on Green Belt land does not change</p>

	<p>the Government’s requirement that the JCS authorities must significantly boost the supply of housing and maintain five year plus housing land supplies. If the Government’s requirements are not met in these respects, the JCS will be found unsound.</p> <p>The JCS authorities have to assess the impact of new housing on the Green Belt in the same way as they have to consider impacts on the Cotswolds AONB, flood risk areas or areas of ecological significance. The JCS authorities have conducted substantial research to justify the spatial strategy adopted, including a careful review of the capacity of the built up areas of Cheltenham and Gloucester and other brownfield land to accommodate population growth. The JCS authorities have also conducted a detailed review and assessment of the Green Belt. It remains the case that the authorities will not be able to plan for their future housing needs within the existing built up areas or on brownfield land alone. These are the exceptional circumstances that justify a redrawing of the Green Belt boundaries.</p> <p>NPPF paragraph 83 was quoted by the minister, it states: <i>“once established, green belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.”</i></p> <p>The last phrase in this sentence is critical. It accepts that the appropriate time to review the Green Belt is during the plan making process. The effect of the change in guidance is to seek to prevent developers from chipping away at the greenbelt through the applications process when an authority lacks a five year supply, or seeking to change Green Belt boundaries on appeal. Changes to the Green Belt are reinforced as being plan led rather than appeal led.</p> <p>Officers conclude that the update to the nPPG does not raise any new matters that would justify a rethink of the spatial strategy that underpins the JCS, it merely reiterates and reinforces the position taken throughout the JCS’ development.</p> <p>In a supplementary question Councillor Nelson asked the Leader to comment on why policy guidance had been issued by the Secretary of State on 6 October if there was not a reason for doing so and sought further clarification.</p> <p>In response the Leader explained that if there were not the proposed urban extensions then the JCS area would only meet 60 % of its assessed housing need. He said that it was likely to be unacceptable if the JCS missed the assessed housing need target by 40 %.</p>
<p>4.</p>	<p>Question from Councillor Chris Nelson to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>In August, DCLG made available a new £5M recycling fund for Councils offering weekly bin collections. There is evidence to support that weekly collections increase recycling rates over fortnightly collections and are preferred by the public, reducing complaints about persistent rubbish smells and maggot infestations in the summer months, and rodent activity. This fund has been welcomed by GreenRedeem, which runs recycling incentive schemes, as a “step in the right direction” towards helping the UK meet its waste targets. Has the Council considered switching to weekly collections?</p>

	Response from Cabinet Member Clean and Green Environment
	<p>In 2012, the Government put forward a DCLG funding proposal – ‘Weekly Refuse Collections Incentive’ which was very prescriptive in nature and designed to aid Local Authorities in introducing separate food waste collections or returning to a weekly refuse service where they currently operated an alternate weekly collection.</p> <p>Local Authorities which took up this funding were bound for 5 years and could not revert back to fortnightly refuse collections during that time. This represented a large risk to a Local Authority of being stuck with higher amounts of landfill waste for that time period due to the fact that if weekly refuse collections were reinstated, households would in effect be allotted twice the amount of capacity in their refuse bins.</p> <p>This would in turn jeopardise the Council’s ability to hit recycling targets and would dramatically increase the risk of being financially penalised for the amount of rubbish the authority and County sends to landfill.</p> <p>We understand that at that time, Cotswold District Council completed a modelling study on the implications of returning to a weekly refuse collection under the DCLG proposal which demonstrated that the costs would be substantially higher, income would decrease, landfilled waste would increase and the associated recycling performance would be negatively affected.</p> <p>Cheltenham Borough Council's elected members agreed to the introduction of a revised waste collection service including fortnightly refuse collections in 2011, which has achieved positive results in increasing the amount of refuse being diverted from landfill and increasing the capture of recycling material.</p> <p>The most recent DCLG funding is based on the same principles as in 2012, with the aspiration being to reinstate weekly refuse collections, so given the our current performance, the Council has decided not to pursue the DCLG funding application or return to weekly refuse collections.</p> <p>In a supplementary question Councillor Nelson asked whether the Cabinet Member was happy with the Council’s performance on recycling or whether it could do better.</p> <p>In response the Cabinet Member said that the national focus was on achieving zero waste and that was the council’s direction of travel. The council would do all it could to encourage residents in the town to recycle more.</p>
5.	Question from Councillor Matt Babbage to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	Please can you give an update on the trial of recycling of mixed plastics at recycling bring sites and to provide statistics on levels of recycling, and particularly plastics, over the last twelve months.
	Response from Cabinet Member Clean and Green Environment
	<p>The 3 month trial of mixed plastics at the 12 larger bring sites was successful and the scheme has proved to be essentially cost neutral with a modest net gain of £158 and therefore has no budgetary impact.</p> <p>As a result the Cabinet made the decision in September 2014 to instate mixed</p>

<p>plastics bring site recycling as a permanent service enhancement.</p> <p>Detailed below are the collected tonnage amounts of plastic bottles (2013/14) compared to mixed plastics (June 2014 onwards);</p>												
Bring Sites	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2014/15	6.29	5.94	6.17	6.02	7.32	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2013/14	5.96	5.36	5.98	7.33	6.88	4.95	6.63	5.74	5.97	6.65	4.82	5.3
Difference	0.33	0.58	0.19	-1.3	0.44	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Swindon Rd	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
2014/15	1.08	0.82	1.3	1.44	1.88	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2013/14	0.8	0.72	0.9	1.06	1.06	1.06	1	0.86	1.06	0.96	0.66	0.98
Difference	0.28	0.1	0.4	0.38	0.82	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<p>The Swindon Road recycling centre has seen the largest increase since the trial began. I hope that following the upcoming official launch of the permanent service, this improving performance will continue.</p> <p>Finally, as detailed in the Cabinet report on this subject, it is worth noting that the indications are that the weight of plastic bottles collected as part of the kerbside collections has also increased which would suggest that the increase at recycling banks following the start of the trial isn't a result of a transfer of material previously collected at the kerbside.</p> <p>In a supplementary question Councillor Babbage asked why there had been a reduction in plastics recycling at bring sites over the last four months.</p> <p>In response the Cabinet Member said that the trial of the mixed plastics collection had had a positive effect and this is why the decision had been taken to implement a permanent service enhancement in the form of mixed plastics bring site recycling which would commence in the coming weeks.</p>												
6.	Question from Councillor Matt Babbage to Cabinet Member Clean and Green Environment, Councillor Chris Coleman											
Following the changes made at recycling bring sites, what consideration has been given to expanding the recycling of mixed plastics to kerbside collections.												
Response from Cabinet Member Clean and Green Environment												
<p>The Council has previously explored the options available for collecting mixed plastics from the kerbside, with Ubico conducting a modelling exercise to assess the likely financial implications. At this point in time, any kerbside collection of mixed plastics is not financially viable within current budget constraints.</p> <p>It does however remain our aspiration to see mixed plastics collected at the kerbside and I will keep the possibility under review.</p> <p>Members will be aware of the mixed plastics service provided at the 12 larger bring sites across town (referred to above). It is encouraging to see residents making use of this and I hope that Councillors will also be keen to support the scheme.</p>												

	<p>In a supplementary question Councillor Babbage asked how recycling levels could be improved if there was no mixed kerbside recycling.</p> <p>In response the Cabinet Member reported that recycling levels were improving as a result of the introduction of mixed plastics bring sites recycling. They were also working to make it easier for residents to recycle food waste and he would welcome ideas to drive the message forward.</p>
7.	Question from Councillor Matt Babbage to the Leader, Councillor Steve Jordan
	What steps have been taken following the critical report by York Aviation on the governance and financial performance of Gloucestershire Airport?
	Response from the Leader
	<p>An initial York Aviation report was written and paid for by Gloucester City Council which reviewed their future options as shareholders in the Gloucestershire Airport Company. This helped them come to the view, already held by Cheltenham, that the airport does provide economic value to Gloucestershire as well a potential long term income to the councils as shareholders. The second York Aviation report was jointly funded by both councils and looked at possible changes to improve the company. This highlighted the operational success of the airport but also pointed out potential improvements.</p> <p>Since then both councils have agreed to fund York Aviation to support further work with the company to develop the business plan.</p> <p>The proposed Shareholder Forum where the council leaders (as designated shareholders) and relevant officer meet with the company executives and board members has already has its first meeting.</p> <p>Work is also progressing on plans to strengthen the board by appointing 2 non-executive directors with specific airport related knowledge.</p> <p>In a supplementary question Councillor Babbage asked what the long term strategic goal was for the council's ownership of the airport.</p> <p>In response the Leader explained that the airport was of great benefit to the local economy as a whole. The council derived income from property at the airport and a small dividend but the overall aim was to improve the return on investment on behalf of the taxpayers of Cheltenham.</p>
8.	Question from Councillor Matt Babbage to Cabinet Member Housing, Councillor Peter Jeffries
	What steps have been taken within CBC and Cheltenham Borough Homes to avoid a repeat of the scenes in Cleevemount Rd where protests against CBH work to replace roof tiles have led to an alleged assault on a 79 year old man.
	Response from Cabinet Member Housing
	CBH have been implementing a roof replacement contract on existing CBC domestic properties across the town as part of their planned investment and maintenance program. Currently 379 roofs are being replaced under the present contract, there have been no other issues raised regarding the types of tiles that have been used in any of the other areas where CBH have been

	<p>working. In this particular road one property is owned by CBC and the roof has been replaced, the remainder are privately owned.</p> <p>I am confident that CBH have carried out the works correctly in line with the relevant guidelines and policy, the tenant supported by some of his neighbours are happy but two complaints were received from residents within the road. CBH and I were invited to attend a meeting within the community where approximately 10 households were represented, we listened to their concerns, provided information and answered questions.</p> <p>Following the issues arising from these discussions CBC and CBH have agreed that in future, where possible, practical and economically feasible to do so CBH will undertake a wider community consultation and provide a unique solution in replacing one-off roofs.</p> <p>In a supplementary question Councillor Babbage asked whether an apology had been issued to the gentleman who had been hospitalised as a result of the aforementioned incident.</p> <p>In response the Cabinet Member Housing said that this was not his responsibility as the issue did not fall into his portfolio as Cabinet Member responsible for housing and the issue should be taken up directly with the Cheltenham Liberal Democrat Office.</p>
<p>9.</p>	<p>Question from Councillor Matt Babbage to Cabinet Member Corporate Services, Councillor Jon Walklett</p>
	<p>What measures are being taken to resolve ongoing ICT issues generally, and particularly public facing websites including the PublicAccess planning portal, which is frequently the source of complaints from residents of Cheltenham</p>
	<p>Response from Cabinet Member Corporate Services</p>
	<p>The underlying issue with the councils ICT is the lack of investment over very many years in ICT infrastructure. As members will be aware this is being addressed by the £1.3m investment programme we agreed in council on February 2013 but this is a major programme and there is not a quick fix.</p> <p>The issues we are currently facing with public facing ICT is a result of both issues with external provider's links to the council plus the inadequacy of the council's internal network connecting our partners.</p> <p>ICT are working with the provider of the Public Access portal to upgrade the infrastructure as well as upgrade the Public Access system to the latest release. ICT are also investigating the monitoring of public websites so that we can better resolve any issues being experienced.</p> <p>The ICT shared service has been working with Cotswold and West Oxford District councils and have redesigned the network which will increase capacity linking sites tenfold, remove the reliance of individual sites such as the Municipal Offices and provide a more stable platform for the council and partner organisation's business systems. As you will already be aware from the communication from the ICT shared service, via the communications team on 2nd October, this work is in progress and relies on third parties but we currently anticipate it being completed in December 2014.</p> <p>In a supplementary question Councillor Babbage asked what steps were being</p>

	<p>taken to accommodate time pressures involved in terms of the planning process and the planning portal.</p> <p>In response the Cabinet Member said he was aware that the Planning Portal was not functioning as it should. He informed Members that SOCITM monitored the council's ICT. Officers were looking at ways to improve the facilities and a redesign was in progress. He highlighted that whilst there had been some degree of "firefighting" since the introduction of the shared service with the Forest of Dean in April 2013, much progress had been made over the last 18 months. He emphasised that an issue with a public facing service such as ICT would always receive priority.</p>
<p>10.</p>	<p>Question from Councillor Nelson to Cabinet Member Development and Safety, Councillor Andrew McKinlay</p>
	<p>Our Planning Committee has recently raised the issue of a shortage of Council Enforcement Officers to police planning conditions/restrictions. Councillor case work from residents also suggests that we have insufficient personnel to ensure developers and builders follow correct procedures. What is the average time taken for Enforcement Officers to resolve complaints and has their workload increased over the last 2 years? Is the number of outstanding cases increasing and how long will it be before all existing outstanding cases are actioned? Is it not time to review this whole issue and consider increased resources to this important area of Council responsibility.</p>
<p>Response from Cabinet Member Development and Safety</p>	
	<p>1) The Council has a target of resolving 80 percent of enforcement cases within 13 weeks. Latest statistics indicate the current performance rate against this target is 84 percent.</p> <p>2) The overall workload of the Planning enforcement Team has remained relatively constant over the past four years. What has increased however is the number of cases where formal action was required:-</p> <p>2011:- 10 Statuary Planning Notices served. 2013:- 27 Statuary Planning Notices served. 2014:- 28 Statuary Planning Notices served to date plus 2 Prosecutions & 4 Formal Cautions.</p> <p>3) The Built Environment Local Enforcement Plan (planning) lays out time scales for responding to complaints:- Priority One :- 10 Days Priority Two :- 20 Days Priority Three:- 30 Days</p> <p>Final resolution will however depend on the individual circumstances of each case.</p> <p>4) The issues surrounding the effectiveness of both Planning and Licensing enforcement are currently being reviewed as part of the REST project.</p> <p>In a supplementary question Councillor Nelson said that bearing in mind the proposed increase in development in the framework of the Joint Core Strategy the overall workload of the planning enforcement team would increase further. He asked whether formal actions had increased due to further disregard of</p>

	<p>planning regulations or whether it was due to a more proactive approach to enforcement.</p> <p>In response the Cabinet Member Development and Safety indicated that council officers dealt with about 500 cases per year and of those about 200 were addressed through some informal action. What mattered most was that people understand that the council would take action either formally or informally when conditions attached to planning permission were breached. This issue would be examined as part of the REST project.</p>
11.	Question from Councillor Chris Nelson to the Leader, Councillor Steve Jordan
	<p>What is the Cabinet doing to ensure Gloucestershire County Council repair potholes and broken pavements in Cheltenham? How do we monitor County Council performance and check that Cheltenham receives the priority it needs and deserves? We all know that money is tight but what evidence do we have that Cheltenham's potholes and pavement repairs receive a fair allocation of resources from the County?</p>
	Response from the Leader
	<p>As implied in the question, road and pavement repairs are the responsibility of Gloucestershire County Council and the responsibility for monitoring their performance rests with Environment & Communities Scrutiny Committee. While Cheltenham Borough Council doesn't have enough staff to duplicate the GCC role, our staff have worked closely with the county on key projects such as the Promenade repaving works.</p> <p>However, I would welcome a review of relative performance on pothole and pavement repairs across the county particularly given the project delays resulting from the transfer of the highways contract to Amey.</p> <p>In a supplementary question Councillor Nelson asked how the performance would be monitored.</p> <p>In response the Leader said that in the first instance this would be undertaken by the relevant county scrutiny committee.</p>
12.	Question from Councillor Chris Nelson to the Leader, Councillor Steve Jordan
	<p>The latest report by York Aviation consultants on Staverton Airport make dismal reading and highlights problems that should have been tackled years ago, within the Airport management and with Council oversight and the setting of long term objectives. When will this airport give the Council a good return on our investment or is it time to look for radical solutions, such as being fully privatized or using the location as a strategic site for house building within the JCS?</p>
	Response from the Leader
	<p>If Cllr Nelson wishes to build all over the airport he would first need to abandon any policy of protecting the Green Belt. The airport forms part of the area of Green Belt that prevents Cheltenham & Gloucester sprawling in to each other.</p> <p>A key objective of reforming the company governance is to ensure that the long</p>

	<p>term increase in return to shareholders envisaged in the original Runway Safety Project is realised. For details of how this is being progressed see question 7. If any offers to purchase the company were received they would be considered by the shareholders.</p> <p>In a supplementary question Councillor Nelson asked when a good return on the council's investment could be expected bearing in mind that there appeared to be a lack of a long term objective for the airport.</p> <p>In response the Leader said that things were expected to improve and the Runway Safety Project was predicted to lead to a gradual increase in dividend.</p>
13.	Question from Councillor Chris Nelson to Cabinet Member Corporate Services, Councillor Jon Walklett
	<p>Anyone making submissions on planning applications knows what a nightmare the Council website is – on top of the usual access problems, it is not user friendly and it is very easy to lose comments typed in 'live' rather than attached as a separate word document. When will the Council website be updated and brought into the 21st Century?</p>
	Response from Cabinet Member Corporate Services
	<p>An upgrade is being planned for Public Access for early in the new year. The newer version has been made to look and feel more customer friendly and should resolve some of the issues currently being experienced.</p> <p>In terms of the council corporate website, the current website went live in 2007 following a major upgrade to improve usability and subsequently has continued to score well in the Society of Information Technology Management (SOCITM) annual benchmarking tests. We are aware that it may well start to slip down the ranks as we do not have a "responsive design" embedded that enables people to use the site easily via mobile phones and tablets and are considering how we might mitigate against this happening.</p> <p>In a supplementary question Councillor Nelson welcomed the proposed improvements to the website but asked whether the Cabinet Member was confident that they could be achieved in the necessary timeframe.</p> <p>In response the Cabinet Member confirmed that the issues should be resolved between now and the end of December. He would look into the details further and provide feedback for Members.</p>

8. POLICY ON SEXUAL ENTERTAINMENT VENUES

The Cabinet Member Development and Safety, Councillor McKinlay, introduced the report which had been circulated with the agenda. The report explained that Sexual Entertainment Venues (SEVs) are regulated under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009. The amended provisions were adopted by Council on 11 October 2010 and the current policy statement was adopted by the Licensing Committee on 4 February 2011. On 16 September 2014, Cabinet had considered the consultation feedback and approved amendments to the current policy as outlined in section 7 of this report. Cabinet had taken the view that it was reasonable to set a nil limit for SEVs in predominately

residential areas but to retain the existing policy in the town centre. He reminded Members that the authority was obliged to make a differentiation between locations which would not be the case if it applied a nil limit for SEVs across the whole borough. He highlighted that Cabinet had defined the town centre as the town centre shopping area, shaded blue in the map in appendix 3.

