



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Council

Monday, 20 July 2015

2.30 pm

Council Chamber, Municipal Offices

Membership	
Councillors:	Duncan Smith (Chair), Chris Ryder (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, Louis Savage, Diggory Seacome, Malcolm Stennett, Klara Sudbury, Pat Thornton, Jon Walklett, Simon Wheeler, Roger Whyborn and Suzanne Williams

Agenda

1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING Minutes of the meeting held on 22 June 2015	(Pages 3 - 12)
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 the fourth working day before the date of the meeting	
7.	MEMBER QUESTIONS	
8.	RESTRUCTURE OF ENVIRONMENTAL AND REGULATORY SERVICES DIVISION Report of the Chief Executive	(Pages 13 - 34)
9.	FINANCIAL OUTTURN 2014/15 AND BUDGET MONITORING TO JUNE 2015 Report of the Cabinet Member Finance	(Pages 35 - 88)

10.	HOUSING REVENUE ACCOUNT NEW BUILD Report of the Cabinet Member Housing	(Pages 89 - 138)
11.	CONSTITUTION i) Report of the Constitution Working Group to be presented by the chair Councillor Colin Hay regarding revisions to the Constitution in relation to new regulations. ii) Report of the Standards Committee to be presented by the chair Councillor Fisher regarding a revised Planning Code and the adoption of a social media protocol.	(Pages 139 - 204)
12.	ANNUAL PERFORMANCE REPORT Report of the Cabinet Member Corporate Services	(Pages 205 - 234)
13.	NOTICES OF MOTION Proposed by Councillor Steve Jordan Seconded by Councillor Bernie Fisher : This Council:- <ul style="list-style-type: none"> • believes that decisions taken locally are likely to be better informed than those taken centrally and so welcomes discussion with government about further devolved powers. • believes that funding must follow any devolved powers giving the opportunity to redesign services locally to make them more efficient and effective for local people. • any process of devolution must also involve discussion on how decisions already taken within Gloucestershire can be made more effective (eg road schemes in Cheltenham). • endorses the letter to be sent to the Secretary of State of behalf of Leadership Gloucestershire. 	
14.	TO RECEIVE PETITIONS	
15.	ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION Leckhampton and Warden Hill Local Development Area Application-Report of the Leader	

Contact Officer: Rosalind Reeves, Democratic Services Manager, 01242 774937
Email: democratic.services@cheltenham.gov.uk

Andrew North
Chief Executive

Council

Monday, 22nd June, 2015

2.30 - 3.40 pm

Attendees	
Councillors:	Duncan Smith (Chair), Chris Ryder (Vice-Chair), Matt Babbage, 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 McKinlay, David Prince, John Rawson, Anne Regan, Rob Reid, Louis Savage, Diggory Seacome, Malcolm Stennett, Klara Sudbury, Pat Thornton, Simon Wheeler, Roger Whyborn and Suzanne Williams

Minutes

1. APOLOGIES

Apologies were received from Councillors Clucas, Lansley, McCloskey and Walklett.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting were signed and approved as a correct record.

4. COMMUNICATIONS BY THE MAYOR

The Mayor informed the meeting that Councillor Walklett was currently in hospital and wished him a speedy recovery.

The Mayor highlighted the events he had attended since he had taken up office and said what a great privilege it was to meet people in the community and witness the valuable work that was undertaken.

The Mayor then thanked those Councillors who had been present that morning at the start of Armed Forces Week where the flag had been raised. He informed Members of the Civic Service which would take place at the Cheltenham Minster on Saturday 15 August at 1 pm to mark VJ day. He also informed Members of the British Legion event for VJ day which would be held on 16 August. Cheltenham would be welcoming the Princess Royal on 7 July and on 12 July the Mayoress and the local MP would be undertaking a skydive in aid of the Mayor's charities. At the end of July Gottingen would be hosting visitors from Cheltenham.

Finally the Mayor reminded Members to come appropriately dressed for Council

out of respect for the roles of all Councillors, the Mace and the Queen and the citizens who they were elected to represent.

5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader thanked the Mayor for his best wishes to Councillor Walklett who he hoped would be home from hospital shortly.

The Leader informed Members that Councillor Barnes would be replaced by Councillor McCloskey on Licensing committee. Councillor Barnes would take up the position of substitute on this committee.

Members were reminded that a member seminar on devolution would be held in conjunction with Tewkesbury Borough Council on 30 June at 2.30pm in Cheltenham or 5 pm in Tewkesbury.

Members were also reminded that the non-statutory consultation on the Cheltenham Plan –issues and options had been launched that day and would be open until 3 August. The Cheltenham Plan sat alongside the JCS.

6. PUBLIC QUESTIONS

1.	Question from Ken Pollock to the Cabinet Member Finance, Councillor John Rawson
	<p>At 10 am today, Tuesday 16th June, the promised 'Report of the Cabinet Member Finance' has still not been published for the 'Accommodation Strategy' item, neither for Cabinet at 6pm today, nor for Full Council next Monday. The item is not marked 'Exempt'.</p> <p>As the Finance Member's report has not appeared, it is clearly no longer possible to write a Public Question for that Item by noon today.</p> <p>Both Cabinet and Full Council decisions are marked a 'Key'. Accordingly, how can any Decision properly be made when not only are "28 days" prior publication of <u>any</u> details not being provided but <u>no</u> notification period ?</p>
	Response from Cabinet Member
	<p>I am sorry if the inclusion of the Accommodation Strategy on the Cabinet and Council agendas caused Mr Pollock some confusion. It was done several weeks ago in case either Cabinet or Council needed to take further decisions in respect of the property acquisition agreed on 14 April.</p> <p>Since the last Council meeting a great deal of work has been done, not only to progress the acquisition, but also to carry out due diligence in the Council's interests. That has included seeking further independent specialist advice about the valuation and whether the acquisition is financially prudent in the market context. This work, which was continuing up to the middle of June, might have thrown up issues that needed to be brought to Members for consideration. On the contrary, however, the outcome has been to reassure me and officers that the decisions made on 14 April were sound. For that reason, the need for further decisions does not arise and I asked that the agenda items be withdrawn. Therefore, no further report has been prepared or published on the matter.</p>