The Cabinet recommendations were now being forwarded to Council for their approval. He advised that if Council should not approve the recommendations today then technically they should go back to Cabinet for a final decision. However he indicated that Cabinet would accept Council's decision today on the policy as the final one to be adopted by the authority.

In making these recommendations he did not consider the council was opening the floodgates and the Licensing Committee would still make an informed decision on each individual application. His personal view was that it was much better to legalise and regulate these types of establishments rather than saying no outright and running the risk of them going underground or finding alternative ways to operate their businesses. It could also proliferate the use of Temporary Event Notices (TENS) during periods such as race week.

The Mayor invited Members to ask questions on the report and the following responses were given by the Cabinet Member assisted by the Business Support and Licensing Team Leader, Louis Krog

- If the amended policy was passed by Council, the SEV situated in Bath Road would fall outside the defined town centre area and therefore what would happen when its licence came up for renewal?
 - This would be a material consideration for the Licensing Committee when considering any renewal application and the applicant would have to give evidence as to why an exception should be made in their case to renew their licence.
- Would it be more sensible to redraw the map to include the other side of Bath Road (where the current SEV was situated) in the town centre area?
 - This could be done but there would be little point in doing this as an existing establishment would always have an argument that it is an existing business whatever area it fell into.
- Could the Cabinet Member clarify the conditions in 5 and 6 at appendix 1
 - The distinction was made because the authority only had jurisdiction over activity within the borough and they could not stop flyers or similar promotional material being handed out in other areas outside Cheltenham.
- Does the amended policy take into account the Council's duties under Equality Legislation? The authority has a duty to ensure that women are safe and is that requirement not very pertinent to this policy?
 - The officer confirmed that the Council has a duty to promote equality however the policy does not prescribe the sex of the participants and therefore there is no inconsistency with equality legislation as the council is licensing a lawful activity. The Borough Solicitor added that clearly the Equality Act was relevant to everything the council does but currently there was no suggestion from the police or any other complainant to suggest that the council had not complied with its duties or any

suggestion that there had been a breach of the Act in relation to this policy.

Councillor Clucas proposed the following amendment which was seconded by Councillor Sudbury:

Amendment to 11.3 of the draft policy so that the recommendations would read as follows:

- 1. Note the consultation feedback together with the petition submitted;*
- 2. Note the Cabinet recommendation to adopt the draft amended policy; and note the Council's duties in law including the Gender Equality Duty(2007) and the Equality Duty (2010);*
- 3. Note that there is an implied power in Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("1982 Act") as amended by Section 27 of the Policing and Crime Act 2009 ("2009 Act") for the Council to set a limit on the number of licensed SEVs permitted in the relevant locality, of which zero is appropriate and that a number of local authorities have already taken that decision in light of evidence of the harm and violence against women that such venues can provoke.*

Council believes there is no place within the Town of Cheltenham which it could be said that it was situated in a locality in which it would be appropriate to licence a sexual entertainment venue.

Therefore Council resolves to adopt a nil limit for the whole of Cheltenham Borough, implemented through smaller relevant localities. The relevant localities would be each of the 20 wards in the Borough, to ensure that the characteristic(s) of the relevant localities are taken into account.

In proposing this amendment, Councillor Clucas said that the best way to regulate SEV's was to say no to them in the first place. She disputed the Cabinet Member's suggestion that this could cause the activity to go underground or be operated illegally. In her view it was the job of enforcement teams and the police to stop that happening. She also suggested that new Statutory Instruments were being laid down in the House of Commons which would potentially tighten up the use of TENs as an alternative option. She fully supported the policy as laid out in paragraph 11.2 which proposed that the appropriate number of SEVs outside of the adopted Central Shopping Area should be nil. However with no nil limit inside this area there would also be no upper limit and little defence if an application for an SEV was turned down by the Licensing Committee and subsequently challenged in court. She highlighted the potential harm that such establishments could do and this had been confirmed in reports to the UK government in 2003/4 and 2007. There was evidence that customers who frequent such establishments were more likely to seek exposure to more extreme forms of 'live' pornography or access pornographic material on the Internet. She was also concerned for the women in the town and argued that violence against women was more likely to occur if such establishments were permitted. She urged the council to ensure that girls could walk safely through the town without requiring an escort and she was not prepared to see young men and women being harmed or the town brought into

disrepute through the adoption of this policy. In her view the council also had duties under The Equality Act which would not be satisfied.

The Mayor invited Members to debate the amendment.

A Member was concerned about the decision that the Licensing Committee had made in approving the SEV licence for the premises in Bath Road. They considered that the committee could have refused the licence on a number of grounds including the fact that it was in a residential area and was frequented by children and churchgoers. There was a concern that this could open the door to more applications of this type and sully the good name of the town which was renowned for its art, culture and tourism. Another Member supported the view that the Licensing Committee would not have approved the licence had it studied its own policy more carefully. Several Members highlighted that whatever policy was agreed, the Licensing Committee would still have to consider every new application on its merits and Council must trust the committee to do this. It was important that in doing this the committee took full account of points raised during the consultation and any evidence they had received regarding any application. It was very clear from the public response that they did not support this type of activity and several Members felt the committee should take this into account. Another Member highlighted that the Licensing Committee could not take any moral view when considering whether to licence an establishment and must only base their decision on the policy itself.

Other Members raised concerns about the types of activity taking place in the clubs where men were sexually aroused and alcohol fuelled and the subsequent risks that this could cause to public safety outside the club. One Member suggested she had an example where a female resident walking past the club with a male companion had been harassed by door staff encouraging him to enter the club. It was also important to protect the welfare of all workers in the club. Other Members were concerned about the safety of shift workers walking back through the town in the early hours. It was also highlighted that drunkenness was not limited to SEVs and was also a problem for other types of establishments.

Other Members were concerned that such clubs would change the nature of the town centre which had recently been highlighted in the media as one of the top 20 towns in the UK to bring up children. The council had tried to bring life into the town centre by encouraging people to live there and they questioned whether this type of activity would positively discourage residents from living there. They also questioned the value that the town would get from these clubs as the profits would go to the businesses and they would do little to benefit other businesses in the town compared with events such as the festivals.

Other Members highlighted Cheltenham's success in dealing with the night-time economy in the town centre. The town centre was also well policed so this was an argument for permitting licences in that area where they could be well regulated and monitored. There was also CCTV to help regulate conditions outside the club. A Member made the point that since the SEV licence had been granted to the premises in Bath Road, the police had recorded no problems. Other Members cited the Blue Room as a similar establishment which had been granted a licence where there had been no trouble and had commercially faded

away. Even during race week there had been successful enforcement by inspectors which ensured everything went smoothly in the town.

Regarding equalities, a Member highlighted that it was important to treat potential violence or sexual exploitation against men or women equally. From a personal point of view they did not have a problem with permitting SEVs provided there was no violence and they were safe. Whilst acknowledging that the probability of some risks could increase it was the role of the local authority to reduce or mitigate those risks and then allow the Licensing Committee to grant licences where appropriate. They felt the policy should have stronger criteria and that there may even be locations outside the town centre where such an establishment might be appropriate.

Another Member highlighted the importance of freedom of choice for businesses wishing to operate in the town. They challenged the argument that children or churchgoers may be at risk as they would be unlikely to be walking past those premises late at night or early in the morning. They also referred to an earlier suggestion that lap dancers working in the club were somehow victims and suggested that they were much more likely to be educated possibly to degree level, or students and statistics showed that 80% of them said they felt safe at work. There was no proven causal link between violence and lap dancing, only anecdotal evidence, so prohibition was not a preferable option.

At the invitation of the Mayor, the Chief Executive advised Council that it may be appropriate for them to consider a short adjournment at this point, in order for Legal officers to give advice on the amendment which they had not seen prior to the meeting. This would ensure that if the amendment was passed there was no legal impediment to its subsequent implementation.

This was agreed by Council and the meeting adjourned at 4.40 and reconvened at 5.00 pm.

The Borough Solicitor advised Members that in order for the policy to set a zero limit for a relevant locality, it was obliged under legislation to define the characteristics of that locality. She advised that the amendment, as drafted, suggested that each ward would be defined as a relevant locality for the purpose of applying the policy. If this approach was to be adopted, then the characteristics of each ward would need to be considered and determined. The Cabinet had already addressed the characteristics of the area outside of the Central Shopping area as set out in the report at paragraph 7.1 and 7.2 and reflected at 11.2 of the draft Policy. Therefore, a way forward would be for the amendment to accept the Cabinet recommendation as far as 11.2 of the Policy is concerned and to address the characteristics of the Central Shopping Area as another relevant locality in order to support a zero limit in that locality.

Councillor Sudbury speaking as the seconder of the amendment highlighted many of the points that had already been made in support of the amendment. She stressed that the public consultation had been very clear on the issue and she thought the Council should now take that on board and adopt a zero limit across the town. She welcomed the revised boundary proposed by Cabinet for the town centre and noted the legal advice regarding relevant localities for the purposes of the policy. She considered the incident she had highlighted earlier demonstrated that the regulations did not work in protecting people within the

vicinity. The regulatory activity may make it safer for the workers inside but offered little protection to the residents outside.

In her summing up, Councillor Clucas welcomed the debate that had taken place and stressed that her arguments in support of the amendment were based on evidence and not morality. She also referred to the corporate and community plan implications in the summary section of the report where it said that "communities should feel safe and are safe and residents enjoy a strong sense of community and are involved in resolving the local issues". She went on to list a wide range of support groups who had been in favour of a zero limit across the town. She believed a zero limit was deliverable and commercial organisations would have no hesitation in seeking out towns with a no zero policy to set up these types of businesses. Finally she listed a series of characteristics of the town centre and suggested that these could be incorporated in the policy should the amendment be passed. These factors included:

Location and residential density of housing in Cheltenham; Location of facilities for children including schools, playgroups and children's centres throughout the town; Location of places of worship; Location of premises attracting vulnerable people such as GP surgeries, health centres, hospitals, dentists; Areas and premises attracting families such as leisure and sport facilities, play spaces, parks and open spaces including tourist attractions; Location of areas associated with commerce, retail and commercial use as shown; Promotion of gender equality, particularly in relation to reducing the fear of crime among women and community attitudes to sex establishments; The Local Plan.

She concluded that given the various factors set out above, there was no place within the Town of Cheltenham where it could be said that it was situated in a locality in which it would be appropriate to licence a sexual entertainment venue.

In accordance with the legal advice the final paragraph of the amendment was slightly amended as follows:-

Paragraph 11.3 of the proposed policy should be amended to read "It is the Council's policy that it would not be appropriate inside the central shopping area to license a SEV. Accordingly the appropriate number of SEVs inside the central shopping area is nil.

In responding to the amendment, the Cabinet Member reflected that it had been a thoughtful debate but he was still inclined to resist the amendment. In the debate much reference was made to the safety of men and women but there was no evidence to support that SEVs had or would cause a lack of safety in the town. Indeed the policy had been in place some years and had not caused any problems or issues. He considered the amended policy circulated with the report was a sensible compromise which allowed officers to direct potential applicants to appropriate areas of the town and gave the Licensing Committee the ability to judge and consider every application based on the government guidance provided.

Upon 7 Members standing in their seats, a recorded vote was requested and agreed.

Upon a vote the amendment was LOST.

For; 18 – Councillors Barnes, Baker, Clucas, Fisher, Fletcher, Harman, Holliday, Lansley, Mason, McCloskey, Nelson, Payne, Rawson, Regan, Ryder, Smith, Sudbury and Whyborn.

Against; 19;- Councillors Babbage, Britter, Chard, Coleman, Flynn, Colin Hay, Rowena Hay, Jeffries, Jordan, Lillywhite, McKinlay, Murch, Reid, Seacome, Stennett, Walklett, Wheeler, Wilkinson and Williams.

Abstentions; 0

The debate moved on to the substantive motion.

A Member expressed their disappointment that the amendment had been lost and emphasised that the residents in the College Ward had made it very clear that they did not want a lap dancing club in their area. The Member felt that accepting the amended policy would send a message to the public that the Council does not take account of the results of public consultation or the views of local councillors. Another Member disagreed saying that Council had demonstrated today that they had had a balanced debate on the issue and all Members had had time to consider all views and reach their conclusions.

Another Member highlighted that if the recommendations were not passed, then the alternative would be to continue with the existing policy with no zero limit anywhere in the Borough. For that reason they would be supporting the recommendations.

Another Member suggested that the policy should be taken back to Cabinet and re-worked to make it more robust as clearly the public were not confident in it as it stands.

In his summing up the Cabinet Member stressed that the proposed policy followed the guidelines set by government. The policy had been dramatically tightened up and 90% of Cheltenham would now be in an area designated for a zero limit. This should provide the Licensing Committee with the scope required for refusing an application that they deemed unsuitable. He too cared about equalities but he took a different view on how they should be addressed. Finally he urged Members to support the recommendations as the alternative would be to retain the existing policy.

Upon a vote it was

RESOLVED that after noting the consultation feedback and the Cabinet recommendation to adopt the draft amended policy; the amendments to the policy as outlined in the draft policy attached at appendix 4 be adopted

Voting: For 25, Against 9 with 3 abstentions

9. REVIEW OF POLLING STATIONS

The Chief Executive, Andrew North, as the Electoral Registration Officer introduced the report which had been circulated with agenda. He explained that the council had a statutory duty to review its polling districts, polling places and polling stations every five years, to ensure that all electors have such reasonable facilities for voting as are practicable and to ensure that the polling stations are accessible to all electors including those with special needs. A consultation exercise had been completed and consideration had been given to the views put forward.

The Chief Executive reported that one change was being proposed, namely that the current polling district of Charlton Park Ward, Polling District EA, be split so that electors living in the north of the polling district vote at Cheltenham East Community Fire and Rescue Station, Keynsham Road and a new polling district ED be created for the remaining electors. The Chief Executive explained that Councillors Baker and Sudbury had undertaken a residents' survey earlier in the year and had received strong support for the change. Councillor Smith, the other ward Member for Charlton Park, was also broadly supportive of the suggestions. He also gave the assurance that the event of a fire the fire engines would not be in the way of the polling station.

The Chief Executive then made reference to correspondence received from Councillors Ryder and Regan with regard to Warden Hill Ward, Warden Hill Ward of the Parish of Leckhampton with Warden Hill Polling District TB in terms of creating a new polling district for the roads in the south east corner of polling district TB and a new polling place and station at the Brizen Young Peoples Centre for the electors in the newly created polling district. He reported that this proposal had been looked at carefully and discussions had been held with the ward Councillors but this was deemed to be not as well based in the community so at the present time the existing polling district and polling station would remain unaltered.

Finally, the Chief Executive reported that the full list of polling districts, polling places and polling stations would be published for a further period of six weeks, during which time individuals have the right to make representations to the Electoral Commission.

Members welcomed the proposed change and said it would make it more convenient for those who lived at the north end of Charlton Park ward who currently had to travel by car.

A ward Member from Warden Hill felt that the Warden Hill proposal should be considered further in the future regarding the Up Hatherley Parish Council ward boundary but recognised that there would need to be more community involvement. In response the Chief Executive explained that TB and TC were different parishes and it was required by law that there were separate polling stations. He highlighted however that a review could be requested at any time, i.e. not necessarily within the 5 year period if there was significant community feeling.

RESOLVED (unanimously) that the following changes to polling districts, places and stations be approved:

Charlton Park Ward, Polling District EA – split the current polling district

of EA so that electors living in the north of the polling district listed below vote at Cheltenham East Community Fire and Rescue Station, Keynsham Road

Argyll Road
Avenalls Parade
Avenall Court, Avenalls Parade
Chelsea Close
College Gate
College Road
Corpus Street
Keynsham Road
Keynshambury Road
Knightsbridge Crescent
London Road
Old Bath Road Numbers 1-43 and 4-28
Sadlers Court, Old Bath Road
Priory Place
Sandford Mill Close
Sandford Mill Road
Sandford Park Place
Southgate Drive
Westminster Close

and create a new polling district ED for the remaining electors living in the roads listed below and for these electors to continue to vote at Sacred Hearts Parish Hall, Moorend Road

Charlton Gardens
Charlton Lane
Charlton Park Drive
Charlton Park Gate
Cirencester Road
Evelyn Close
Greatfield Drive
Greenhills Close
King Arthur Close
Sandringham Court, King Arthur Close
King George Close
Balmoral Court, King George Close
King Henry Close
King William Drive
Moorend Road
Old Bath Road numbers 130-178
Sandy Lane
The Avenue

The costs that will be incurred for the new polling station at Cheltenham East Community Fire and Rescue Station will be £360.