7. **MEMBER QUESTIONS**

1.	Question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>Can I welcome the recent leaflet raising awareness with regard to action to reduce the problems that residents have with Urban Gulls.</p> <p>Can I ask if the Cabinet Member is aware of the experiment being carried out by Gloucester City Council and others using a Bird of Prey as a further deterrent. Would he look at this option and see if he would help the situation on Cheltenham?</p>
	Response from Cabinet Member
	<p>Yes we are aware the Contractors for Glos City did for the first time present a bird of prey during their gull control program this year. The theory being that the presence of the raptor re-enforces a message to the gulls that it is not a good place to nest.</p> <p>The use of birds of prey is a more commonly utilized gull control method in open/rural areas such as landfill sites. However, given the additional costs of this method along with the practicalities of their use in urban areas it has yet to be validated as a value for money exercise.</p> <p>In Cheltenham we did this year trial egg replacement as opposed to the egg oiling method of previous years. As a member of the Severn Estuary Gull Group we receive feedback from other LAs on the 2015 program, this includes Gloucester who will report on any additional benefits of their use of a bird of prey.</p> <p>I can confirm that all available methods and previous outcomes are considered during our annual review of the gull control program here in Cheltenham.</p> <p>In a supplementary question, Councillor Harman asked if there could be report back to Council on the outcome of the trial in Gloucester City.</p> <p>The Cabinet Member acknowledged that the management of seagulls was an important issue for the town and therefore it was important to explore every option and understand the full implications of any proposed solution and how it could be implemented. He looked forward to hearing back from Gloucester City and would keep Members informed of the results.</p>
2.	Question from Councillor Andrew Chard to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	<p>Could the Cabinet Member please tell me what facilities there are for disabled children to play in the Borough's parks and play areas?"</p>
	Response from Cabinet Member
	<p>Cheltenham Borough Council's adopted Greenspace Strategy includes the 10 principles to play design contained within the Play England document '<i>Design for play; A guide to creating successful play spaces</i>'.</p> <p>The following paragraphs from that document are reflected in our approach to play provision:</p> <p><i>'Successful play spaces offer enjoyable play experience to disabled</i></p>

children and young people, and to those who are non-disabled, whilst accepting that not all elements of the play space can be accessible to everyone. Children with different abilities can play together in well-designed play spaces, and parents and carers who are themselves disabled should be able to gain access to play spaces if they are to accompany their children

'Though many play providers focus on equipment that is wheelchair-accessible, it is important to recognise that there are many different types of disability or special need. Non-prescriptive equipment, which can be used flexibly – such as a nest swing – might be interesting to large numbers of children with different needs and abilities.'

The emphasis over the last five or so years has been to encourage inclusive play by installing equipment, where possible, that can be used by children, and in some cases adults and children, with a range of abilities playing together.

The nest swing cited above is a classic example of this. It can be used by several teenagers in the evening, ten or more young children as they leave school, by a parent or carer with a young child in their arms during quieter periods, and is secure enough for a less mobile or independent adult or child to be placed into it. These can be found in Hatherley, Pittville and Naunton Parks and other locations in the Borough.

Other examples of our approach to play areas are:

- the double width slides that will allow two to use it side by side as installed in Agg Gardner's, King George V and Springfields.
- a specific request was received for a swing seat that could take a harness to secure the user and this was installed in Fairview Play Area. An additional one was later installed in the play area in Elmfield Playing Field in a unit designed to accommodate four children playing together.
- modern designs for multi or climbing play units offer a range of access points ranging from inclined ramps, inclined hand holds, scramble nets, ladders, climbing poles to steps and platforms to allow use by those with a wide range of abilities. Many of these also include panels, colour, sound and sensory elements together with moving parts to enhance the play experience.
- the movement towards Natural Play embodied in the report 'Design for Play' has encouraged a more naturalistic style of play set in a natural environment. This introduces a softer, more tactile and sensory play experience that is accessible and stimulating to those with a wide range of abilities. Sites such as Benhall Woods, Springfield's Park and Agg Gardner's are examples of this approach.

The Play England document mentions accessibility in several places and this became the cornerstone of our initial approach to inclusive play

	<p>provision. If a child cannot gain access, they cannot play in the area. So to ensure inclusion, most gates have been replaced with 'Mono Hinge' gates that have no latches, are wide and are in a contrasting colour and have a hydraulic unit incorporated that limits the closing speed. These are specifically designed to allow easy access to the less able. In addition, all play areas have a level approach and most of the surfaces are smooth as well as impact absorbing allowing access to all.</p> <p>Over the course of the last five years, we have replaced in the order of 38 play units that can all be considered to be inclusive, together with carrying out extensive resurfacing in three sites. The annual expenditure that has allowed these improvements to be made is based on the allocated budgets of £80,000 Capital and £50,000 developer's contribution together with lesser sums from revenue budgets to replace damaged components or units.</p> <p>The proposed Pittville Park play area refurbishment project typifies our approach to modern play area design methodology. We have built in a stage in the design process to allow for an extensive consultation with individuals and groups representing users with a wide range of abilities to ensure we create an inclusive play experience for all the users.</p> <p>I was delighted to join Council Officers from the Green Space Division and a representative from the Friends of Pittville recently in a visit to play areas in Broadway, Evesham and Slimbridge that were specifically referred to in the recent Pittville Park public consultation exercise. We saw the innovative approach that had been taken to incorporate the needs of children and carers of all abilities and we were particularly impressed with the inclusion of sensual experiences using water, sand, plants, sound and colour. The visit provided inspiration and many of the ideas have been used to inform the design brief that will be advertised as part of the tender process.</p> <p>The Project Team has already established links with a local school catering for children with learning difficulties, and the successful tenderer will be holding design workshops that will inform the final proposal.</p> <p>In a supplementary question, Councillor Chard asked whether the Cabinet Member would agree to meet with him and some of the parents of Bettridge School who may not agree with his response regarding the facilities available.</p> <p>The Cabinet Member said that he had been very impressed by the officers' commitment to this issue and the intention was to have meetings with parents and children from the Bettridge School as part of any consultation. He would be more than happy to meet with Councillor Chard and the parents as requested.</p>
<p>3.</p>	<p>Question from Councillor Anne Regan to the Leader, Councillor Steve Jordan</p>
	<p>When these offices move into the new premises will there still be a Civic Mayor or is it this administrations aim to drop this role?</p>

	<p>Will the new premises have a suitable reception room for the Mayor to greet and meet all our business and overseas visitors?</p> <p>Where will Civic functions be held after the public days during the year i.e. Remembrance Sunday etc. where we would normally assemble in the Municipal Offices?</p>
<p>Response from the Leader</p>	
	<p>The cabinet's view is that the role of the civic Mayor is very valuable to the town and there is no proposal to discontinue it. In any case this would be a matter for the whole Council, not just the administration.</p> <p>I can confirm that the new building would have suitable reception rooms for entertaining visitors, which are a basic requirement of any municipal headquarters.</p> <p>Members will be aware that the proposed new location for the council offices is in the central area, in walking distance of the Promenade, and equipped with on-site parking. Civic receptions after Remembrance Day and other major events could easily be held there.</p> <p>In a supplementary question, Councillor Regan said that for some people walking from the Promenade to the proposed new building would be a considerable challenge and she asked the Cabinet Member if he had considered the needs of the disabled and the veterans.</p> <p>The Leader advised that their needs would be taken on board in the planning of any event but this was still some years away.</p>
<p>4.</p>	<p>Question from Councillor Tim Harman to Cabinet Member Finance, Councillor John Rawson</p>
	<p>Can the Cabinet Member assure that Council that as part of the plans for the relocation of the Borough Council Offices that he will take into account the need to provide Council/Committee rooms with adequate space and access for members of the public who have a right of access to our deliberations.</p>
<p>Response from</p>	
	<p>Councillor Harman should recall that £350,000 has been included in the financial modelling for fitting out a council chamber and committee suite. That said, the flexible layout of the new accommodation will make for more efficient use of space than the existing offices, including the creation of multi-purpose spaces.</p> <p>In regard to public access, I am delighted that Councillor Harman has highlighted one of the major benefits of the relocation that he so unwisely opposed.</p> <p>He will surely recollect that an equality impact assessment was carried out as part of the due diligence work in the papers considered by Councillors on 14 April 2015. That assessment identified the relocation option as a positive impact, mainly because it is in a modern building compliant with the Equalities Act.</p>

	<p>By contrast, the existing Municipal Offices offer poor access for the public, staff and fellow Councillors; a situation which is difficult to rectify because of heritage considerations and the layout of later additions to the building such as the Council chamber.</p> <p>In a supplementary question, Councillor Harman asked whether the Cabinet Member would ensure that the council consults with disability groups so that they have the opportunity to input to the design.</p> <p>The Cabinet Member was happy to confirm this.</p>
5.	Question from Councillor Jacky Fletcher to Cabinet Member Finance, Councillor John Rawson
	<p>When the move to the new offices takes place can you tell me what will happen to the historic memorabilia in the Mayor's Parlour? Much of the Town's heritage is displayed here. There are many gifts from our twin towns e.g. the Goose Girls from Göttingen, as well as presents from Annecy and many more from other parts of the World. There is the wonderful tapestry donated to the Town, priceless silver, cut glass, the picture of Waterloo, the desk, the clock presented to me when I was mayor and of course The Mace which represents our Queen. All of this is part and parcel of Cheltenham's history and should be enjoyed by all visitors to our offices.</p>
	Response from Cabinet Member
	<p>Clearly the Mayor will need to be provided with suitable accommodation in the new council headquarters. I see no reason why memorabilia and items of historic importance should not be displayed there. Better still, they could be displayed in public areas of the building for people to see, instead of being in the section of the building that is normally closed to the public, as they are at present.</p> <p>In a supplementary question, Councillor Fletcher asked whether there was a firm commitment to maintaining a Mayor's parlour.</p> <p>The Cabinet Member confirmed that the role of Civic Mayor would be maintained and this would involve providing the appropriate accommodation for them. The move to modern offices did create new possibilities for shared space and therefore he would not be too prescriptive as there may be an option for the Mayor's office to be used for other purposes.</p>

8. PETITION FOR CCTV PROVISION IN CHELTENHAM

The Mayor referred Members to the process for dealing with petitions as laid down in Appendix 2 and then invited the petitioner, Mr Zach Bromfield to address Council.

Mr Bromfield firstly addressed the issues that were inherent in the petition taking shape. He explained that he had incorrectly assumed that an attack on a teenage girl in Brunswick Street, which had prompted him to start the petition, had taken place on 2nd May this year but it had actually taken place last year. He then explained that he had chosen to start this petition on Change.org

instead of the council's website because he felt that he would reach more people, including families outside of Cheltenham concerned for relatives or friends living in the community and therefore believed this would improve the petition's chances of success. He also stated that the information used for this petition was solely from the Gloucestershire Echo. However, he had subsequently received information from the Police that the incidents of crime in these areas differed to what was mentioned in the petition. He provided members with the details of these incidences. Crime had been reduced overall thanks to the actions of Streetwatch and other actions taken by the community to assist crime-prevention. Mr Bromfield said that having consulted with council officers and Streetwatch he recognised that in a time of austerity, prioritisation was inevitable and therefore he intended to focus on Brunswick Street as the main area to have CCTV placed. He felt that it was wrong that residents living in St Paul's should feel anxious about crime in their area and that he had not intended to give places he had mentioned a bad representation as an unsafe place to be nor damage the University's reputation.

He explained that he had started this petition because of recent concerns he had developed over the security measures placed in certain areas of Cheltenham. Brunswick Street in particular had, according to fellow students, gained a bad reputation as an unsafe street to walk down at night. He had learned via the Gloucestershire Echo that there were other areas vulnerable to violent crime and in some of their interviews, there were several concerns raised over the choice to implement CCTV in these areas as a way to deter or assist the police in tackling violent crime.

Mr Bromfield believed that CCTV placed in Cheltenham, or at least Brunswick Street, would be a good idea, for several reasons as supported by Streetwatch:

- CCTV would help deter criminals and also ensure their detection. The Brunswick Street area next to Matalan is considered a desolate spot, lacking overlooking residential windows and therefore a lack of witnesses.
- CCTV can also be used therefore to disprove alibis criminals will use, for example that they say they went down one alleyway when the footage can show that they went down a different way.
- CCTV would make people feel more secure when walking down certain areas of Cheltenham at night.
- It would be an effective symbol to reduce the fear of crime.

Mr Bromfield referred to research from the Streetwatch Residents Coordinator that even though the St Paul's Area and Brunswick Street were in fact safe areas, significant fear of crime existed in St Paul's due to the media portrayal, particularly among the student population. This was reflected in their comments when signing the petition. He acknowledged that the media sensationalised crime in St Paul's. Streetwatch did however agree that CCTV was a good idea. He reported that Police Sgt. Julia Martin-Jones supported any CCTV initiative taken by the council as she believed cameras could be positive in detecting and deterring crime.