That the full list of polling districts, polling places and polling stations as set out in appendix E and F are published for a further period of six weeks, during which time individuals have the right to make representations to the Electoral Commission.

10. LOCAL COUNCIL TAX SUPPORT SCHEME

The Cabinet Member Finance introduced the report which sought approval to keep the Local Council Tax Support Scheme (LCTS) unchanged for 2015/16 and 2016/17. He explained that in 2013/14 the Council received approximately 90% of the cost of the previous year's national council tax benefit scheme from Government. CBC had been working closely with other local authorities in the county and adopted the LCTS and whilst the aspiration had been to agree a permanent scheme this was not possible at this stage due to delays in welfare reforms and policy changes arising from a general election in May 2015.

Members agreed that continuing the present scheme for a further two years was a sensible way forward.

RESOLVED

That the Local Council Tax Support scheme be kept unchanged for 2015/16 and 2016/17, other than the annual uprating of premiums, allowances, non-dependent deductions and any changes to the national pension age scheme that need to be reflected in the local working age scheme.

11. ASSET MANAGEMENT PLAN AND CAPITAL STRATEGY UPDATE

The Cabinet Member Finance introduced the report which outlined the progress made in developing the Council's Asset Management Plan and Capital Strategy and made some initial proposals at this stage.

He reminded Members that the significant capital receipt generated from the sale of North Place and Portland Street car parks gave the Council an unrepeatable opportunity to invest in the infrastructure in the town and it was important that the funds were used carefully in order to have a long-term impact. The Asset Management Plan and Capital Strategy would propose how these receipts would be used and set a continuing framework for capital investment.

The Cabinet Member Finance explained that there was a robust system for evaluating capital bids and establishing priorities against the corporate plan. He reported that the Asset Management Working Group (AMWG) and the Budget Scrutiny Working Group (BSWG) as well as the Cheltenham Trust were also involved in the process. In the context of the Cheltenham Trust he reported that the Trust had already set up a committee to look at capital investment.

The Cabinet Member explained that capital projects relating to the High Street public realm improvement works, car park investment and the town hall chairs were being proposed now for approval as they all had a degree of urgency about them. The Cabinet Member confirmed that BSWG and AMWG had appraised the projects at recent meetings and given positive feedback.

In terms of capital investment in the high street the Cabinet Member explained that the council was working with the Cheltenham Development Task Force to unlock potential growth in the town. They were looking at the High Street as a whole in terms of opportunities to improve the environment and boost it as a commercial area which would help tackle a number of priorities. In so doing there was also scope for attracting private sector investment. The proposed investment of £450 000 in public realm and £111 000 in design work would

facilitate works in key areas of the high street. By pooling resources with business and Gloucestershire highways there would be a degree of unity in enhancing the area.

The Cabinet Member brought to Members attention an amendment to the cost of the work for replacing the town hall chairs which now stood at £84 500. Recommendation 2 of the report now read “bringing the total funding of projects to £896 200”.

Responses to questions were given as follows :

- Accommodation strategy - officers were continuing to investigate opportunities and there was currently interest in two properties in the town. Broad costings had been made for new build offices on the Shopfitters site but in the Cabinet Member's view a move to existing office accommodation rather than new build would be more cost-effective and could be realised much quicker. Work would continue and the Asset Management Working group would be kept fully informed. All Members would be kept informed of any new developments.
- High Street paving - it was acknowledged that this was in a poor state but working together with highways and the private sector would deliver paving and other infrastructure to a higher standard.
- Pavement maintenance outside the town centre - some Members felt that the focus of the highways pavements budget was on the town centre and this was having an impact in the wards where no money had been spent on resurfacing complete pavements since 2010. The Cabinet Member reported that the County Council had a town centre specific budget so it did not mean that the entire pavement budget was being spent solely in the town centre.
- Deliverability of the planned maintenance budget - it was acknowledged that the property and maintenance team were under resourced but this was a temporary issue and would be addressed. There was confidence therefore that the town's leisure and cultural facilities, now operated by the Cheltenham Trust, would be adequately maintained and supported and they could therefore deliver the savings identified.
- Car park investment - it was recognised that much of the equipment was outdated and was starting to fail with the council actually losing income. A detailed breakdown of investment by car park as a result would be provided to the Member.
- Boots Corner - pressure was being put on the County Council to expedite this project. The TRO consultation would end at the end of October with the TRO Committee due to meet 15 January 2015. It was acknowledged that there was a lack of resource to facilitate TROs. The High Street remedial work had started based on the analysis work.
- County highways contract - it was acknowledged that the contract with Amey was not working to its full potential and colleagues were therefore urged to voice their concerns with the county council.
- Cemetery and Crematorium - The Cabinet Member Clean and Green Environment said that he had been open about the difficulties at the crematorium. Lessons had been learned and there was an ongoing options appraisal which was not yet concluded. He would be involving the Cabinet Member working group in the process. It was therefore

premature to consider building a new facility. At this stage it was important to keep existing equipment in a functioning stage and the project appraisal would bring forward a more ambitious scheme. He was confident that a service the town expects would continue to be delivered.

RESOLVED (unanimously) THAT

- 1. The principles on which the new Asset Management Plan and Capital Strategy will be based and the methodology for prioritising capital projects, as outlined in sections 2 and 3 be approved.**
- 2. The funding of the projects outlined in paragraphs 4.2 to 4.4 totalling £896 200 be funded from capital receipts.**

12. NOTICES OF MOTION

There were no notices of motion.

13. TO RECEIVE PETITIONS

None received.

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

There was no urgent business.

Simon Wheeler
Chair

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Page 38

**Cheltenham Borough Council
Council – 15 December 2014**

**Recommendations of the Independent Remuneration Panel (IRP)
regarding Members' Scheme of Allowances**

Accountable member	Council
Accountable officer	Chief Executive, Andrew North
Accountable scrutiny committee	Not applicable
Ward(s) affected	
Significant Decision	No
Executive summary	<p>The council's current scheme of Members' allowances, (08-09), was adopted in December 2007. The law requires that Members' schemes of allowances are reviewed annually unless they are linked to some form of automatic indexation in which case they must be reviewed at least once in every four years. Before an authority can review its scheme of allowances it must first have considered a report from an Independent Remuneration Panel (IRP). A full review was carried out by the IRP in 2010 and its recommendations were approved by Council in December that year for implementation in 2011/12.</p> <p>The IRP have been convened at several points since then to consider specific issues. The most recent time was in February 2014 to consider the changes to the Members ICT support so that the necessary preparations could be put in place before the elections in May 2014. They offered some guidance at that point but did not make any recommendations to Council.</p> <p>The IRP have now completed another full 4 yearly review in November 2014 in preparation for the budget setting 2015/16 and their findings and recommendations are set out in this report.</p> <p>The Council is required to consider the recommendations and, if acceptable, to resolve to adopt them. If the Council rejects the recommendations then the current scheme will remain in place.</p>
Recommendations	<p>I therefore recommend that:</p> <p>Council considers the recommendations set out in the attached IRP report and summarised in section 5 and determines whether to adopt them.</p> <p>Council authorises the Chief Executive to implement any necessary changes to the scheme of allowances and authorises the Borough Solicitor and Monitoring Officer to make any necessary changes to Council's constitution.</p>

<p>Financial implications</p>	<p>In the budget agreed by Council in February 2010, Members' and Mayoral allowances were frozen for a period of 5 years in the Medium Term Financial Strategy up to and including 2014/15 and SRAs for the Leader and Cabinet Members were reduced by 5% as a budget saving.</p> <p>The financial implications of the IRP proposal are set out in section 7.</p> <p>Contact officer: Mark Sheldon, Director of Resources, mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
<p>Legal implications</p>	<p>The Local Authorities (Members' Allowances) England Regulations 2003 SI 2003/1021 set out a framework for the creation, implementation and amendment of schemes of allowances for Members and Co-optees of local authorities. The main provisions are as follows:</p> <p>Reg 10 imposes the requirement that local authorities make a scheme for payment of basic allowances. Where the authority intends to pay allowances in respect of other matters such as special responsibilities or co-optees then these should be included within the scheme.</p> <p>Schemes of allowances must be reviewed by an Independent Remuneration Panel (IRP) annually and no less than once every four years where they are index linked. Reg 19 stipulates that before an authority can amend or revoke its scheme it must have first considered a report from its IRP and have regard to its recommendations, although the authority is not bound to follow them.</p> <p>R.20(1) requires authorities to establish an IRP either itself or in collaboration with other authorities. The IRP must consist of at least three Members who are not Members of the authority in respect of which they are making recommendations nor disqualified from being or becoming a member of an authority.</p> <p>Under R.20(3) Authorities are empowered to pay the expenses incurred by the IRP in carrying out its functions and this includes such expenses or allowances as the authority shall determine.</p> <p>R.16 and 22 impose a number of requirements as to the publication of the newly adopted scheme and the recommendations received from the IRP considered at the time of formulating and adopting the scheme. The publicity requirements are intended to publicise the scheme adopted and highlight any differences between it and the one recommended by the IRP</p> <p>Contact officer: John Teasdale, One Legal john.teasdale@tewkesbury.gov.uk, Tel: 01684 272699</p>
<p>HR implications (including learning and organisational development)</p>	<p>Any changes to the current Members Scheme of Allowance will need to be built into the ERP System in time for April payroll processing.</p> <p>Contact officer: Julie McCarthy , HR Operations Manager julie.mccarthy@cheltenham.gov.uk, 01242 26 4355</p>

Key risks	The determination of allowances is a sensitive subject both from the perspective of Councillors themselves and the public who elect them. In view of this it is important that any scheme adopted is objectively reasonable and based upon some logical and fair mechanism.
Corporate and community plan Implications	None
Environmental and climate change implications	None

1. Background

- 1.1 The Local Authorities (Members' Allowances) England Regulations 2003 sets out the framework within which local authorities can establish and amend schemes providing for the payment of allowances to Elected and Co-opted Members of their councils. In particular the regulations provide that schemes which are linked to an index to determine annual increases in allowances must be reviewed at least once in every four years.
- 1.2 When reviewing its scheme a council may not adopt a new scheme or re-adopt an old scheme without first having considered the recommendations of an Independent Remuneration Panel established for that purpose.
- 1.3 The existing scheme of Members' allowances in place at Cheltenham Borough Council was adopted in March 2007 and provides for basic allowances for all elected Members, special responsibility allowances (SRAs) paid in respect of identified roles and responsibilities and travel and dependent carers payments. The scheme was last reviewed in December 2010 following the full review by the IRP panel and the revised scheme agreed by Council in December that year.
- 1.4 In the budget agreed by Council in February 2010, Members' and Mayoral allowances were frozen for a period of 5 years in the Medium Term Financial Strategy up to and including 2014/15 and SRAs for the Leader and Cabinet Members were reduced by 5% as a budget saving. Consequently there was no need for the panel to meet in 2011. This freeze is still in operation and the IRP were made fully aware of the latest budget situation within the council.
- 1.5 The panel met in 2012 to consider the new scrutiny arrangements effective from May 2012, Members ICT support and the new standards regime. The panel met on 27 February 2012 and concluded their recommendations in one meeting. Their recommendations were agreed by Council.
- 1.6 The panel met twice on 21 October 2014 and 6 November 2014 as part of their review and considered a wide range of evidence and some face to face meetings with Members.
- 1.7 The next full review required by legislation will commence in October 2018 reporting to Council in December 2018.

2. Rationale for recommendations

These are set out in the IRP report.

3. Alternative options considered

- 3.1 The review undertaken by the IRP constitutes a thorough and reasoned analysis of the allowance rates applicable to Councillors and those co-opted to serve the council. In reaching its conclusions it has taken advice and gathered a range of information and considered a range of options which are detailed in their report.

4. Consultation and feedback

- 4.1 Detailed in the IRP report in Appendix 2.

5. The recommendations

- 5.1 The current scheme recommended by the IRP is that the basic allowance should be increased annually by the increase in the median full-time salary for the South West, a figure published by the Office for National Statistics in November each year. For November 2014, this % increase is 1%. The recommendations from the IRP for 2015/16 and the rationale for them are set out in the IRP report and summarised here:

- 1) **That the Basic Allowance payable to all Councillors is increased by X% 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.**
- 2) **That the special responsibility allowance currently payable to the Leader of the Council should be increased by X%.**
- 3) **That the SRA for the role of Group Leader should only be payable where a political group has 4 Members or more.**
- 4) **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.**
N.B this figure would then be eligible for the X% increase across all SRAs
- 5) **That the level of all SRAs be increased by X%.**
- 6) **That the allowances for Mayor and Deputy Mayor are increased by X%**
- 7) **That all other aspects of the Members Allowance Scheme remain unchanged.**
- 8) **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.**

5.2 If the panel's recommendations are accepted the new allowances will be as follows:

ROLE	Current allowance	Recommendations from the IRP from April 2015 if X = 1% and including £100 on basic allowance
Basic	£5,066	£5217
Leader	£16,428	£16592
Cabinet Member	£12,930	£13059
Chair of Planning Committee	£3,025	£3055
Vice-Chair of Planning Committee	£1,512	£1527
Chair of Licensing Committee	£1,361	£1375
Chair of Overview and Scrutiny Committee	£2,722	£2749
Vice-chair of O&S Committee	£1,361	£1375
Chair of Audit Committee	£454	£687 *additional increase takes into account IRP recommendation 4) before applying the 1%
Chair of Standards Committee	£302	£305
Group Leaders (x2)	£605	£611
Chair of Council)	£454	£458
Mayor (duties of civic head)	£6049	£6110
Mayor (clothing and other expenses)	£500	No change
Deputy Mayor (duties of deputy civic head)	£1210	£1222
Deputy Mayor (clothing and other expenses)	£100	No change

6. Financial implications

6.1 The financial implications of the proposals from the IRP are set out in the table below.

	Existing cost	Revised cost	Additional cost
Basic allowances	£202640	£208680	£6040
SRAs	£106409	£107699	£1290
Civic Allowances up to	£7859	£7932	£73
Total member allowances	£316,908 **	£324311 **	£7403

** Total Member allowances include Mayor and Deputy Mayor's Allowances

7. Performance management – monitoring and review

7.1 The Members Allowance Scheme will be monitored by Democratic Services and any issues arising will be raised with IRP when necessary.

Report author	Contact officer: Rosalind Reeves, Democratic Services Manager , Rosalind.reeves@cheltenham.gov.uk, 01242 774937
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. IRP Report
Background information	<ol style="list-style-type: none"> 1. Part 6 CBC Constitution – Members' Scheme of Allowances

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If some provision is not made for increasing the basic allowance then new councillors may not be attracted to stand for the role or existing members may step down.	Andrew North		3	2	6		IRP to be informed if this is the case so that they can consider as part of their regular reviews.		Democratic Services Manager	
	If Members are not financially supported to use their own ICT/communications equipment they may not be able to carry out their council role effectively or may be put off from standing.			3	2	6		Include provision in the basic allowance			
	If Members Allowances are increased during a continuing climate of cuts there may be a public perception that Councillor are not playing their part in Bridging the Gap	Andrew North		2	4	8		Emphasise in the report that Members have had a freeze in their allowances for 5 years and provide comparisons with other indexes.		Democratic Services Manager	

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CHELTENHAM
BOROUGH COUNCIL

**Report and Recommendations of the
Independent Remuneration Panel on Members'
Allowances
Annual Review
December 2014**

1. Introduction

1.1 Membership

The Cheltenham Borough Council (CBC) Independent Remuneration Panel was established pursuant to the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003. The panel Members were appointed by the Borough Solicitor and Monitoring Officer in December 2006 under delegated authority from Council. The current panel Membership is:

Mr Paul Johnstone (Chairman)	Director of Operations, RR Donnelley Global Document Solutions Panel Previous Member for Tewkesbury BC IRP
Mr Quentin Tallon (Vice Chair)	Cheltenham TUC (retired) and Panel Member for Gloucestershire CC IRP
Mrs Patricia Dundas	Gloucestershire Hospitals
Mrs Joyce Williams	Retired Public Servant

1.2 Terms of Reference

The Panel's original terms of reference as set by the Borough Solicitor and Monitoring Officer were;

To make recommendations to Council on the appropriate level and nature of allowances payable to Borough Council Councillors in Cheltenham under the scheme of allowances for implementation from 1 April 2007 which

- a) conform to the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003
- b) recognise the duties and levels of responsibility which fall upon them
- c) are clear, unambiguous, easy to administer, explain and justify to the local community.

1.3 History of the panel to date

The recommendations of this Independent Remuneration Panel (IRP) regarding the Members scheme of allowances were agreed by Council on the 26th of March 2007. One of their recommendations was that *"this panel is reconvened every year to review whether there should be an increase in Councillors' basic and SRA for the following financial year. This meeting should be timetabled so that any amendments recommended by Council can be fed into the budget preparations."*

The first annual review took place in November 2007 and the panel reported to Council on 10 December 2007 recommending a 2.9% increase in the basic allowance and all SRAs. These recommendations were accepted by Council.