Finally Mr Bromfield challenged whether there needed to be a third sexual assault in Brunswick Street or further crimes before steps were taken to improve security in the St Paul's Area. He hoped that the Council would take

into account what had been said in the comments of this petition, why he had initiated it, and asked that it would continue to ensure and take steps to make Cheltenham a safer place to live in.

The Cabinet Member Development and Safety thanked Mr Bromfield for his petition on what was an important issue. He said the borough council took the issue of fighting crime seriously. The council worked closely with the police on CCTV and the level of financial commitment was illustrated in paragraph 3.2 of the report. This was not all focused on St Paul's but £50k was dedicated to CCTV in the town centre. He reported that the police believed that CCTV was an effective deterrent to crime but did not believe St Paul's was a special case with crime statistics actually falling in that area. He believed that the "fear of crime" was as much of an impediment as crime itself. The council was currently in negotiations with the police about how CCTV coverage could be taken forward.

The following points were made and then addressed by the Cabinet Member :

- Local crime statistics provided by the Police did not differentiate between those crimes which had been solved due to CCTV and those solved by other means
- It was noted that whilst there was CCTV on the Honeybourne Line, coverage could benefit from being extended northwards and potentially a bid could be made to the Local Sustainable Transport Fund as the aim would be to provide a safer walking and cycling route. The Line was often used as an approach and escape route for criminals.
- Some members believed that the need to protect civil liberties must be balanced with the need to deter criminals and solve crime and this should be taken account of when considering extending CCTV.
- Members recognised that while the evidence was "ambiguous" on exactly how many crimes have been solved primarily because of CCTV the petition had illustrated the significant public concern. Without doubt CCTV played an enormous part in the detection of crime.
- Timescale for review-the Cabinet Member reminded Members that as the Police were relocating to Waterwells this was ongoing. He explained that CCTV was currently monitored from Lansdown Road whilst the Borough Council maintained the CCTV cameras
- S106 monies from the sale of Midwinter allotments may be available to fund capital costs for CCTV

RESOLVED

- 1. That the request for additional CCTV in the St Paul's area be noted**
- 2. That this request be considered as part of the overall review of current CCTV provision within the Borough.**

9. SECTION 151 OFFICER INTERIM ARRANGEMENTS

The Cabinet Member Finance introduced the report and explained that this was in response to a request from the Director Resources to release capacity in order to deliver on key corporate projects such as the Accommodation Strategy, Vision 2020 partnership and the Asset Management Plan. In the interim it was proposed that the role of S151 Officer be taken up by the Deputy Section 151 Officer via a secondment for a period of 18 months. It was noted that the

Deputy Section 151 Officer held the position of S151 Officer at Forest of Dean District Council.

When asked what the financial implications were for these interim arrangements, the Cabinet Member reported that GO Shared Services have costed the implications of the proposal at £30k per annum. This was due to the reallocation of responsibilities within the Finance team. This cost could be met from the Transformation Challenge Award (TCA) paid to the 2020 vision partners.

In response to a question the Cabinet Member Finance clarified that the S151 officer was a member of the Senior Management Team and the Executive Board and the existing Director would continue to attend them.

RESOLVED

That the Deputy Section 151 Officer be designated, in an interim seconded capacity for 18 months, to the role of Section 151 Officer until further notice.

10. ACCOMMODATION STRATEGY

This item had been withdrawn from the agenda.

11. NOTICES OF MOTION

None received.

12. TO RECEIVE PETITIONS

None received.

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

None.

Duncan Smith
Chair

**Cheltenham Borough Council
Council**

20 July 2015

Restructure of Environmental and Regulatory Services Division

Accountable member	Appointments and Remuneration Committee/Lead Cabinet member Cllr. Andrew McKinlay
Accountable officer	Andrew North, Chief Executive/Head of Paid Service
Ward(s) affected	None specifically
Significant Decision	Yes
Executive summary	<p>The REST project envisaged that a restructuring of the Environmental and Regulatory Services Division would be necessary. Many elements of the restructuring are within the authority delegated to the Chief Executive (as Head of the Paid Service), but where director level posts are affected by any proposed changes the authority to approve these rests with the Appointments and Remuneration Committee.</p> <p>The Committee has now endorsed the Chief Executive's proposals for a new divisional structure as set out in this report and Council approval is now requested to approve the structure proposals and agree their financing in view of the fact that the intended structure is initially more expensive than the current one. However, the intention is that any additional cost in 2015/16 and 2016/17 will be funded from other budgets and in subsequent years the aim will be to recoup any additional costs by organisational changes elsewhere in the division as a Phase 2 restructure.</p> <p>This proposal is therefore for one-off investment over two financial years with no overall increase in ongoing revenue costs; the objective being to create senior capacity to achieve better, more focussed and more efficient services in the longer term.</p> <p>This report is intended as a formal report to Council under s4 of the Local Government and Housing Act 1989.</p>
Recommendations	<ol style="list-style-type: none"> 1. To consider the recommendation from Appointments and Remuneration Committee for the restructure of the Environmental and Regulatory Services Division as set out in this report 2. To approve the restructure and the financial implications arising as set out in this report 3. To request Budget Scrutiny Working Group to monitor the

staffing budget for the Division to ensure that cost savings achieved from the Phase 2 restructure are not at the expense of service outcomes, quality or effectiveness

- 4. To authorise the Chief Executive to make minor amendments to the structure prior to implementation.**

<p>Financial implications</p>	<p>As detailed in section 4 of the report.</p> <p>Contact officer: Nina Philippidis, Business Partner Accountant</p> <p>Email: nina.philippidis@cheltenham.gov.uk,</p> <p>Tel; 01242 26413</p>
<p>Legal implications</p>	<p>In preparing this report for Council the Chief Executive is exercising his power as Head of Paid Service under s4 Local Government and Housing Act 1989.</p> <p>The appointment to the director posts within this report falls within the remit of Appointments and Remuneration Committee. Prior to appointment of directors the appointer must consult with the Leader and Cabinet in accordance with the Employment Rules.</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk, Tel 01684 272012</p>
<p>HR implications (including learning and organisational development)</p>	<p>Taking a phased approach to a restructure is a tried and tested process which ensures that key senior managers are able to co-create the other phases to ensure that the final structure will work effectively,. However, due to the time it will take to recruit to these key roles there will be a significant period of potential uncertainty and worry for employees within the division. This recruitment should be done in a timely process while still ensuring the right candidate is selected through a wide search and robust recruitment process.</p> <p>It is not possible to be clear where future savings will come from, or how additional revenue would be raised without predetermining the outcome of the future restructure. It will be critical to the continued successful outcome delivery to support staff through this difficult period by excellent communications, leadership and appropriate learning and organisational development activities.</p> <p>The systems thinking work has prompted reviews in a number of the teams and this may lead to recommendations that there are changes to where teams sit in the structure. If there are clear business and operational reasons for moves within the division then the move should happen.but movement of teams out of the division should not be done until the new leadership structure is in place.</p> <p>Contact officer: Richard Hall, HR Business Partner richard.hall@cheltenham.gov.uk</p> <p>Tel; 01242 774972</p>

<p>Key risks</p>	<p>Any restructuring if not handled correctly can lead to loss of staff morale, service disruption and risk of legal challenge.</p> <p>Failure to properly address, as part of the restructuring, the needs of the service and its customers into the future can lead to underperformance and potentially service failure.</p> <p>The Senior Leadership of Environmental and Regulatory Services makes a key contribution to whole-council strategic leadership and any underperformance of the top team could thus potentially compromise the success of the council as a whole.</p>
<p>Corporate and community plan Implications</p>	<p>The performance of the Environmental and Regulatory Services Division and its Senior Leadership is fundamental to the effective delivery of the council's plans.</p>
<p>Environmental and climate change implications</p>	<p>The Environmental and Regulatory Services Division makes a key contribution to the council's effort in these areas and the attitude and performance of the Senior Leadership will be critical to success.</p>
<p>Property/Asset Implications</p>	<p>None</p>

1. Background

- 1.1 In April 2014 the Cabinet endorsed a programme to transform those services which are now part of the Environmental and Regulatory Services Division which is based on the following vision: -

Programme vision

The Environmental and Regulatory Services Division will be:

- *More customer focused – delivering services in a more convenient manner for the customer*
- *More supportive of economic growth*
- *More efficient - with joined up services provided at optimal cost*

- 1.2 The REST (Regulatory and Environmental Services Transformation) programme is based on continued direct council provision of services commissioned against clear outcomes with customer focus, efficiency and effectiveness of service delivery and financial savings achieved through a systems thinking approach. So far the programme has identified £155k in savings and substantial additional savings are anticipated as the systems thinking work progresses.
- 1.3 The other key influence on the proposals in this report is the urgent need to create senior level capacity to improve Cheltenham's economic performance in the light of the proposals in the Athey Consulting report. This report, titled "Developing Cheltenham as a Business Location", was commissioned to support development of a Cheltenham Economic Strategy and made a number of high level recommendations for action emphasising the need for collaboration with, for example, GFirst LEP, the Cheltenham Development Task Force, government agencies and local businesses. There is currently no dedicated capacity in the council to pick up these recommendations and this need must be addressed.
- 1.4 Government policy for the last 5 years, expected to continue for the foreseeable future, has been to promote economic growth and reward local authorities who are successful in this objective through the business rates retention scheme and via New Homes Bonus. As Revenue Support Grant is progressively reduced these sources of revenue become vital to the council's future. The current debate about devolution of powers from government to local areas is also in the main about giving local government power to shape the local economy according to the opportunities that exist. It would be short-sighted in the extreme not to invest properly, and at the right organisational level, in driving this growth agenda.
- 1.5 REST is crucial to shaping the council response to the need for economic growth in that it embraces the land use and infrastructure planning functions which are crucial to unlocking growth potential by facilitating the growth in existing business - on existing sites or through relocation - and by providing attractive site options for new business. To maximise the impact and effectiveness of council support to the local economy whilst protecting those aspects of the town that make it so attractive to live and work here, the council needs to provide 'joined up' services which support business customers rather than presenting the obstacle course which is often experienced. This needs a unified and properly resourced senior management structure for our remaining directly delivered front line services.

2. Divisional Restructuring Progress

- 2.1 There is general acceptance that there are inadequacies in the current structure with an unmanageable burden being placed on the current director. Radical change is needed not least owing to the extended economic development objectives mentioned above. An informal consultation has taken place with senior officers in the Division, and a service manager workshop

was held on 17 February 2015 to help validate and further define initial ideas proposed by our consultants on the project, ICE Creates. Informal consultation then took place with the entire division on the draft structure that emerged from the initial work.

2.2 Formal consultation commenced on the 9th April and concluded on 8th May 2015, seeking the view from the current director and trade unions on the proposed triumvirate structure. After considering the feedback, a final structure has been proposed and communicated to the Environmental and Regulatory division which will be complementary to the systems thinking work and will help drive innovation and customer focus.

2.3 At an Appointments and Remuneration Committee on the 9 March 2015 it was resolved that:

2.3.1 It be confirmed that the post of Director of the service be 'in-scope' for the restructuring

2.3.2 That the three new roles be appointed together, with the managing director post being advertised externally, subject to HR advice as to suitable alternative employment options for the 'at risk' employee. It is anticipated that the affected staff member will be ring fenced for the director roles.

2.3.3 That the Committee consider the job descriptions for the three posts when they are available

2.4 Then at its following meeting on 9 June 2015 it resolved to:

2.4.1 Recommend to Council approval of the structure as presented to the committee.

2.4.2 Allow the Chief Executive to make minor amendments to the structure prior to implementation.

2.4.3 Confirm agreement to job descriptions

2.4.4 Confirm that the current director be appointed to the new role of Director – Environment

2.4.5 Form a sub-committee to recruit internally to the Director – Planning post on a temporary (12 month) appointment

2.4.6 Seek an external recruitment agency to assist with the search for candidates for the Managing Director role to compete alongside any internal candidates and to use the same sub-committee in the recruitment.