The second annual review took place in November 2008 and the panel reported to Council on 17 December 2008 recommending a 3.59% increase in the basic allowance and all SRAs. Council reduced this to 2.45% in line with the potential staff settlement.

In October 2009 Council passed a resolution that given the economic climate and the budgetary situation faced by the authority, it would not amend its scheme of allowances in the year 2010/11 and therefore there was no requirement for the IRP to meet. Budget Council in February 2010 agreed to freeze Members' Allowances and all Mayoral allowances for the next 5 years up to and including 2014/15 in the Medium Term Financial Strategy.

Since that date the IRP have met to consider changes to roles including those of Planning Committee Chair and Vice-Chair, the new scrutiny arrangements and the Standards Committee and have also considered issues arising from Members ICT. They have not recommended any inflationary increases to the Basic Allowance or SRAs due to the decision Council had made to freeze their allowances.

Under the regulations for Members' Allowances, the Council is obliged to review its scheme every four years. The last statutory review took place in 2010 and hence the need for the panel to meet this year and make recommendations for the Members' Allowance scheme from 2015/16.

2. The Review

2.1 Scope of the Review

The review was to cover all aspects of the scheme resulting in any recommendations for change to the following:

- The basic allowance including the amount of any reduction due to the voluntary nature of the Councillors' role
- The payment of Special Responsibility Allowances (SRA) which are currently paid in the Council's existing scheme to:
 - The Leader of the Council
 - Cabinet Members
 - Chair/Vice chair of Planning Committee
 - Chair of Licensing Committee
 - Chair/Vice Chair of Overview and Scrutiny Committee
 - Group Leaders
 - Chair of Audit Committee
 - Chair of the Standards Committee
 - Co-opted Members
- The Mayoral Allowances (although these fall outside of the current Members Allowance scheme the panel were asked to look at them as part of our original review in 2006 and have repeated this every 4 years in our full review).
- Travel allowances
- Subsistence allowances
- Dependent carers allowances
- Pensions – we noted this is no longer an option to be included in the scheme
- Suspension of allowances
- Provision for ICT in the scheme

2.2 Support for the review

The IRP were assisted by Rosalind Reeves, Democratic Services Manager, Annette Wight and Tess Beck, Democracy Assistants and John Teasdale from One Legal and we thank them for their support to the panel in carrying out this review.

2.3 Evidence reviewed

There were two meetings of the panel on 21 October and 6 November 2014.

To assist us with our annual review we considered a variety of information namely;

- The current scheme as set out in the Constitution (see Appendix A)
- Previous IRP reports to Council
- The results of a Members' survey which all Cheltenham Borough Council Members were invited to complete.
- Analysis of Members' Allowance in similar authorities and the South West (see Appendix B and D)
- Results of interviews with Members and officers on specific issues
- Additional information from the Democratic Services Manager
- ONS statistics

2.4 The views of Members

A Member Questionnaire was emailed to Members on 22 August 2014 with a response date of 15 September. A further reminder was emailed to Members on 6 October. 10 questionnaires were received and an additional 5 shorter responses by email.

The panel were disappointed that only 10 Members completed the questionnaire despite reminders and we could only take from this that the majority of Members are satisfied with the scheme as it stands and had no particular issues they wished to raise with the panel.

We invited four Members to meet with us at our second meeting and spent about 30 minutes with each Member. Members were asked because they had indicated they would be happy to meet with the panel and there were particular issues they had raised in their responses to the questionnaire or emails to us which the panel wanted to explore. We were also keen to get the views of a Cabinet Member and spoke to two at this second meeting.

2.5 The Financial Context

89% of the Members who responded to our survey thought the panel should not take the budgetary situation into account. Only 1 Member thought the panel should be advised of the spending limits available for Members' Allowances and set their recommendations within that.

This conforms with the panel's view that they should base their recommendations on what they consider is an appropriate allowance for the role and then it should be for Council to make any adjustments for the budgetary situation.

We were also aware that nationally a number of IRPs have been concerned that an ongoing freeze of Members' Allowances may discourage new candidates from coming forward, particularly young people, those in full time employment and those in their 20s to 40s on a career ladder. A further issue raised during the interviews with Members was that those on benefits may be deterred from standing as their benefits may be withdrawn if they could not state they were available for full-time work. This is not an issue the panel could address but may be something the council may want to follow up at a national level. At a local level we would hope that the council and political groups would continue to encourage potential candidates from all sections of society to ensure that Council is representative of its community.

We noted that Council had agreed to freeze Members' and Mayoral Allowances for five years as part of the 2010/11 budget debate in the Medium Term Financial Strategy. As we have stated in previous reports we will base our recommendations on the level of allowances in 2014/15 and not attempt to back date any increases to 2010.

3. Members' Basic Allowance

3.1 The Calculation

This allowance is payable to all Councillors of the Council. In determining the basic allowance we adopted a formula approach related pro rata to an equivalent salary for a 37 hour week. When we did our first review in 2007 we opted to base the calculation on a salary figure of £20,000 per annum. At the time of writing our report in March 2007, this figure was similar to the Median Gross annual earnings in the South West for 2006 (£22,042).

Therefore the calculation to work out the Basic Allowance at that time was:

$$15/37 \times £20,000 \times 67\% \times 46/52 = £4805$$

hours per week x equivalent annual salary x (100% - voluntary element reduction) x working weeks per year/weeks per year.

Our recommendation to Council in subsequent years was that this basic allowance should be increased annually by the percentage increase in the median salary for the South West, a figure published by the Office for National Statistics in November each year. If Council chose not to implement this increase, or only a part of it, in any year, then there would be no catch up in subsequent years.

3.2 Brief history of the Basic Allowance

In 2008 Council decided to increase the basic allowance by 2.45% (in line with the staff settlement) rather than the 3.59% recommended by the IRP, based on the percentage increase in the South West median salary. This set the basic allowance at £5066. In the 2010/11 budget, Council opted to freeze the basic allowance for 5 years and so the IRP has not reviewed the basic allowance in subsequent years until now coming up to the end of the freeze period.

3.3 Average Hours used in the formula

64% of Members responding to the survey thought that the average of 15 hours per week was about right. 4 Members supplied alternative estimates of 13-26, 22, 24 and 26 hours per week broken down by tasks. Another Member responded that there was probably a variation amongst Councillors as to how they spent time with some doing more ward work and others doing more committee and work based in the council offices but generally they felt 15 hours was probably an under-estimate.

This was an area we further explored during the interviews with Members. 75% of the Members we interviewed were comfortable with this figure. One Member felt very strongly that hours should not be a factor in setting the basic allowance and it should purely be based on the level of responsibility for the role which was 24/7 with a Councillor never being off duty. The responsibilities were as defined in the Constitution. The best comparison would be to equate the level of responsibility with that of a non-Exec director of a company with a similar turnover to the council. Another Member felt it was down to the individual Member what they chose to get involved in within their community.

We have looked at research across other councils and the adoption of an average number of hours is quite typical across many schemes. Following our first meeting, at our request the DSM wrote to all authorities in the Cheltenham Borough Council's family asking them whether they made an assumption on average number of hours spent by a Councillor when setting the basic allowance. Their responses have been added to the table in Appendix B. Gloucester City are just reviewing their scheme and are adopting the same figure or 15 hours, several

authorities said they used a figure of 11 hours and another authority based their formula on 1 day per week.

We would emphasise that in using the figure of 15 hours, this was not a recommendation for the number of hours **expected** from a Councillor, but this was a figure representing the historical evidence supplied to us from Councillors on the average time they spent in their basic Councillor role. For this reason we have felt it appropriate to review this figure with Members when we carried out each four-year review. Members we spoke to did feel that time and availability was a big issue for them and it was a challenge to pursue a career alongside public service and family commitments.

We think it is important to have a mechanism for setting the basic allowance (and the SRAs) which is transparent to the public and provides some rationale for the allowances set. We believe our formula approach provides this and at the same time allows Council to adjust any of the components or building blocks where they think fit. We also think it is important to give potential candidates some idea of the amount of time that may be involved in the role as well as being made fully aware of the responsibilities associated with being a Councillor.

On completion of this review we do not feel we have had any significant evidence which has caused us to change the 15 hours figure and we think this has a valid place in our formula of the reasons we have given.

3.4 Voluntary deduction

70% of the Members who responded to our survey supported this deduction. 1 Member thought it should be reduced to 20%, one thought it was insulting to Members to make any deduction as they were likely to do a range of voluntary duties on top of their Councillor role and they were elected representatives and another Member felt there was too much reliance on voluntary work and Councillors should be rewarded for the work they do.

We were advised that this is still a standard practice across many authorities and the figure varies between 25 and 50%. We felt that if Members had felt strongly about this they would have used the opportunity to respond to the survey. Consequently we agreed that the 33% deduction should remain in place. The gross Basic Allowance without this deduction would be **£7,561** whereas with this reduction it is set currently at **£5,066**. We would also highlight that no voluntary deductions are made to SRAs but only the basic allowance.

3.5 Indexation

100% of Members responding to the survey thought that there should be an annual index on which Members Allowances were based and only 38% thought the index was the right one. Of the 5 Members who didn't agree with the index used, 3 suggested it should be the RPI and 2 said it should be the local government pay settlement i.e. in line with staff. In our interviews there was a suggestion that Members needed to be sensitive to the staff reaction to Members receiving an increase more in line with the private sector than public sector pay increases.

The most recent figures taken from the Annual Survey of Hours and Earnings, 2014 (ASHE) indicate the median gross weekly earnings in the South West is £485 per week and the percentage increase from the previous year 2013 was 1% . This is an average across the private and public sector.

Full details are available via this link:

[Annual Survey of Hours and Earnings, 2014 Provisional Results - ONS](#)

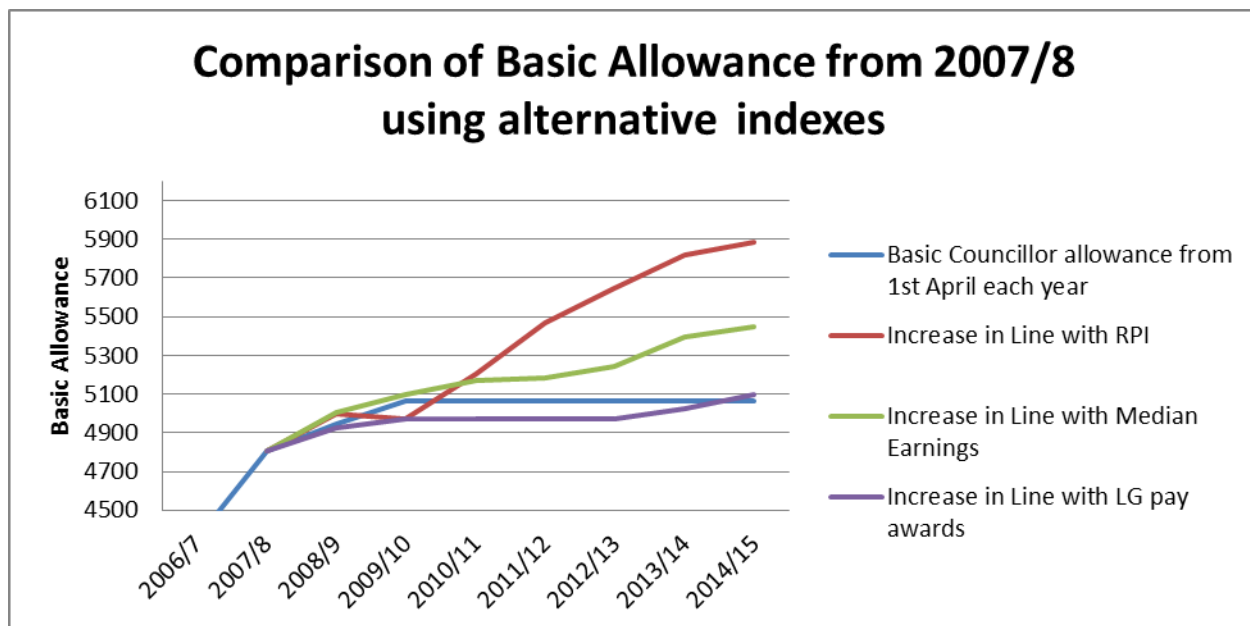
We will call this percentage X – where X is the % increase in the Median Salary for the South West in 2014

We looked out the alternatives suggested by Members in the questionnaire.

Definition of RPI – an official measure of the general level of inflation as reflected in the retail price of a basket of goods and services such as energy, food, gasoline (petrol), housing, household goods, traveling fare, etc. RPI is commonly computed on monthly basis, but an annual rate is also published which serves as a yardstick for adjusting inflation-indexed salaries and wages, tax allowances, and pensions. Several different types of RPI are used for different requirements. A consumer price index (CPI) is a type of RPI.

Previously we looked at alternative indexes to the percentage increase in the median salary including the local government pay settlement, the % increase in the LGA Member daily rate (no longer available) and inflation measures. We did not feel the local government pay settlement was the most appropriate measure as Councillors are not local government employees. We understand staff are due to receive a 2.2% increase with effect from 1 January 2015.

The following graph shows the path of the basic allowance since the major review in 2006 and compares this with the level of basic allowance had it been pinned to an alternative index and received increases each year in line with the increases in that index.



For simplicity we would recommend that the allowance continues to be increased each year by the % increase in the median gross weekly earnings for the South West published in the Annual Survey of Hours and Earnings each year. Council always has the option to use an alternative index and our formula approach facilitates this.

3.6 What should be covered in the Basic Allowance

In responding to the survey 4 Members suggested that the basic allowance should include an amount to cover stationery, paper, cartridges and a contribution to cover telephone charges, broadband etc. It was also requested that a clear statement of what Members were expected to provide as part of their basic allowance was available to Members to assist in completing their Inland Revenue returns.

The panel feels the basic allowance should cover things like stationery, paper and cartridges etc. and acknowledges that there is an assumption that the Member will have a telephone, broadband connection and suitable facilities for home working which it went on to look at specifically.

3.7 ICT Provision as part of the Basic Allowance

ICT provision is essential for Members in carrying out their role effectively and forms a key part of their communication with the public, Members and officers. When they are first elected Members are advised that there is an assumption that they will review their council emails regularly and respond accordingly.

The IRP were reconvened in February 2014 to review some issues relating to Members allowances prior to any influx of new Members following the elections in May 2014. During our meeting we established three key principles relating to Members ICT provision.

- *If the council requires a Councillor to work from home on council business then every Councillor should have the right to be provided with the appropriate equipment and tools to enable them to communicate effectively.*
- *The second principle we established was that the formula approach we have adopted for calculating our recommended Basic Allowance is very much based on time and responsibility and therefore does not easily lend itself to incorporating any sort of one-off payment. Therefore our preference was that any ICT provision should be identified as a distinct payment rather than be included in the Basic Allowance.*
- *Our final principle was that the panel need not be concerned with the details of what is provided for Members in terms of ICT support, we are purely concerned with the associated financial payment and how it should be made. We are also not concerned with how the council provides the necessary budget to support our recommendations. We understand there are also increasingly stringent requirements from government regarding data security and acknowledge that our recommendations need to be flexible to allow for these changing requirements.*

Subsequent advice from One Legal advised that the legislation for Members Allowances Schemes did not support a separate ICT allowance. Subsequent research has shown that many councils overcome this by allocating a provision for ICT which is included in the basic allowance. The issue was also raised at a meeting of the South West IRP network meeting on 3 June 2014 with the minutes of that meeting as follows:

1. Members' IT and the Basic Allowance

The group discussed this in the context of some legal advice given at one Council which in effect stated that there was no legal provision to pay an IT allowance to Members.

Most contributors recognised that such considerations were in the context of setting the level of basic allowance and that there was no specific allowance identified within the regulations covering IT costs.

A number of Councils, on a recommendation from their Panels, had approved within the Scheme of Allowances a payment to recognise the 4 x year lifespan of for example, a tablet/notebook device. This seemed a reasonable approach linked as it was to setting the level of basic allowance and being clear how that allowance was arrived at.

We have carried out further research into how other councils approach this issue by research with other councils in our family. The responses we received are set out in Appendix C. Our research shows that many councils are facing similar issues trying out new technology and deciding how to take this into account when setting the level of basic allowances.

Since our last meeting in February, the roll out of iPads to Members has continued and the majority of Members are opting to receive a council iPad on loan rather than use their own. The cost of the iPad is matched by the saving in printing costs for committee papers so it is important that Members sign up to this important initiative to save paper before accepting a council iPad.

Laptops ceased to be provided to new Councillors from May 2012 on the assumption that Members would be expected to have their own ICT facilities at home or are available to work at the Municipal Offices. Our understanding is that Members with iPads may still need access to a PC at home with Microsoft office type capabilities for spreadsheets, report writing, editing committee reports etc. They would also need broadband and Wi-Fi access for receiving emails on their iPad and a printer, although levels of printing should be reduced with the iPad. We note that in future all the facilities that a Member requires may be available on one device but until that time we consider our first principle applies and Members should receive an allowance for the use of their own home ICT and communication facilities. We consider a figure of £100 is appropriate and this would be incorporated in the basic allowance figure from 2015/16 and therefore subject to an X% increase in future years.