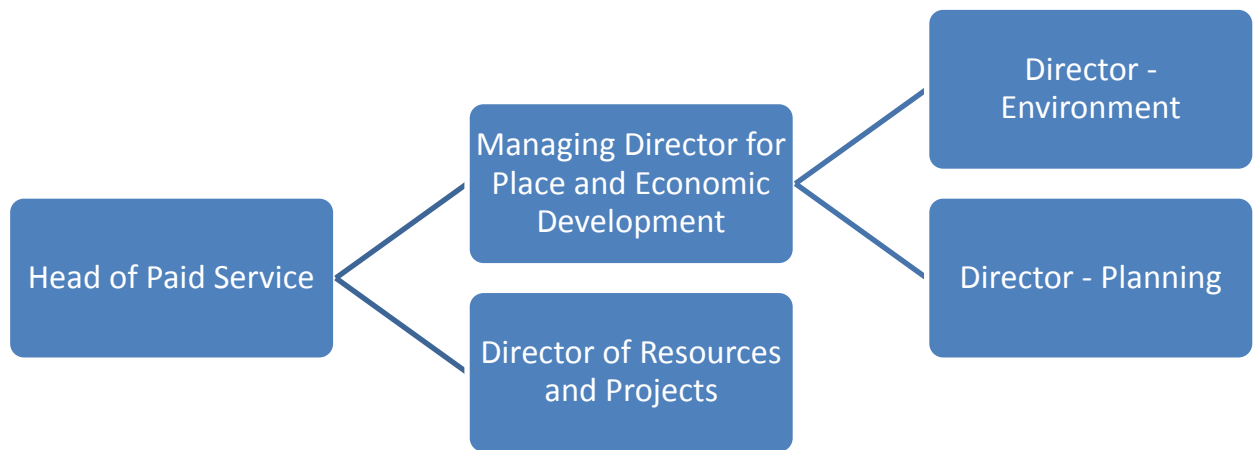
2.5 The sub-committee consists of Cllrs Flynn, (Rowena) Hay, Mason and McKinlay.

2.6 Progress has since been made on the restructure and the current proposal is reflected in the structure diagram at Appendix 2. Job descriptions for the three senior roles are attached for information as Appendix 3.

3. The Impact of the 2020 Vision Programme

3.1 It would be incomplete if this proposal for structural change didn't recognise the potential impact of 2020 Vision on Council senior officer structures even though there is no final commitment to embark on such changes and (as yet) no business plan to justify those elements which might affect Cheltenham's senior management.

- 3.2 With this important proviso, current 2020 Vision work concentrates on a senior structure which, if implemented, would involve a Partnership Chief Executive, a dedicated and directly employed Cheltenham Head of Paid Service, a Director of Resources and Projects concentrating on key projects and whatever senior officers the Council now approves for Environmental and Regulatory Services.
- 3.3 However, the services to be directly managed by this thinner structure (outside of Environmental and Regulatory Services) would, under 2020 Vision, potentially be considerably fewer; the time of the Head of Paid Service and Director of Resources and Projects would be concentrated not on direct management but on clienting existing commissioned services (Ubico, CBH, the Cheltenham Trust, Gloucestershire Airport for example) as well as the commissioning of and possible transition to greater sharing with 2020 Vision partners. Major Cheltenham projects such as the Accommodation Strategy and supporting elected member structures and initiatives would also need to be covered.
- 3.4 The consequence is that whilst Environmental and Regulatory Services senior management should be seen as contributing to whole council objectives and initiatives, in operational service management terms the services covered by the REST project would need to be relatively self-contained. Thus whether or not 2020 Vision is implemented in Cheltenham this will not affect the need for Environment and Regulatory Services restructuring or materially alter the proposals for the new structure as set out in this report.
- 3.5 Should the Council approve the recommendations in this report **and** also approve the 2020 Vision proposal, the senior officer structure could potentially look, diagrammatically, as follows:



4. Financing the new structure

- 4.1 The cost arising from the structure will (for a full year) be in the region of £157,500. The intention is for the final structure to be cost neutral and therefore equivalent levels of savings will be delivered from a combination of Phase 2 restructuring, and (hopefully) commercial growth across the Environmental and Regulatory Services division.

- 4.2 The Managing Director will be tasked with delivering these savings; however it is recognised that the Managing Director will need sufficient time to undertake this process effectively. It is therefore prudent to plan on the basis that the savings will be wholly delivered by 1st April 2017, at the latest. This allows the Managing Director 12-15 months in post to ensure the saving is delivered in line with the service outcomes and that the Phase 2 restructuring is not rushed.
- 4.3 The proposed structure requires the senior management posts to be in place to shape the service prior to the delivery of the savings. There will therefore be an upfront cost to the structure which will have to be funded on a one-off basis. Costs of the recruitment process, the backfilling arrangements arising from the internal recruitment to the Director – Planning role, and pay protection also require funding.
- 4.4 In 2015/16, these one-off costs will be met from income arising from the council allowing new partners to join Ubico Ltd. The council received £68,000 from the 3 joining partners, and this will provide the cost envelope for covering the costs arising from the restructure in the current financial year.
- 4.5 Based on a projection at 22nd June 2015, New Homes Bonus is likely to deliver additional one-off funding in 2016/17 which will be sufficient to cover the one-off costs arising in that year. In approving the structure, it is recognised that New Homes Bonus will be used to cover one-off costs which will be capped at £157,500 (but hopefully should be lower if the savings are delivered sooner than 1st April 2017, thus mitigating the draw on New Homes Bonus in 2016/17).

5. The Scale of the Phase 2 Restructure

- 5.1 One aim of Phase 2 will, as described, be to make savings from the staffing budget without impacting adversely on service outcomes or delivery, but clearly this will need to be done without compromising other REST aims such as customer focus and efficient joined-up service delivery. Whilst Phase 2 has not yet commenced, to reassure Council that Phase 2 could realistically deliver the required scale of savings it may be helpful to explain that the current director of the service has 9 service managers directly reporting to him. To deliver the annual saving required a reduction in direct reports could be sought of between 2½ and 3 of these posts. Thus 6 service managers could still be retained for the division, possibly split by deploying 3 service manager posts under each of the new Directors.
- 5.2 If this was the approach for phase 2 restructuring it could result in one-off costs to the council to the extent that posts are deleted from the structure. This cost would range between £41k and £215k dependent upon the posts concerned. Depending on final value, these costs will be funded from the pensions reserve and / or general balances.
- 5.3 It is important to say that none of this suggests a predetermined solution to the Phase 2 restructure as the intention is that this second phase will be led by the new Managing Director, when in post, and may well involve a more holistic view of the division perhaps introducing flatter structures and taking the opportunity to push more capacity into front line delivery. It may well be that additional income generation could mitigate the need for reductions in staff numbers. The point here is merely to give reassurance that the savings can be achieved without undermining service quality elsewhere in the division.

6. Recommendations

- 6.1 For Council to consider the restructure proposals and financial implications of the restructuring and (if felt appropriate) to endorse the decisions made by the Appointments and Remuneration Committee as set out above.

7. Reasons for recommendations

- 7.1 A new structure is required for Environment and Regulatory Services Division to facilitate the achievement of the objectives of the REST project
- 7.2 The appointment of the current director as the new Director – Environment has ensured that his knowledge and skills are retained and that there is some continuity for the division at this unsettling time.
- 7.3 The temporary appointment for 12 months of a Director – Planning will provide necessary senior leadership capacity to ensure the continued successful delivery of services and projects in the Service
- 7.4 Recruiting externally as well as internally to the crucial new post of Managing Director – Place and Economic Development – with the help of consultants – should facilitate the widest choice of candidates fit to lead our remaining customer facing, directly provided services as well as substantially raising the council's contribution to Economic Development in Cheltenham.
- 7.5 Although the cost of the new director level structure will be markedly higher than the structure it replaces this additional cost will be contained as described in Section 4 of this report.

8. Alternative options considered

- 8.1 Originally it was felt that the Director post should be out-of-scope for the restructure but this would have limited the emerging options for the new structure and would fail to address a capacity shortfall.
- 8.2 The option of splitting the division into two, and having just 2 directors instead of 2 directors with the overarching MD post was considered but this would not support the REST Project vision of a more joined up, commercial and customer focused service.

9. Consultation and feedback

- 9.1 There has been informal consultation with senior managers in Environmental and Regulatory Services Division including a workshop on 17 February 2015. Formal consultation with in scope employee and trade unions took place 9 April 2015 until the 8 May 2015. The Appointments and Remuneration Committee have considered the structure on two occasions as described above.
- 9.2 Discussion took place with the REST member working group on 18 February 2015, 13 May and 24 June 2015.
- 9.3 The Leader of the Council, the Cabinet member for Development and Safety, Political Group Leaders and the trade unions have been briefed on the emerging ideas about structure of the Division.
- 9.4 The Budget Scrutiny Working Group has considered the financial implications of this proposed restructuring at its meeting on 7 July 2015 and raised points which have been addressed in this final version of the report.

10. Performance management – monitoring and review

- 10.1 This report principally deals with the financial implications of the proposed new structure, much of the other detail having been agreed by Appointments and Remuneration Committee. It will be important that officers (including the new Managing Director when appointed) ensure that Phase 2 of the restructure delivers sufficient savings to counterbalance the additional costs detailed in this report. It is therefore recommended above that Budget Scrutiny Working Group monitor the

Page 21

staffing budget for the Division to ensure that cost savings achieved from the Phase 2 restructure are not at the expense of service outcomes, quality or effectiveness

- 10.2** A divisional outcomes framework, with clear targets, has been agreed as part of the REST project. Further individual targets will need to be agreed with the directors as part of the appraisal process as they take up their posts.

Report author	Contact officer; Chief Executive Email; Andrew North@cheltenham.gov.uk, Tel; 01242 2644100
Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Structure Chart for Environmental and Regulatory Services Division3. Job Descriptions-Senior Posts
Background information	<ol style="list-style-type: none">1. Athey Consulting Report

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 any restructuring (including Phase 2) is not handled correctly then it can lead to loss of staff morale, service disruption and risk of legal challenge.	Chief Executive	19/02/2015	3	2	6	Reduce	Follow due process including appropriate staff and member engagement	31/07/2016	Chief Executive	
	If there is a failure to properly address, as part of the restructuring, the needs of the service and its customers into the future then it can lead to underperformance and potentially service failure.	Chief Executive	19/02/2015	3	2	4	Reduce	CEO to implement the decision of the Appointment and Remuneration Committee and full Council and to conduct the Phase 2 restructuring in conjunction with Lead officers, GOSS HR and the project team	31/07/2016	Chief Executive	
	If Phase 2 fails to deliver savings at least equivalent to the additional costs of the director level restructuring the financial targets for the project will be missed.	Chief Executive	20/07/2015	3	2	6	Reduce	The MD will be recruited with an explicit expectation that s/he will deliver the required savings from Phase 2 and it is proposed that progress will be monitored by the	31/3/2017	Chief Executive until the MD – Place and Economic Development is in post.	