3.8 Comparisons of the basic allowance with other councils in the same family and in the South West

Several Members we spoke to highlighted that the basic allowance for a GCC Member at £9000 was currently much higher than the district council basic allowance yet a double hatted councillor was more likely to spend time dealing with ward work in their district capacity rather than the county councillor covering for that ward.

The panel was not in a position to comment on comparisons with a county council. The panel reviewed the results of a survey of basic allowances across a family of similar authorities. Comparisons were also made across the South West and across the Gloucestershire councils and are set out in Appendix B.

We noted that the basic allowance at Cheltenham compared favourably with other authorities in the same family as Cheltenham with the council in the top 25% and 14% above the average.

3.9 Conclusions regarding the Basic Allowance

For the reasons we have set out in paragraphs 3.1 to 3.8 our recommendation is as follows:

Recommendation 1:

That the Basic Allowance payable to all Councillors is increased by X% and an additional amount of £100 per annum be incorporated to cover ICT/Communication essentials that the Member is expected to have at home.

4. Special Responsibility Allowances (SRAs)

In the survey, one Member thought there should be no increases in SRAs at this time and the 5% cut for the Leader and Cabinet Member should be restored.

Our recommendations for the payment of SRAs were also based on a formula approach. A different formula was used for the Leader's SRA but all others were based on a formula linked to the basic allowance but took into account the role description, the level of knowledge required to perform the role, the level of responsibility and risk that comes with the role and the hours required to perform it.

There have been some changes in roles and responsibilities for SRAs which have been considered by the panel in the years since our last 4 yearly review and these are reflected in the current level of SRAs. As all the SRAs are calculated using a formula approach based on the basic allowance, they will all receive an automatic increase equal to the percentage increase in the basic allowance. Our focus from this point was to review the current SRAs and determine if there were any changes or anomalies that needed adjusting before we applied any percentage increase.

The panel found it helpful to refer to the information in Appendix D where a comparison of SRAs is set out for the family of authorities of which Cheltenham forms a part.

4.1 Leader of the Council

In the survey one Member thought the 5% reduction for the Leader should be restored. Another Member thought the Leader's SRA should be reviewed upwards.

In the interviews we carried out several Members referred to the Leader's role as being effectively a full-time responsibility and felt the current scheme did not differentiate sufficiently between the remuneration for the Leader's role and that of a Cabinet Member.

Using the same methodology as that when calculating the Basic Allowance we considered that due to the responsibilities that fall on the Leader we would equate the role of Leader to a senior officer in Local Government. In 2007 we selected an annual salary of £45,739.20 per annum as reflecting typical earnings for a role in the public or private sector with a similar level of responsibility at the time of writing the March 2007 report.

We considered that a typical Leader of the Council would need to dedicate at least the equivalent to 2 working days to carry out the role effectively. This is over and above the 15 hours spent carrying out their basic Councillor role so does come close to being a full-time role on that basis.

Therefore, the calculation was

$$15/37 \times £45,739.20 \times 46/52 = £16,403.35$$

hours per week x equivalent annual salary x working weeks per year/weeks per year

When reviewing the SRA's in November 2007 and in subsequent years we recommended that the Leader's SRA should be increased by the same percentage as the basic allowance. This allowance was increased to £17,293 in 2009/10 but in the 2010/11 budget a deduction of 5% in the SRAs for the Leader along with the Cabinet was agreed reducing the Leader's SRA to £16428. Following this date the Leader's allowance was frozen at this figure along with the Basic Allowance. We viewed this reduced figure as the new permanent level and therefore base the new SRA on this.

Any proposal to restore the 5% would therefore be a decision for Council to make and we see no reason to change our approach.

Recommendation 2:

That the special responsibility allowance currently payable to the Leader of the Council should be increased by X%.

4.2 Cabinet Member

In the survey 1 Member thought there should be no increases in SRAs at this time but the 5% cut for the Leader and Cabinet Members should be restored. Another Member thought they should be reviewed upwards. We had no responses to the survey from Cabinet Members but did speak to two Members of Cabinet.

In our interviews both Cabinet Members felt there were peaks and troughs in the Cabinet workload but the 15 hours was a reasonable figure to base it on. They emphasised the amount of time and commitment needed when there was a major issue or project within their portfolio.

In our research we noted that the SRAs paid to Cabinet Members at Cheltenham are generally higher than other authorities in the same family and there is less differential between the SRA paid to the Leader and those paid to Cabinet Members (See Appendix D).

If Council feel they want to adjust the SRAs for the Leader/Cabinet to address this we would urge Council to review the elements used to calculate the SRAs rather than adjust the final figure. This will ensure that the SRA can then be consistent with all other SRAs and receive the same % increase each time.

We originally set the SRAs based on the evidence we gathered at that time and the criteria can be reviewed. .

For this reason we include the criteria for evaluating all SRAs in Appendix E. So for example if Council decided to reduce the level of knowledge/experience for a Cabinet Member or their level of responsibility then this would result in a decrease in the relative score and hence a decrease in the SRA but it would then be set at the correct level going forward.

Any proposal to restore the 5% would be a decision for Council to make and we see no reason to change our approach. We would suggest that in future when Council decide to make additional reductions to SRAs they consider the impact in the longer term as any adjustments percentage wise adjust the starting point for allowances in future years.

Therefore our starting figure on which to base the new SRA is the current Cabinet Members Allowance of £12930.

4.3 Chair of the Standards Committee

One Member questioned how often the committee meets and suggested the SRA may need to be adjusted downwards.

When the new regime was introduced in May 2012, we reviewed the role of chair of Standards Committee and reported our conclusions to Council. Our rationale is set out below.

“The committee is no longer a statutory committee and initial determination is by Monitoring Officer in consultation with Independent person. This should reduce the at what point they number of trivial complaints which come before the committee. We feel both these factors reduce the level of responsibility and risk for the chair. We acknowledge there is a risk of reputational damage to the council and Members if complaints are not handled appropriately and sensitively by the committee but we feel that this is is **MEDIUM**.

Thus the new SRA would be calculated on the basis of 3-4 committee meetings per year with a MEDIUM level of experience and knowledge given the high degree of support from the Monitoring Officer. We would assess the level of responsibility and risk as MEDIUM. Using the current basis of calculations this comes up with an allowance for the chair of the new Standards Committee as £302 per annum.”

Since May 2012, 4 meetings have continued to be scheduled in the diary per municipal year but some have been cancelled. There was 1 meeting in the first 2 months of 2012, 2 in the 2013/14 Municipal year and 2 to date in the 2014 Municipal Year with additional meetings scheduled. All complaints to date have been dealt with by the Monitoring Officer and reported to the Standards Committee. However if there was a complaint that needed to be dealt with by the committee there may be a need for additional meetings and preparatory meetings of the Chair with the Monitoring Officer.

We feel the rationale behind the current SRA for the chair of the Standards Committee is appropriate and we have received no evidence that would cause us to review it at this point in time.

4.4 Chair of Council, Licensing, Group Leaders, Audit Committee, Overview and Scrutiny Committees

A Member suggested that the Group Leaders Allowance should be based on number of Members in the Group. Another Member suggested the SRA for Chair and Vice-chair of Planning should be reduced and another Member thought they were too low. A Member suggested the SRA for Audit Committee should be increased and that of Licensing Committee decreased.

4.5 Group Leader

Regarding the allowance for Group Leader, we did note a large range in allowances paid to Group Leaders in the South West survey (see Appendix D), some calculating the allowance based on the number of Members in the party. When we originally set the SRA for a Group Leader we focused on the meetings that the Group Leader was expected to attend in their role and the degree of consultation with Group leaders as a body. We feel that the management of their group, which will increase with the number of Members in the group, is more of a political role outside the scope of the SRA. Therefore we see no reason to increase the level of the SRA. However we understand that a political group could consist of only 2 Members so we would suggest that Council would be prudent to set a minimum size of a political group for the purposes of paying a Group Leaders allowance as the responsibilities would be less demanding for a much smaller group.

Recommendation 3 : A Group Leaders allowance should be payable where a political group has 4 Members or more

4.6 Audit Committee

Regarding the Audit Committee, Members will note that the SRA paid by Cheltenham is quite low in comparison with the other authorities (D). This may be because authorities vary in their remit of the Audit Committee, some incorporating standards and/or scrutiny.

The basis of the calculation is set out in Appendix E and was based on 4 meetings per year with a medium level of knowledge and experience (2/5) and high level of risk/responsibility (3/5).

The panel considered that that in order to do their job effectively, the Chair of Audit Committee should have a corresponding level of knowledge in audit and corporate governance matters to that required for a chair of Planning, O&S or Licensing which is currently set at 3. This would increase the SRA by 50% from £454 to £681.

Following our first meeting we contacted the Director of Resources as the Lead Officer for the Audit Committee. He was not able to meet with us but was fully supportive that the level of knowledge and experience for the role should increase as proposed. Members we spoke to were also fully supportive of this change,

Recommendations 4 : Increase the level of knowledge and experience for the chair of Audit Committee from 2 to 3 with a corresponding increase to the SRA for 2014/15 from £454 to £681.

N.B this figure would then be eligible for the X% increase across all SRAs

4.7 Co-optees

No change required

4.8 Consideration of any new SRAs

One Member suggested that Members should receive an SRA if nominated to represent the Council on the board of an outside body in view of the hours they put in which can be up to 6/7 hours per month

The panel reviewed this suggestion but concluded as they did on a previous occasion that it is up to the outside body rather than the Council to cover a Councillor's expenses and any allowance for their time in attending such meetings. We would expect Members to take their share of attendance at committees, working groups and representing the Council at outside bodies as part of their basic duties and hence this would be covered by their basic allowance.

One Member suggested that Members of Planning Committee should receive an allowance to reflect the 8-9 hours per month that they do in being a Member of the committee

After some discussion at our first meeting we concluded that all Members are expected to take a role on committees and working groups as part of their basic duties. Whilst acknowledging that Planning Committee does require more of a regular time commitment, Members do have an element of choice on which committees and working groups they put themselves forward for. This was the only such suggestion we received and we feel it would set precedents for other committees if such an allowance was paid.

Another Member suggested that there should be a provision in the scheme for the payment of a project allowance where a Member took on a specific role on a project or programme which constituted a considerable level of responsibility and extra workload for that particular Member.

We understand this type of role would normally be taken on by a relevant Cabinet Member and would therefore normally fall under their Cabinet Member responsibilities for which they already receive an SRA. Whilst it is expected that there will be peaks and troughs in any Member's role we can see that there might be circumstances where a project related SRA may be relevant. We cannot make any specific recommendations at this time as we would need to consider a case when it arose based on our standard criteria for assessing the level of SRA. We would also only consider such a case where the role was to be performed for a minimum of 6 months. In the meantime we would welcome a view from Council on the principle of such an allowance.

4.9 General increase to all SRAs

Having made these adjustments to the formula and eligibility criteria for the chair of Audit Committee and Group Leader respectively, all SRAs should receive an increase equal to the percentage increase in the basic allowance.

Recommendation 5:

That the level of SRAs be increased by X%.

5. Mayor's and Deputy Mayor's allowance

One Member thought the Mayoral allowances should be reduced by 10% and 3 Members thought they were seriously too low and may dissuade Members from standing because they couldn't afford it.

Although not an SRA when considering the Mayoral allowances we considered it appropriate to split the allowance into 2 parts. The first part reflects the role of the Mayor as Civic Head and the second part is a sum of £500 as a contribution to the amount the Mayor has to spend on clothing, donations and raffle tickets etc when representing the Council at events. The Deputy receives a corresponding amount of £100. In the interests of openness and accountability we understand that this additional amount is now set up in the Civic budget and the Mayor/Deputy Mayor submit a claim for any expenditure they incur during the year. We welcome this change and see no reason to adjust this amount at this time as it was adequate for the expenditure in 2013/14 and 2014/15 to date.

The panel considers that the basis of the calculation we used when setting these allowances does reflect the considerable amount of work that the Mayor does for the town during their year of office and the support given to that role by the Deputy Mayor. The hours on which the calculation is based are 20 hours and 4 hours respectively for Mayor and Deputy Mayor on top of their basic Councillor role. We used our formula approach based on the basic allowance so the Mayor's and Deputy Mayor's allowance would increase by the same percentage as the basic allowance.

The allowance is not designed to compensate a Member for loss of earnings should they decide to give up their usual employment in their year of office. It is an honour for any Member to serve as Mayor and they would need to think carefully about the time commitment required before taking on the role.

Recommendation 6:

That the allowances for Mayor and Deputy Mayor are increased by X%

6. Other parts of the Scheme

6.1 Travel Allowances

89% of Members who responded were happy with the allowances as they were set out. One Member thought that all travel costs should be paid including those in borough. There was a request for a clearer statement on what was covered under the allowance scheme to assist Members in submitting their IR tax returns.

There is no allowance paid for Members' travel within the borough as this included in the basic allowance. Members travelling outside the borough on approved duties can claim the mileage from home to the destination where they are carrying out council business and the same for the return journey.

Mileage rates are automatically pegged to the staff rate for essential car usage which in turn is set to the Inland Revenue rate so there was no requirement for the panel to review the rate paid.

The IRP would also encourage Members to use more sustainable travel where ever possible, particularly train travel for longer distances.

6.2 Subsistence Allowances

One Member suggested that subsistence payments should be made or the council should provide refreshments at evening meetings.

We understand that hot drinks are available to Members free of charge in the Members Room. There is no change from our position that these should not be paid and the majority of Members responding to the survey did not raise this as an issue.

6.3 Dependent Carers' Allowance

There was 100% support for this element of the scheme from Members who responded to the survey.

There have been very few claims since this was introduced but the panel still feels this is an important part of the scheme. Claims can be made on the basis of receipts for costs of carers incurred and family Members are excluded. We feel no changes are necessary but potential and new Members should be made aware of the scheme.

6.4 Pension

There is no longer an option for Councillors to join a scheme.

6.5 Hall hire for community consultations

A Member raised this with us during the interviews, suggesting that if a Member hired a venue in their community for a non-political purpose in order to consult with their community then they should be able to claim this an expense from the council rather than be expected to take it out of their Basic Allowance.

The panel agreed that it did not seem appropriate for this to come out of the basic allowance but suggested where there was a need the Member should put forward a case and seek to get council officers involved through the relevant service area. The Strategy and Engagement team could be the first line of approach as they may already have community events in place which could be utilised.

7. Transparency and demonstration of achievements

In our March 2007 report we made a number of additional comments regarding the need for a structured development plan for Members and greater transparency in their achievements.

We noted that a full Member induction program was arranged following the elections in May 2014 when 8 new Councillors were elected. It was well supported by new Members and received good feedback.

We hope that Members will continue to take the opportunities provided to develop their skills in their various roles. We as a panel think this is very important but it is not our role to make any provisions in the scheme to require Members to attend.

8. Clawback of Allowances

89% of the Members who responded to our survey strongly supported the clawback for non-attendance but some felt there should be an element of discretion especially for Members in 2 tier authorities. A Member was concerned that it was only voluntary and suggested the allowance should be cut by 50% for non-attendance after 6 months.

One of the IRP's recommendations was that any Member who does not attend at least two thirds of the total number of scheduled meetings of Council or of Cabinet or of committees of which he/she is a Member should be invited to pay back an appropriate percentage of his/her basic allowance up to a maximum of 25% of the basic allowance.

We understand that Member attendance records have continued to be monitored and reported to Group Leaders and are available for public viewing on the council's website. Any issues arising have been addressed and overall there is a good level of attendance across all committee meetings.

Therefore we would not recommend any changes to the existing clause in the scheme.

9. The parts of the Members Allowance Scheme where we have made no recommendations

Recommendation 8:

That all other aspects of the Members Allowance Scheme should remain unchanged

10. Date of next review

Legislation requires that the next full review takes place 4 years hence.

As set out in the scheme, in September of each intervening year, the Democratic Services Manager liaises with the Chair of the IRP to decide if there are any issues which require the panel to meet. These will be focused on any changes in roles and responsibilities. If there is no need for the panel to meet, then there will be a recommendation made to Council that the Basic Allowance and all SRAs are increased in line with the index. It will then be up to Council to decide whether to accept the increase or otherwise.

Recommendation 7:

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.

On that basis we commend our recommendations to Council.

Paul Johnstone (Chair)
Quentin Tallon (Vice Chair)
Patricia Dundas
Joyce Williams

Appendices	
A	Current Members Allowance Scheme as defined in the Council's Constitution
B	Basic Allowances in the CBC family and other district councils in the South West
C	ICT provision across Gloucestershire and the CBC family of authorities
D	Analysis of SRAs in the CBC family of authorities
E	The Panel's assessment criteria for SRAs

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PART 6

Members' Allowance Scheme

Introduction

Local authorities can pay their Members an allowance and expenses in respect of the duties they undertake in their role as Councillor. When setting or reviewing the allowances the council is required to commission a report from a panel consisting of people who are not councillors and who are independent of the council. The panel is called an Independent Remuneration Panel (IRP) and it produces a report containing recommendations as to the level and nature of allowances and expenses. The allowances are reviewed by the IRP on an annual basis to ensure that keep pace with the cost of living and any changes in the roles Councillors undertake.

Cheltenham Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) Regulations 2003 and having considered a report of its IRP dated November 2007, hereby makes the following scheme:

This scheme may be cited as the Cheltenham Borough Council Members' Allowances Scheme, and shall have effect for the year commencing on 01 April 2008. It was last amended by Council in March 2012.

In this scheme;

- "Cabinet Member" Means an elected Member who is a member of the Cabinet of Cheltenham Borough Council.
- "the Council" Means Cheltenham Borough Council.
- "Councillor" Means an elected Member of the Cheltenham Borough Council.
- "Group Leader" Means an elected Member appointed as such pursuant to the Local Government (Committees and Political Groups) Regulations 1990.
- "Leader of the Council" Means the elected Member appointed by the Council as its Leader.
- "Member" Means a person elected or co-opted into membership of Cheltenham Borough Council
- "Municipal Year" Means the period between one annual general meeting of the Council and the next.

**1. Allowances Paid to Councillors
(Effective from 1 April 2011)**

Each Councillor shall be paid a Basic Allowance of £5,066 per annum.

In addition to the payment of the Basic Allowance, Members undertaking special responsibilities shall be eligible for a Special Responsibility Allowance (SRA) as follows:

	Allowance	Annual
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	Description	Allowance
	Basic Allowances:	
	Constituency Member	£5,066.00
	Special Responsibility Allowances:	
	Leader of the Council	£16,428.00
	Cabinet Member	£12,930.00
	Chair of Planning Committee	£3,025.00
	Vice-Chair of Planning Committee	£1,512.00
	Chair of Licensing Committee	£1,361.00
	Chair of Overview & Scrutiny (from 14 May 2012)	£2,722.00
	Vice-Chair of Overview & Scrutiny (from 14 May 2012)	£1,361.00
	Chair of Standards Committee (from 1 July 2012)	£302
	Chair of Audit Committee	£454.00
	Group Leader	£605.00
	Mayor ¹ (Chair of Council)	£454.00

N.B. Only one SRA may be claimed by any one Member in respect of any period. Where a Member undertakes more than one special responsibility they are eligible for payment of the highest applicable SRA only.

2. Payment

The annual allowance payable to each Member shall be made in twelve equal instalments (as far as possible) paid on the 25th day of each month or thereabouts subject to compliance with the part year payment provisions set out below.

3. Renunciation

A Member may by notice in writing given to the Chief Executive elect to forego any part of his/her entitlement to allowances payable under this scheme.

4. Part-year Entitlements

If the term of office or duties undertaken by a Member begin or end part way through a Municipal Year, or amendment of the scheme during a Municipal Year changes the amount to which a Member is entitled, then calculation of the allowance payable shall be on a pro-rata basis having regard to the proportion that the term of office, period of duty or relevant periods of the scheme bear to the Municipal Year in which they occur.

¹ N.B The Mayor and Deputy Mayor also receive a payment in respect of expenses incurred in post as follows; Mayor £6,549, Deputy Mayor £1,310.

5. Suspension and Repayment of allowances

If a Member is suspended from acting as a Member of Cheltenham Borough Council, the Standards Committee may suspend in whole or part the allowances payable to that Member.

Where payment of any allowance has already been made in respect of any period during which a Member is:

- (a) suspended or partially suspended from acting as a Member;
- (b) ceases to be a member of the Council; or
- (c) is in any way not entitled to receive the allowance in respect of that period

the Council shall require the Member to repay the allowance.

6. Travel and Subsistence Payments

Payments covering travel costs shall be made to Councillors in respect of approved duties where those duties necessitate travel beyond the Cheltenham Borough Council boundaries. Duties which are approved comprise meetings of the Council, Cabinet, Panels, Committees and Sub-Committees, site inspections by Members of the Planning Committee and training courses for Councillors facilitated by the Council. Other duties may be approved pursuant to the Council's Scheme of Delegation.

- Car rates; - for all engine sizes the rate payable should be the same as the Inland Revenue car mileage rate for all miles travelled on approved duties to destinations outside the boundaries of the Administrative Borough of Cheltenham (5 miles radius from the Town Centre).

For the avoidance of doubt for the purpose of calculating rates;

- All journeys are deemed to start from home and total miles can be claimed from home to the destination and the return journey. Auto-route planners should be used to support mileage claims.
- Motorcycle Rates; - 24 pence a mile subject to the same conditions as for cars;
- Bicycle Rates: 20 pence a mile for approved duties outside of the Borough of Cheltenham;
- Public Transport – members are encouraged to make use of public transport where available. Actual expenditure incurred supported by receipts/tickets for approved duties outside of the Borough of Cheltenham (save that first class travel on trains is not permitted and members are encouraged to order their tickets in advance to get the best deals via the internet or by request to the relevant officer);
- All of the above is subject to compliance with the council's required audit procedures.

Subsistence payments are not available under this scheme.

7. Dependant Carers Allowance

A Councillor may claim and receive a DCA where he/she has incurred expenditure on engaging a carer for a dependant in order to attend designated meetings and/or carry out approved duties subject to the following;

For an allowance to be payable the person being cared for must live with the Councillor as part of the Councillor's family, is unable to be left unsupervised and is either;

- a child under 16 years of age, or
- an elderly person, or
- a person with a physical or mental disability, or
- a person with a learning disability

A carer (i.e. the person being paid to act as carer while the Councillor is carrying out Cheltenham Borough Council duties) shall be defined as someone who does not normally live with the Councillor as part of the Councillor's family and is not part of the Councillor's extended family.

Subject to the above, DCA shall be payable for the actual cost of providing care, with no maximum amount, subject to compliance with audit procedures put in place by the Council.

8. Voluntary Repayment of Allowance due to Absence

In the event that a Councillor attends less than two-thirds of the total number of scheduled meetings of Council or of Cabinet or of Committees of which he/she is a member, the Councillor concerned shall be invited to pay back an appropriate percentage of his/her basic allowance up to a maximum of 25% of the basic allowance.

In the event that a Member is absent from Council business for more than one continuous month (other than on grounds of ill-health) the member concerned should be invited to pay back a sum equivalent to the amount of basic and special responsibility allowances paid for any single period of absence which exceeds one month.

9. Review of Allowances

Once in every four years the IRP will undertake a full review of the scheme which will consider all aspects of provision.

In the intervening years the Democratic Services Manager will consult with the Chair of IRP in September each year, to review the need for the panel to meet.

- If there are no significant issues to review, then the recommendation to Council should be that all allowances should be increased by the %

increase in the median gross weekly earnings for the South West published in the Annual Survey of Hours and Earnings in November each year.

- If there are significant issues then the panel be reconvened in September or October, to review the allowances and make any recommendations they feel appropriate.

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Comparison of Basic Allowance within CBC family and in the South West - Appendix B

Name	Basic Allowance	Estimated Population No of mid-2013	No of Councillors	Residents per councillor
Rugby	6289	101,373	42	2414
Gloucester	5250	124562	36	3460
Cheltenham	5066	115,900	40	2898
Kettering	5039	95,748	36	2660
Wyre Forest	4900	98,421	42	2343
Carlisle	4780	107,949	52	2076
Rushmoor	4650	94,971	39	2435
East Staffordshire	4540	114,922	39	2947
Lincoln	4,525	95,623	33	2898
Worcester	3990	100,405	35	2869
Ipswich	3745	134,693	48	2806
Gravesham	3447	103,752	44	2358
Wellingborough	3440	75,958	36	2110
Redditch	3350	84,521	29	2915
Pendle	3000	90,131	49	1839
Burnley	2700	86,894	45	1931
AVERAGE	4294	101614	40	2560
SOUTH WEST				
Tewkesbury	7200	84,256	38	2217
South Somerset	6225	163,943	60	2732
Gloucester	5250	124,562	36	3460
Cheltenham	5066	115,900	40	2898
Stroud	5000	113,920	51	2234
Teignbridge	4969	126,001	46	2739
Weymouth and Portland	4939	65,134	36	1809

West Dorset	4938	100,026	48	2084
North Devon	4570	93,825	43	2182
Torrige	4568	65,089	36	1808
Purbeck	4524	45,411	24	1892
Exeter	4474	121,800	40	3045
North Dorset	4421	69,883	33	2118
East Devon	4360	134,898	59	2286
South Hams	4343	83,850	40	2096
Taunton Deane	4301	112,116	56	2002
Forest of Dean	4250	82,937	48	1728
Sedgemoor	4215	117,544	48	2449
East Dorset	4072	87,899	36	2442
Christchurch	4035	48,368	24	2015
Cotswold	4000	84,079	44	1911
Mid Devon	3655	78,670	42	1873
Mendip	3605	110,181	47	2344
West Devon	3558	53,919	31	1739
West Somerset	2733	34,320	28	1226
AVERAGE	4531	92741	41	2213

MEMBERS ALLOWANCES FOR ICT IN GLOUCESTERSHIRE AND IN THE CBC FAMILY WHERE RESPONSES WERE RECEIVED

COUNCIL	ICT PROVISION	BASIS OF ALLOWANCE
Stroud	No equipment provided	An allowance of £390 per 4 year term of office towards ICT equipment and must redeem it within first 3 years of office
Cotswold	Issues over remote access for Members, given more stringent security requirements. Still operate ICT allowance rather than direct provision, but may need to review in time for 2015 intake.	£300 per annum ICT Allowance
Tewkesbury	Council do provide laptops but they are very old. Members can use their own equipment.	No separate ICT allowance
County	After the 2013 elections members could opt to use their own IPad/laptop or request one from Council. Connectivity provided at no cost to member. However current security requires all Councillors to have council equipment. Telephone line also provided.	No ICT Allowance but see ICT provision.
Forest of Dean	Members buy their own equipment and council provide the necessary connectivity software (£60 per annum). Still print all committee papers	Basis Allowance was increased some years ago to include ICT allowance of £300 and no separate ICT allowance is paid
Glos City	Glos City have provided all their members with iPads and the business case is made by reducing printed copies of papers.	No other provision made
Lincoln	They don't incorporate ICT allowances within the basic allowance - Members can either have a printer and	

	laptop provided by the council, or claim a separate allowance for either/both. They provide an iPad if members commit to paperless working and also pay a broadband allowance.
Rushmoor	£350 per year ICT allowance included in basic allowance
Bromsgrove and Redditch	Some historic ICT provision in both places where Councillors were provided with printers and still have them, but they can't be used with the iPads so are being phased out. Basic allowance notionally includes provision for ICT. Both Councils have a scheme where Councillors are provided with an iPad and can claim £100 a year towards broadband costs.
Wyre Forest District council	Allowance does not contain any provision for ICT. They have a Revised Budget charge for 42 members for ICT support, which includes support both remotely and access to our systems, replacement hardware and a proportion of the costs for the ICT strategy and depreciation.
Burnley	As regards IT we used to award a separate payment of £240 for broadband (2008/09)– this was to encourage members to use IT – the basic at that time was £2,460 - this was then incorporated into the basic allowance to give £2700 and no separate allowance is given for IT. Currently assessing ICT provision.
Pendle	We have in the last year withdrawn ICT provision to Cllrs. They used to get on top of their basic allowance a quarterly phone allowance of £25.66 (to cover phone call and broadband) and we also used to give them a choice of either having a council computer or they could purchase their own and be reimbursed up to £750 this has now stopped.
Wellingborough	We have a separate Member Development and Support budget which includes the provision of an IT allowance of £200 per annum per Member (£800 over 4 years).

COMPARISON OF SRAS ACROSS THE CBC FAMILY

APPENDIX D

	Basic	Assumed hours (where responses given)	Leader	Dep. Leader	Cabinet Member	Grp Leader	Deputy Group Leader	Main Opp GL	Minority GL	Chair of Council / Mayor	Vice Chair of Council / Dep Mayor	Chair of Planning	Chair of Licensing	Chair of Audit	Chair of O&S	Vice Chair of Planning	Vice Chair of Licensing	Vice Chair of Audit	Vice Chair of O&S
Tewkesbury	7200		7937	5953	3969					2000	1250	1984	1984	1984	1984				
Rugby	6289		17153	6289	5241	2621				2621		3669	3669	3030	3669			1292	
Gloucester	5250	15	17063	11813	9188	5250	2625			3150	1050	3150	3150	3150	3150	1050	1050	1050	1050
Cheltenham	5066	15	16428		12930	605				454		3025	1361	454	2722	1512			1361
Kettering	5039		13133	8302	5340			6567	1425			5230	3923		2615				
Stroud	5000		9000					4704	1000	3000	600	4704	3000	3000		941	600	600	
Wyre Forest	4900	11	12250	9188	7693			3125	2450			5513	5513	2450	6125	1225	1225	613	1225
Carlisle	4780		17581	10987	6589	2198						9181	1105	4401	4401				
Rushmoor	4650	11	12625	8485	7475	3030				1010		5050	5050	1010					
East Staffordshire	4540		18417	9208	9208			9208	1842			5526	5526	924	1842				
Lincoln	4525	None spec	9614	6222	5089	2262						3959	2262	1131	3959				
Forest of Dean	4250		9840	6560	5740	4100				4100	2050	4100	1025	2050	4100				
Cotswold	4000		12000	8000	6000	2000				4000	2000	4000	4000		4000	1333			
Worcester	3990	11	9975	5985	5985	88 per cldr						3990	2992	2394	3990				
Ipswich	3745		11235	7865	7490			3745	1870	3745		3745	3745	3745	3745				
Gravesham	3447		20260	3447	3447			3447				3447	3447	3447	3447	1206	1206	1206	1206
Wellingborough	3440	8																	
Redditch	3350	11	8257	6247	1560	1040						1560	1340		2009				
Pendle	3000	None spec	6000		1500	1500						1500	1500	500	1500				
Burnley	2700	None spec	10800	2700	4050	1350						2700	1350	1350	4050	1350			
AVERAGE - where an allowance is paid	4458		12609	7328	6027	2360	2625	5133	1717	2676	1390	4002	2944	2189	3371	1231	1020	952	1211

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APPENDIX E

RELATIVE ASSESSMENT OF SRAS - SUMMARY

ROLE	No of meetings	Hours per week	Experience and knowledge	Level of responsibility and risk
Leader of the Council	17 Cabinet but also 17 Informal Cabinet Board	15 at least 2 full working days in the office	VERY HIGH In depth knowledge of all council plans and policy Knowledge of local, regional and national issues Working in partnerships Leadership skills	EXTREMELY HIGH Considerable decision making power Involved in all areas of risk High public profile and dealing with the media
Cabinet member	As Leader	15 minimum of 2 days to carry out the role	HIGH In depth knowledge of portfolio Partnership working Leadership skills	VERY HIGH Has delegated decision powers as well as their role in Cabinet decision making Responsible for managing risk and budgets in their portfolio Dealing with the media
Chair of Planning	12 includes August	5 Committee meeting Site visit Chairs Briefing Preparation time Weekly contact with Planning Officers Keeping up to date on planning issues	HIGH In depth knowledge of planning process At least 2 years regular attendance at planning meetings. Needs understanding of legislation and local and regional context. May need to liaise with neighbouring authorities	VERY HIGH Quasi-judicial Must ensure public accountability and transparency in decision making in this specialist area. Highly visible committee Media interest. High risk if decisions are not correct due to legal challenges

Vice-chair of Planning	12	Supports the chair in the above and Council agreed in 2010 that the SRA for Chair should be split between the Chair and Vice-Chair 2/3 : 1/3 to reflect this		
Chair of Licensing	12	<p>2</p> <p>Work for the Chair is concentrated around the meeting – approx 8 hours per Committee meeting Chairs briefing on same day May need to be consulted re officer delegated decisions</p>	<p>HIGH</p> <p>In depth knowledge of Licensing process. At least 2 years regular attendance at Licensing meetings. Needs understanding of legislation and local and regional context</p>	<p>HIGH</p> <p>Quasi-judicial Must ensure public accountability and transparency in decision making in this specialist area. Media interest Potential legal challenges where Chair may need to give evidence</p>
Chair of Overview and Scrutiny	8	<p>4</p> <p>Work for the Chair is concentrated around the meeting – approx 8 hours Committee meeting Chairs Briefing Preparation Ongoing work to keep up to speed on Cabinet agenda and current issues.</p>	<p>HIGH</p> <p>Chair needs to develop a thorough knowledge of the overview and scrutiny process and maintain knowledge of the current issues for the council.. Good chairing skills are needed particularly when questioning witnesses. Requires high level of communication and negotiating skills.</p>	<p>HIGH</p> <p>Not a decision making body but has an important role in challenging the executive and delivering positive outcomes for local people. High degree of influence on the success of the scrutiny process. The committee sets it own workprogramme. Chair will be consulted if urgent or confidential items added to the Forward Plan outside of normal timings. Dealing with the media.</p>

Vice-chair of O&S	8	Similar as vice-chair will attend all the briefing meetings and shares some of the responsibilities of the Chair and takes an active role in following up issues on behalf of scrutiny. Council agreed in March 2012 that the SRA is set at 50% of the chair's allowance.		
Chair of Audit Committee	4	<p>1 Work for the Chair is concentrated around the meeting – approx 6 hours Committee meeting Chairs Briefing Preparation</p> <p>Ongoing work to track the audit agenda and identifying issues that the committee needs to pick up on</p>	<p>HIGH Training given to all members.</p> <p>Chair should have a good knowledge of audit and corporate governance and keep abreast of issues across Council where audit involvement may be appropriate.</p> <p>High degree of officer support from Audit Manager and Director of Resources.</p>	<p>HIGH Responsibility for scrutinising audit and corporate governance and signing off Statement of Accounts.</p> <p>Chair has to report to Council.</p> <p>Workprogramme largely driven by audit and governance timescales</p>
Group Leader	10	2	<p>MEDIUM Knowledge of council plans and awareness of council business Political procedures</p>	<p>MEDIUM Group Leaders meet as a body to give their views on key issues</p>
Chair of Council	6 plus special council meetings	1	<p>MEDIUM Knowledge of council procedures Strong officer support</p>	<p>HIGH Responsible for effective decision making by Council on budget and policy framework</p>
Chair of	4	1 per week	MEDIUM	MEDIUM

<p>Chair of Standards</p>		<p>Work for the Chair is generally concentrated around the meeting – approx 6 hours Committee meeting Chairs Briefing Preparation</p> <p>This will increase significantly as a result of planned changes which will result in more complaints being dealt with at a local level.</p> <p>Represents committee at Standards forums and conferences – say 2 days pa</p>	<p>Good Chairing skills Good knowledge of Standards High degree of support from Monitoring Officer</p>	<p>Quasi-judicial Making decisions on complaints against members could have far reaching consequences but majority of complaints would be dealt with by the Monitoring Office in consultation with the Independent Person.</p>
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Cheltenham Borough Council Cabinet – 9th December 2014 Council – 15th December 2014 Treasury Mid-Term Report 2014/15

Accountable member	Finance, John Rawson
Accountable officer	Director Resources , Mark Sheldon
Accountable scrutiny committee	Overview and Scrutiny
Ward(s) affected	None
Key Decision	Yes
Executive summary	<p>The Treasury Management Strategy for 2014/15 has been determined by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009 (revised 2011), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority has adopted the code and complies with its requirements.</p> <p>An amendment to the 2014/15 Treasury Management Strategy is required in relation to sovereign support for the current approved lending list. The main rating agencies (Fitch, Moody's and Standard and Poor's) may remove some of the institutions' sovereign support following evolving regulatory changes. This process may commence during this financial year. The actual timing of the changes is still subject to discussion, but this does mean immediate changes to the credit methodology are required. As a result of these rating agency changes, the credit element of Capita's future methodology will focus solely on the Short and Long Term ratings of each institution. Furthermore, Capita will continue to utilise Credit Default Swaps (CDS) prices as an overlay to ratings in their new methodology.</p>
Consultation	The Treasury Management Panel considered this report on 17th November 2014.
Recommendations	<p>Cabinet approve the following recommendation to Council:</p> <ol style="list-style-type: none"> 1. Note the contents of the summary report of the treasury management activity during the first six months of 2014/15. 2. Approve the changes to the credit methodology whereby viability, financial strength and support ratings will not be considered as key criteria in the choice of creditworthy investment counterparties.

Financial implications	All financial implications are detailed throughout the report Contact officer: Andrew Sherbourne, andrew.sherbourne@cheltenham.gov.uk, 01242 264337
Legal implications	None specific arising from the report recommendations. Contact officer: Peter Lewis, peter.lewis@teWKesbury.gov.uk, 01242 264216
HR implications (including learning and organisational development)	No direct HR implications arising from this report Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk. 01242 264355
Key risks	see appendix 2
Corporate and community plan Implications	None
Environmental and climate change implications	None

1. Background

1.1 The Treasury Management Strategy for 2014/15 has been developed by the adoption of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009 (revised 2011), which includes the requirement for determining a treasury strategy on the likely financing and investment activity for the forthcoming financial year. The Code also recommends that members are informed of Treasury Management activities at least twice a year. This report therefore ensures this authority has adopted the code and complies with its requirements, one of which is the provision of a mid-year report to Members.

2. Economic update for the first six months

2.1 The following key points have been provided by the Council's Treasury Advisors, Capita Treasury Solutions.

2.2 After strong UK GDP quarterly growth in the last three quarters of 2013 and quarters one and two of 2014, it appears very likely that strong growth will continue throughout the remaining part of 2014 and into 2015 as forward surveys for the services and construction sectors, are very encouraging and business investment is also strongly recovering.

2.3 The strengthening in economic growth appears to have supported the labour market with unemployment falling much faster through the initial threshold of 7%, set by the Monetary Policy Committee (MPC) in August 2013, before it said it would consider any increases in the Bank Rate. The MPC has therefore subsequently broadened its forward guidance by adopting five qualitative principles and looking at a much wider range, of at least eighteen indicators in order to form a view on how much slack there is in the economy and how quickly it is being used up.

- 2.4 Also encouraging has been the sharp fall in inflation (CPI) reaching 1.2% in September, the lowest for five years and it is possible it could go as low as 1% later on this year. Overall markets are expecting that the MPC will be cautious in raising Bank Rate but a first increase is expected in Quarter 2 of 2015 and they expect rates to increase at a slow pace to lower levels than prevailed before 2008 as increases will have a much bigger effect on heavily indebted consumers than they did before 2008.

3. Portfolio position 1/4/2013 to 30/9/2013

Movements in the Council's borrowing during the first six months of 2013/14 financial year can be seen in the table below. Long term loans are deemed to be those repayable over a period of more than one year.

Source of Loan	Balance at 1 April 2014 £	Raised during Apr-Sept £	Repaid during Apr-Sept £	Balance at 30 Sept 2014 £
Temporary Borrowing				
- Local Authorities	0	4,200,000	4,200,000	0
Temporary Investment	20,000	0	0	20,000
Total Short Term Borrowing	20,000	4,200,000	4,200,000	20,000
Long Term Borrowing				
- Public Works Loan Board	41,808,880	1,400,000	178,156	43,030,724
- Market Loans	15,900,000	0	0	15,900,000
Long Term Borrowing	57,708,880	1,400,000	178,156	58,930,724
Total External Borrowing	57,728,880	5,600,000	4,378,156	58,950,724

- 3.1 In February 2014 the Council's borrowing costs for 2014/15 was set to be £2,014,300. This is now forecast to come under by approximately £2,500 against budget. Average temporary borrowing of £148k at an average interest rate of 0.33% has occurred between 1st April and 30th September 2014. Of the £59.04m borrowing outstanding as at 30th September 2014, the HRA share of this is £44.7m, leaving the General Fund with £14.34m in which £6.7m are loans taken out for third parties which are cost neutral to the Council.
- 3.2 The PWLB remains an attractive source of borrowing for the Council as it offers flexibility and control. Due to downward moves in gilt yields in the first quarter, this resulted in PWLB rates falling across all maturities. In May 2014 a loan of £1.4m was taken out with the PWLB for forty years at

a rate of 4.22% on behalf of Cheltenham Borough Homes. The loan is cost neutral for the Council as Cheltenham Borough Homes are repaying the Council in line with the repayment schedule.

4. Investments

The DCLG's Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles.

Security of capital remained the Council's main investment objective. This was maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy for 2014/15 approved by Council on the 14th February 2014 and then again on 21st July 2014 when amendments were made to the lending list. This restricted new investments to the following

- T-Bills and the Debt Management Office (DMO)
- Other Local Authorities
- AAA-rated Money Market Funds
- UK Banks & Building Societies – Minimum long term rating of A or equivalent across all three rating agencies (Fitch, Standard & Poors and Moody's)
- Other - Cheltenham Festivals, Gloucestershire Airport Company, Everyman Theatre, Ubico and Cheltenham Borough Homes

Counterparty credit quality is assessed and monitored with reference to :-

- Credit ratings
- Credit Default Swaps
- Share Price
- GDP of the country in which the institution operates

4.1 It is a very difficult investment market in terms of earning the level of interest rates commonly seen in previous decades as rates are very low and in line with the 0.50% Bank Rate. Indeed, the introduction of the Funding for Lending scheme has reduced market investment rates even further. The potential for a prolonging of the Eurozone sovereign debt crisis, and its impact on banks, prompts a low risk and short term strategy. As part of the 2014/15 Treasury Management Strategy investments have only been made to UK based banks/building society which met the lending criteria set, and up to a maximum period of one year. Treasury officers have kept to this strategy for the period reported on. Given this risk environment, investment returns are likely to remain low.

4.2 Investments - Movements in the Council's investment portfolio during the first six months of 2014/15 can be seen in the table below.

Source of Loan	Balance at 1 April 2013 £	Raised during Apr-Sept £	Repaid during Apr-Sept £	Balance at 30 Sept 2013 £
Short term Lending				
Bank – Term Deposit	3,000,000	11,000,000	4,000,000	10,000,000
Building Societies	2,000,000	13,600,000	8,800,000	6,800,000
Bank of Scotland Call A/C	5,315,000	47,025,000	50,580,000	1,760,000
Santander Uk Call A/C	5,645,000	12,255,000	17,900,000	0
Glos Airport Ltd	280,000	0	35,000	245,000
Money Market Funds	830,000	4,760,000	5,090,000	500,000
Total Short Term Lending	17,070,000	88,640,000	86,405,000	19,305,000
Icelandic Banks in administration	Balance at 1 April 2013 £	Raised during Apr-Sept £	Repaid during the year £	Balance at 30 Sept 2013 £
- Kaupthing Singer & Friedlander	553,205	0	0	553,205
- Glitnir	572,400	0	0	572,400
Total Icelandic Banks	1,125,605	0	0	1,125,605
Total External Investments	18,195,605	88,640,000	86,405,000	20,430,605

- 4.3** In February 2014 the Council's Investment income for 2014/15 was budgeted to be £41,400. The average cash balances representing the council's reserves and working balances, was £17.2m during the period this report covers. The Council anticipates an investment outturn of £111,400 at a rate of 0.63% for the whole year. Security of capital has remained the Council's main investment objective. This has been maintained by following the Council's counterparty policy as set out in its Treasury Management Strategy Statement for 2014/15.
- 4.4** Included within the investments of £20.43m as at 30th September 2014, the Council has £1.126m deposited in the collapsed Icelandic banks.
- 4.5** Glitnir's Winding – up - Board made a distribution to priority creditors back in March 2012, which amounted to 78p in the pound. The remaining balance is held in an escrow account in Iceland. The Central Bank of Iceland is controlling the movement of Icelandic Krona's, so the Council has been unable to gain access to these funds. The Council is working with the Local Government Association (LGA) and Bevan Brittan (appointed solicitors) to recover the remaining amount. 100% is expected to be recovered

4.6 Kaupthing Singer & Friedlander administrators have made distributions of 81.5p in the pound to date. Administrators currently estimate a total return of 85p-86.5p in the pound. The next dividend is expected to be paid out in early December 2014 and is estimated to be a 1p in the pound.

5. Prudential Indicators

5.1 During the financial year to date the Council has operated within the treasury limits and Prudential Indicators set out in the Council’s Treasury Policy Statement and Annual Treasury Strategy Statement. Appendix 1 attached highlights the major indicators.

6. Outlook

6.1 Capita Asset Services undertook a review of its interest rates in mid - August and then again in October 2014. The latest forecast includes a first increase in Bank Rate in quarter 2 of 2015. Downside risks to rates rising would be that the UK strong economic growth is currently dependent on consumer spending and the unsustainable boom in the housing market. The boost from these sources is likely to fade after 2014. Also a weak rebalancing of UK growth to exporting and business investment causing a weakening of overall growth beyond 2014 as well as a return to weak growth in the US and China, UK’s two main trading partners could suspend any future Bank Rate rises.

	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17	Jun-17
Bank rate	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.00%	1.25%	1.25%	1.50%	1.50%	1.75%
5yr PWLB rate	2.70%	2.50%	2.70%	2.70%	2.80%	2.90%	3.00%	3.10%	3.20%	3.30%	3.40%	3.50%
10yr PWLB rate	3.40%	3.20%	3.40%	3.50%	3.60%	3.70%	3.80%	3.90%	4.00%	4.00%	4.10%	4.20%
25yr PWLB rate	4.00%	3.90%	4.00%	4.10%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%	4.80%
50yr PWLB rate	4.00%	3.90%	4.00%	4.10%	4.30%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%	4.80%

7. Performance management

7.1 In compliance with the requirements of the Treasury Management CIPFA Code of Practice this report provides members with a summary report of the treasury management activity during the first six months of 2014/15. None of the Prudential Indicators have been breached and a prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

Report author	Contact officer: Andrew Sherbourne, andrew.sherbourne@cheltenham.gov.uk 01242 264337
Appendices	Risk Appendix 1 Prudential Indicators Appendix 2
Background information	Treasury Management Strategy, Council 8th February 2014

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	LOBO Loans - If £7m of these loans is recalled by the banks if they choose to exercise their option then we would need to have the resources on the day to repay. Alternative borrowing arrangements at today's current rates would be favourable for the Council	Director for Resources Mark Sheldon	24 th January 2012	1	2	2	Accept	If the loans are recalled the council could take out temporary borrowing which is currently much lower than the rates on these loans. Any capital receipts available could also be used to repay debt.	March 2015	Section 151 Officer Mark Sheldon	

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The Council's Capital Position (Prudential Indicators)

This part of the report is structured to update:

- The Council's capital expenditure plans;
- How these plans are being financed;
- The impact of the changes in the capital expenditure plans on the prudential indicators and the underlying need to borrow; and
- Compliance with the limits in place for borrowing activity.

Prudential Indicator for Capital Expenditure

This table shows the revised estimates for capital expenditure and the changes since the capital programme was agreed at the Budget.

Capital Expenditure by Service	2014/15 Original Estimate	Current Position As at 30th Sept 2014	2014/15 Revised Estimate
	£m	£m	£m
General Fund	4.237	1.909	8.984
HRA	8.249	3.996	8.249
Total	12.486	5.905	17.233

Changes to the Financing of the Capital Programme

The table below draws together the main strategy elements of the capital expenditure plans (above), highlighting the original supported and unsupported elements of the capital programme, and the expected financing arrangements of this capital expenditure. The borrowing element of the table increases the underlying indebtedness of the Council by way of the Capital Financing Requirement (CFR), although this will be reduced in part by revenue charges for the repayment of debt (the Minimum Revenue Provision). This direct borrowing need may also be supplemented by maturing debt and other treasury requirements.

Capital Expenditure	2014/15 Original Estimate	2014/15 Revised Estimate
	£m	£m
Financed by:		
Capital receipts	1.670	2.756
Capital grants	320	829
Capital reserves	6.189	7.036
Third Party Contribution	50	146
Revenue	1.957	1.958
Total financing	10.186	12.725
Borrowing need	2.300	4.508

Changes to the Prudential Indicators for the Capital Financing Requirement, External Debt and the Operational Boundary

The table shows the CFR, which is the underlying external need to incur borrowing for a capital purpose. It also shows the expected debt position over the period. This is termed the Operational Boundary.

Prudential Indicator – Capital Financing Requirement

We are on target to achieve the original forecast Capital Financing Requirement

Prudential Indicator – External Debt / the Operational Boundary

	2014/15 Original Estimate	Current Position As at 30 th Sept 2014	2014/15 Revised Estimate
	£m	£m	£m
Prudential Indicator – Capital Financing Requirement			
CFR – non housing	37.194	18.597	37.194
CFR – housing	35.400	17.700	35.400
Total CFR	72.594	36.297	72.594
Net movement in CFR	-		-
Prudential Indicator – External Debt / the Operational Boundary			
Borrowing	101.000	101.000	101.000
Other long term liabilities*	-	-	-
Total debt 31 March	101.000	101.000	101,000

Limits to Borrowing Activity

The first key control over the treasury activity is a prudential indicator to ensure that over the medium term, net borrowing (borrowings less investments) will only be for a capital purpose. Gross external borrowing should not, except in the short term, exceed the total of CFR in the preceding year plus the estimates of any additional CFR for 2014/15 and next two financial years. This allows some flexibility for limited early borrowing for future years. The Council has approved a policy for borrowing in advance of need which will be adhered to if this proves prudent.

	2014/15 Original Estimate	Current Position As at 30 th Sept 2014	2014/15 Revised Estimate
	£m	£m	£m
Gross borrowing	71.774	68.270	71.774
CFR* (year end position)	72.235	72.235	72.235

The Director of Resources reports that no difficulties are envisaged for the current or future years in complying with this prudential indicator.

A further prudential indicator controls the overall level of borrowing. This is the Authorised Limit which represents the limit beyond which borrowing is prohibited, and needs to be set and revised by Members. It reflects the level of borrowing which, while not desired, could be afforded in the short term, but is not sustainable in the longer term. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003.

Authorised limit for external debt	2014/15 Original Indicator £m	Current Position As at 30 th Sept 2014 £m	2014/15 Revised Indicator £m
Borrowing	61.274	59.018	61.274
Other long term liabilities*	0	0	0
Total	61.274	59.018	61.274

Cheltenham Borough Council

Cabinet 09 December 2014

Council 15 December 2014

Council Tax Discounts on Empty properties

Accountable member	Councillor John Rawson, Cabinet Member Finance
Accountable officer	Mark Sheldon, Director of Resources
Accountable scrutiny committee	Overview and Scrutiny
Ward(s) affected	All
Key Decision	Yes
Executive summary	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. Approval is now being sought to change the level of discount for one of the categories
Recommendations	<p>Cabinet recommends that Council</p> <ol style="list-style-type: none"> 1. Sets the level of discount for class C empty properties at 25% for the first 6 months 2. Confirms 6 weeks as the minimum required period of re-occupation before a further empty property discount will apply

Financial implications	<p>It is estimated that an additional £340,000 of council tax income will be raised of which approximately £43,000 will be retained by the Council. This additional revenue will be reflected in an increase in the council tax collection fund surplus.</p> <p>These changes will also impact on the Housing Revenue Account as they will apply to council owned empty properties managed by Cheltenham Borough Homes</p> <p>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
Legal implications	<p>The legislative context is set out in the report.</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk, 01684 272012</p>

HR implications (including learning and organisational development)	None arising from this report Contact officer: julie.mccarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355
Key risks	As detailed in appendix 1
Corporate and community plan Implications	The proposal to reduce the level of council tax discounts in respect of empty properties as outlined on the report will support the following outcomes <ul style="list-style-type: none"> • A balanced and sustainable housing market • Reducing crime and disorder
Environmental and climate change implications	These changes will support the Council's strategy for bringing empty homes back in to use

1. Background

- 1.1 The Local Government Finance Act 2012, introduced some technical reforms to council tax from April 2013, abolishing exemptions in respect of certain categories of empty properties and giving new discretionary powers for councils to set the level of discount between zero and 100%.
- 1.2 These new powers provided an opportunity to reduce the level of discounts as a measure to help bring empty properties back in to use more quickly and to increase council tax income.
- 1.3 The current discount levels were set by Council in December 2012 and are shown in Table1 at point 2.1 below.

2. Changes being proposed

- 2.1 Approval is being sought to change the level of discount for 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.
- 2.2 The current discount levels and the proposed changes are detailed in the table 1 below

Discount Class	Discount Level up to and including 31 March 2015	Discount Level with effect from 01 April 2015
Class C Properties - empty and unfurnished for up to 6 months	100% discount for the first month then 25% discount for the following 5 months	25% for up to 6 months Once the 25% has been awarded for 6 months no further discount will be awarded unless the property is re-occupied for a period of not less than 6 weeks

Class D Properties – Empty and unfurnished and undergoing major works/structural repairs to render them habitable	25% discount for up to 12 months	25% discount for up to 12 months Once the 25% has been awarded for 12 months no further discount will be awarded unless the property is re-occupied for a period of not less than 6 weeks
Class C long term empty properties - empty and unfurnished for more than 6 months	Zero discount – 100% council tax payable	Zero discount – 100% council tax payable
Second Homes - properties which are furnished but not occupied as anyone's main home	Zero discount – 100% council tax payable	Zero discount – 100% council tax payable

- 2.3 Class C and D discount types commence on the date a property becomes empty and unfurnished and this does not change as a result of a change in owner or tenant.
- 2.4 If a property is re-occupied or substantially furnished for a period of less than 6 weeks this will be disregarded for the purposes of determining the date it became empty and unfurnished.
- 2.5 The change, if approved, will mean the discount levels for classes C and D are consistent and generate additional council tax income.
- 2.6 In cases where the 100% discount is being awarded at 31 March 2015 the 25% discount rate will apply on 01 April 2015.
- 2.7 Based on the discounts granted at 100% for the first month in 2013/2014, reducing the discount to 25% would generate approximately £340,000 in additional council tax income. The Council's portion of this would be approximately £43,000 the County Council's portion approximately £250,000 and the police portion approximately £46,000.
- 2.8 The Council only has the discretion to set the discount level. The qualifying conditions for the discount classes and time periods are set by legislation.
- 2.9 Table 2 below details who will be affected by these changes

Class C properties 25% discount for up to 6 months instead of 100% discount for 1 month then 25% for 5 months	<ul style="list-style-type: none"> • Owners who move out of properties but retain ownership • Tenants who vacate properties prior to the end of their lease
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	<ul style="list-style-type: none"> • Landlords of properties which are empty between tenancies • Council owned properties managed by Cheltenham Borough Homes which are empty between tenancies • Owners, property developers, landlords who buy can't sell or let properties
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2.10 This change will affect landlords, who will become liable for a small charge when properties are empty for short periods between tenants. However, the consistent level of discount will reduce the disputes between landlords and tenants regarding responsibility during the first month a property is empty.

3. Reasons for recommendations

3.1 The proposed change will standardise discount levels on empty properties and provide a further incentive for owners to bring empty properties back in to use more quickly. It will also increase council tax income which will help fund local services.

4. Alternative options considered

4.1 None.

5. Consultation and feedback

5.1 Consultation has taken place with other Gloucestershire districts. The other councils have policies which are consistent with the proposals

6. Performance management –monitoring and review

6.1 The impact of these changes on the level of council tax income and the collection rate will be monitored closely and reported to members in budget monitoring reports.

6.2

Report author	Contact officer: Jayne Gilpin, Revenues Manager, jayne.gilpin@cheltenham.gov.uk, 01242 264323
Appendices	Risk Assessment

Background information	<ol style="list-style-type: none">1. The Local Government Finance Act 1992, amended by the Local Government Finance Act 2012 http://www.legislation.gov.uk/ukpga/20122. The Council Tax (Prescribed Class of Dwellings (England) Regulations 2003 http://www.legislation.gov.uk/uksi/2003/3011/contents/made3. The Council Tax (Prescribed Class of Dwellings (England) Regulations 2012 http://www.legislation.gov.uk/uksi/2012/2964/contents/made4. Report to council 17/12/2012 – council tax discounts on Empty Properties https://democracy.cheltenham.gov.uk/documents/s6683/2012_12_17_COU_10_Council_Tax_Discounts_on_Empty_Properties.pdf
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The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the revised council tax discount proposals for empty properties are adopted and it becomes difficult to collect the small amounts due when properties are empty for a few days then the estimated additional income may not be fully realised	Mark Sheldon	11/12/2012	2	3	6	Accept	Monitor and review the estimated income	31/03/2014	Jayne Gilpin	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

Guidance

Types of risks could include the following:

- Potential reputation risks from the decision in terms of bad publicity, impact on the community or on partners;
- Financial risks associated with the decision;
- Political risks that the decision might not have cross-party support;
- Environmental risks associated with the decision;
- Potential adverse equality impacts from the decision;
- Capacity risks in terms of the ability of the organisation to ensure the effective delivery of the decision

- Legal risks arising from the decision

Remember to highlight risks which may impact on the strategy and actions which are being followed to deliver the objectives, so that members can identify the need to review objectives, options and decisions on a timely basis should these risks arise.

Risk ref

If the risk is already recorded, note either the corporate risk register or TEN reference

Risk Description

Please use "If xx happens then xx will be the consequence" (cause and effect). For example "If the council's business continuity planning does not deliver effective responses to the predicted flu pandemic then council services will be significantly impacted."

Risk owner

Please identify the lead officer who has identified the risk and will be responsible for it.

Risk score

Impact on a scale from 1 to 5 multiplied by likelihood on a scale from 1 to 6. Please see risk [scorecard](#) for more information on how to score a risk

Control

Either: Reduce / Accept / Transfer to 3rd party / Close

Action

There are usually things the council can do to reduce either the likelihood or impact of the risk. Controls may already be in place, such as budget monitoring or new controls or actions may also be needed.

Responsible officer

Please identify the lead officer who will be responsible for the action to control the risk.

For further guidance, please refer to the [risk management policy](#)

Transferred to risk register

Please ensure that the risk is transferred to a live risk register. This could be a team, divisional or corporate risk register depending on the nature of the risk and what level of objective it is impacting on

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Cheltenham Borough Council Council

15 December 2014

Committee appointments following a resignation

Accountable member	Council
Accountable officer	Chief Executive, Andrew North
Ward(s) affected	All
Significant Decision	No
Executive summary	<p>Councillor Andrew Lansley wrote to the Chief Executive on 29 August 2014 advising him that he was leaving the Liberal Democrat Party and therefore resigning from the Liberal Democrat Group.</p> <p>The resignation has made a slight 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 and therefore requires some minor adjustments to some committees to maintain their political balance.</p> <p>The matter was discussed by the Group Leaders at their meeting on 16 October 2014 when they came to a provisional agreement on the options set out. The final decision rests with Council where there are changes to size of committee or political balance.</p> <p>Councillor Lansley has also resigned as one of the two Councillors on the Public Art Panel. There have been two nominations from the Group Leaders and as they have not been able to reach agreement the matter is referred to Council.</p>
Recommendations	<p>I therefore recommend that Council:</p> <p>Approve amendments to the size and membership of the Planning Committee and that the Appointments and Remuneration Committee remains unchanged as set out in the table in paragraph 1.9</p> <p>Appoint a Member to sit on the Public Art Panel.</p>
Financial implications	No financial implications

Legal implications	The Local Government and Housing Act 1989 requires the Council to approve the revised political balance and allocation of seats to political groups as soon as practicable following a change in political group numbers. Contact officer: Peter Lewis, Head of Legal Services, One Legal Peter.lewis@tewkesbury.gov.uk, 01684 272012
HR implications (including learning and organisational development)	None
Key risks	None identified
Corporate and community plan Implications	None

1. Committee appointments

- 1.1 Councillor Andrew Lansley wrote to the Chief Executive on 29 August 2014 advising him that he was leaving the Liberal Democrat Party and therefore resigning from the Liberal Democrat Group.
- 1.2 The resignation has made a slight 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 and therefore requires some minor adjustments to some committees to maintain their political balance.
- 1.3 The matter was discussed by the Group Leaders at their meeting on 16 October 2014 when they came to a provisional agreement on the options set out. The final decision rests with Council where there are changes to size of committee or political balance.
- 1.4 As an Independent Member, Councillor Lansley is not entitled to any place on any of the Council's committees unless this is agreed with the other groups. Cllr Lansley is a member of the Disciplinary Committee so the Lib Dems will need to appoint another member from their group.
- 1.5 The following committees appointed by Council require some adjustment in order to maintain political balance on each committee and across all committees of the Council as a whole.
- 1.6 **Planning Committee** – currently 14 members
Was (4 Con, 9 Lib Dem and 1 PAB).

With Cllr Lansley's resignation the calculated political balance for a Planning Committee of 14 members is
(3.85 Con, 8.4 Lib Dem and 1.4 PAB) i.e (4 Con, 8 Lib Dem and 1 PAB)

Therefore the options the Group Leaders considered were:

1. Reduce the committee to 13 Members and remove 1 Lib Dem member

OR

2. Stay with a committee of 14 and 9 Lib Dem members and accept the slight political imbalance on the committee

OR

3. Increase the size of the committee to 15 with 9 Lib Dem members and 2 PABs

N.B Option 3 achieves a closer political balance for the Lib Dems on the committee but with a slight political imbalance for the PABs across all committees. It would be possible to correct this by reducing the PAB membership on one or more of the JNC committees but the Group Leaders felt cross party representation on these committees was more important.

Group Leaders supported Option 3.

1.7 Appointments and Remuneration Committee - 9 members

Was (2 Con, 6 Lib Dem and 1 PAB)

With Cllr Lansley's resignation the calculated political balance for an Appointments Committee of 9 Members is

(2.48 Con, 5.4 Lib Dem and 0.9 PAB) i.e. (2 Con, 5 Lib Dem and 1 PAB)

Therefore the options the Group Leaders considered were:

1. Reduce the committee to 8 Members and remove 1 Lib Dem member
2. Stay with a committee of 9 and 6 Lib Dem members and accept the slight political imbalance on the committee

Group Leaders supported Option 2.

1.8 JNC Disciplinary Committee - 5 members

Was 1 Con, 3 Lib Dem and 1 PAB and with the change the make up should remain the same.

Lib Dems to appoint a new member to replace Cllr Lansley.

- 1.9 The current proportionality is set out in Appendix 2 together with the resulting proportionality across all committees if the recommendations of the Group Leaders are accepted by Council. The changes are summarised in the following table.

Committee/ working group	Lib Dem	Conservative	PAB	Council decision required
Planning Committee			Cllr Adam Lillywhite joins the	Council to agree new composition

			committee (currently a reserve so has had all training)	of 15 members and appoint new PAB member
Appointments and Remuneration Committee	No change	No change	No change	Council to agree to retain existing composition
JNC Disciplinary	Cllr. Britter to replace Cllr Lansley			No decision from Council required

2. Appointment to the Public Art Panel

2.1 Democratic Services wrote to Group Leaders on 17 November 2014 advising that Councillor Lansley had decided to stand down from the Public Art Panel as he was unable to attend their past and future schedule of meetings.

2.2 The terms of reference for the panel require 2 Elected Members to be nominated to join the panel, one representing the Planning Committee and the other being a member with an interest in Public Arts. It is also important that they can attend the scheduled meetings which are held on the second Wednesday of alternate months with a 6.00pm start and are currently planned for 14 January, 11 March, 13 May, 8 July, 9 September and 11 November 2014.

2.3 Councillor Smith has nominated Councillor Regan and Councillor Jordan has nominated Councillor Sudbury. Where the Group Leaders have not reached agreement it is referred to Council for a final decision.

3. Reasons for recommendations

3.1 There is a requirement to adjust the political balance following the resignation.

4. Alternative options considered

4.1 As set out in the report

5. Consultation and feedback

5.1 Consultation has taken place with Group Leaders.

6. Performance management –monitoring and review

6.1 The political balance across all committees will continue to be monitored by the Democratic Services Manager and any changes brought to Members attention when necessary.

Report author	Contact officer: Rosalind Reeves, Democratic Services Manager, Rosalind.reeves@cheltenham.gov.uk, 01242 77 4937
Appendices	1. Political balance across committees i) currently ii) if recommendations in this report are adopted
Background information	Minutes of Selection Council 2 June 2014

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council does not make the necessary adjustments when there are changes to political group numbers it will not be meeting its statutory requirements	Andrew North	15/12/2014	3	2	6	Reduce	Bring this report to Council so that the adjustments can be made		Rosalind Reeves	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

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ALLOCATION OF SEATS TO POLITICAL GROUPS		Jul-14		CURRENT SIZES				Political proport	
								Committee plac	
Committee size	size of committee	CONSERVATIVE		INDEPENDENT		LIBERAL DEMOCRAT		PAB	
		11.00 MEMBERS		0.00 MEMBERS		25.00 MEMBERS		4.00 MEMBERS	
		<i>theoretical entitlement</i>	<i>actual</i>	<i>theoretical entitlement</i>	<i>actual</i>	<i>theoretical entitlement</i>	<i>actual</i>	<i>theoretical entitlement</i>	<i>actual</i>
COMMITTEES									
Sub-total 1	0	0.00	0	0.00	0	0.00	0	0.00	0
Overview and Scrutiny Committee	10	2.75	3	0.00	0	6.25	6	1.00	1
Audit Committee	7	1.93	2	0.00	0	4.38	4	0.70	1
Sub-total 2	17	4.68	5	0.00	0	10.63	10	1.70	2
Planning Committee	14	3.85	4	0.00	0	8.75	9	1.40	1
	0	0.00	1	0.00		0.00		0.00	
Licensing Committee	10	2.75	3	0.00	0	6.25	6	1.00	1
Sub-total 3	24	6.60	8	0.00	0	15.00	15	2.40	2
Standards Committee	7	1.93	2	0.00	0	4.38	4	0.70	1
Appointments and Remuneration Cttee	9	2.48	2	0.00	0	5.63	6	0.90	1
JNC Disciplinary Committee	5	1.38	1	0.00	0	3.13	3	0.50	1
JNC Appeals Committee	5	1.38	1	0.00	0	3.13	3	0.50	1
Sub-total 4	26	7.15	6.00	0.00	0.00	16.25	16.00	2.60	4.00
Committees total (1+2+3+4)	67	18.43	19	0.00	0	41.88	41	6.70	8
Proportionality across all ctees			27.94%		0.00%		60.29%		11.76%
Proportionality in Council			27.50%		0.00%		62.50%		10.00%

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ALLOCATION OF SEATS TO POLITICAL GROUPS				Dec-14	PROPOSED				Political proport
									Committee plac
Committee size	CONSERVATIVE		INDEPENDENT		LIBERAL DEMOCRAT		PAB		
	11.00 MEMBERS		1.00 MEMBERS		0.00 MEMBERS		4.00 MEMBERS		
size of committee	theoretical entitlement	actual	theoretical entitlement	actual	theoretical entitlement	actual	theoretical entitlement	actual	
COMMITTEES									
Sub-total 1	0	0.00	0	0.00	0	0.00	0	0.00	0
Overview and Scrutiny Committee	10	2.75	3	0.25	0	6.00	6	1.00	1
Audit Committee	7	1.93	2	0.18	0	4.20	4	0.70	1
Sub-total 2	17	4.68	5	0.43	0	10.20	10	1.70	2
Planning Committee	15	4.13	4.00	0.38	0	9.00	9	1.50	2
	0	0.00	1	0.00		0.00		0.00	
Licensing Committee	10	2.75	3	0.25	0	6.00	6	1.00	1
Sub-total 3	25	6.88	8	0.63	0	15.00	15	2.50	3
Standards Committee	7	1.93	2	0.18	0	4.20	4	0.70	1
Appointments and Remuneration Cttee	9	2.48	2.00	0.23	0	5.40	6	0.90	1
JNC Disciplinary Committee	5	1.38	1.00	0.13	0	3.00	3	0.50	1.00
JNC Appeals Committee	5	1.38	1	0.13	0	3.00	3	0.50	1
Sub-total 4	26	7.15	6.00	0.65	0.00	15.60	16.00	2.60	4.00
Committees total (1+2+3+4)	68	18.70	19	1.70	0	40.80	41	6.80	9
Proportionality across all ctees			27.54%		0.00%		59.42%		13.04%
Proportionality in Council			27.50%		2.50%		60.00%		10.00%

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