								Budget Scrutiny Working Group			

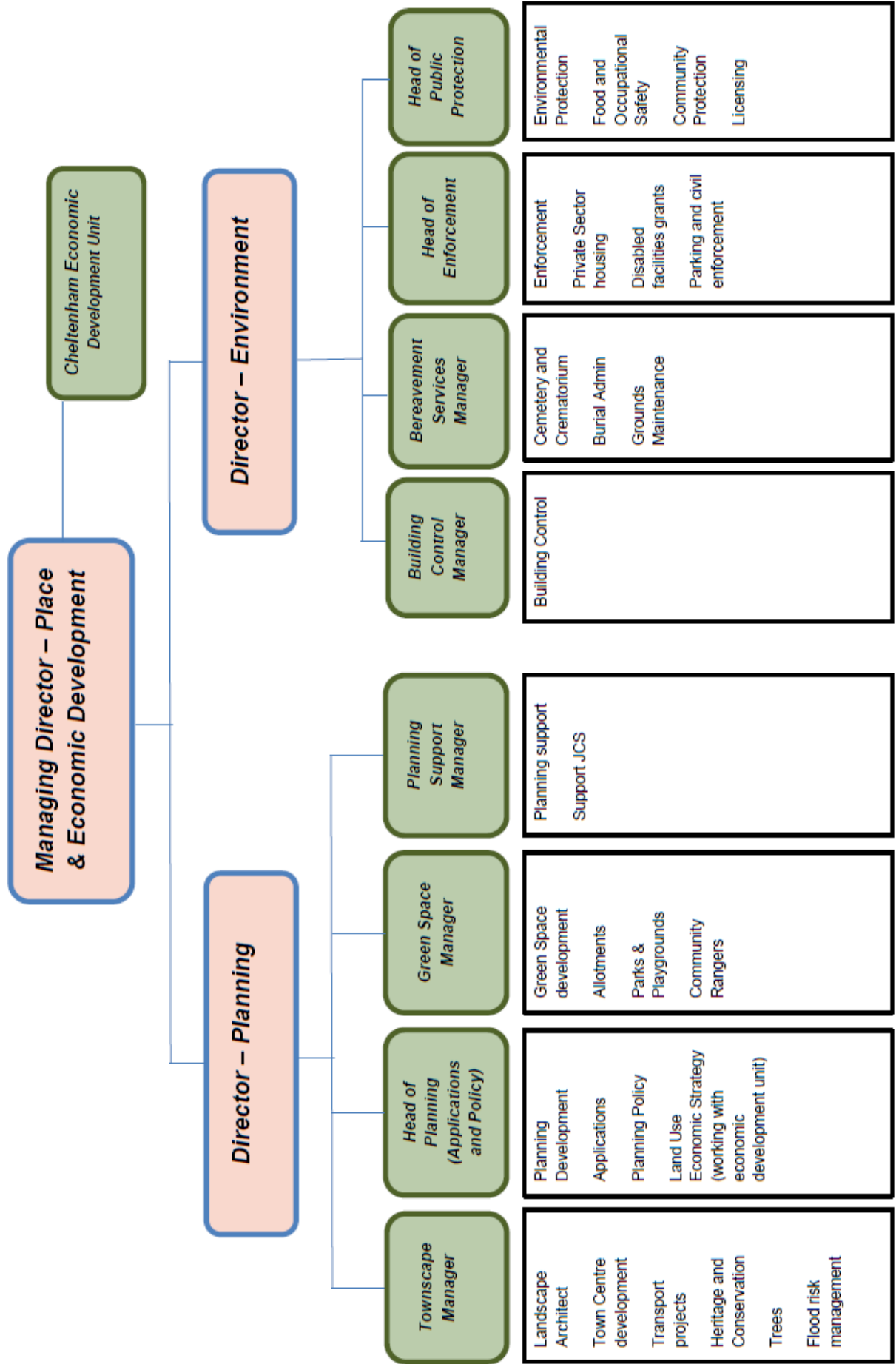
Explanatory notes

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)

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)

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

This page is intentionally left blank



This page is intentionally left blank

Appendix 3

Job Description

Job Title: Managing Director – Place and Economic Development

Reporting to: Chief Executive of Cheltenham Borough Council

Direct reports: Director – Planning / Director – Environment

Job Purpose

To be responsible for the effective leadership and performance of Place and Economic Development services, providing strategic direction to the division and ensuring alignment with Cheltenham Borough Council's overall objectives as set out in its Corporate Strategy and other relevant policies and plans.

To participate in the strategic management of the council as a whole.

Key accountabilities

- To oversee plans and identify and agree business strategies and targets to provide a comprehensive range of professional services to external and internal clients.
- To promote a commercial approach within the division founded on excellent service but with a strong awareness of cost and income generation opportunities and issues
- To take overall responsibility for the implementation of relevant policies and strategies to agreed performance standards, within budgets and to agreed timescales across all areas of the division.
- Work with the Director – Planning to identify spatial opportunities for growth and profitability and when appropriate oversee development of robust business cases to facilitate economic growth.
- To identify through economic assessment the key strategic and sector issues affecting Cheltenham's economic performance and promote approaches to improve prosperity, including analysis of gaps and opportunities and the delivery of solutions.
- Identify skills needs within the Cheltenham and wider Gloucestershire workforce and, with others, ensure that where possible the need for appropriate skills development is supported through analysis, advocacy and appropriate commissioning.
- To lead the team proactively and work with elected members to deliver continuous development, improvement and the long term commercial success of the Council, through effective leadership, strategic direction, division planning, management and governance.

- To work with the Place & Economic Development divisional board and its Directors to identify and promote creative and innovative solutions ensuring services meet the needs of a diverse community and are accessible to all users.
- To ensure co-ordination of the activities of the two directorates in the division to achieve seamless and complimentary approaches, transactions and services between the two directorates.
- To use systems thinking techniques, financial planning and sound management to ensure delivery of the divisional service plans in the most cost effective, efficient manner possible.
- To develop and maintain knowledge, positive relations and partnerships both internally and externally whilst identifying and pursuing new opportunities in line with the Council's objectives.
- To contribute, as a member of the Executive Board to the strategic management of the council and to be accountable for performance against divisional plan and targets, assessing trends and making recommendations as appropriate.
- Lead, inspire and manage all direct reports, to maximise their performance and potential within the council's policies and procedures.

Other accountabilities

- Responsible for the delivery of effective structures, policies, processes and practices and robust management of finance, contracts, business development and stakeholder relationships to improve performance and provide a sustainable future for the business.
- Recruit, select, manage and develop divisional board members to ensure effective delivery across all functions.
- Build commitment to a shared vision, ethos and organisational values and develop a commercial, customer focused, high performing culture that fosters innovation and improvement.
- Manage and control expenditure within agreed budgets, balancing customer demands and deployment of resources as well as generating income where feasible.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Lead the development, monitoring and evaluation of a customer focused operational strategy, plans and performance targets.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Develop and manage arrangements to support the Business Improvement District (BID) process, including promoting commercial costing and pricing models.

- Develop and manage robust arrangements to handle disputes and reputational issues.
- Champion continuous improvement throughout the division to ensure excellent value for money services.
- Manage governance and risk through a robust framework including regular monitoring and reports to the executive board.
- Ensure that all activities meet legal requirements including the general duty of care, quality management standards and environmental policies.
- Contribute to emergency and business continuity planning, either responding to incidents as required or supporting the effective deployment of staffing or other resources for business continuity / emergency planning scenarios.
- Such other responsibilities as the Chief Executive, as line manager, should from time to time reasonably direct

Job Description

Job Title: Director - Planning

Reporting to: Managing Director – Place and Economic Development

Direct reports : Green Space Manager, Townscape Manager, Head of Planning, Planning Support Manager

Job Purpose

Lead Cheltenham Borough Council's strategic approach to "place shaping" through spatial plans and facilitating investment by the public and private and community sectors in economic, social and environmental enterprise and development which improves the Borough.

Key Accountabilities

- Lead on the development of spatial and other strategies which connect the public, private and community sectors to ensure that Cheltenham's environmental quality and heritage is protected, maintained and enhanced.
- Promote, encourage and support the commissioning of infrastructure which will contribute to enhancing the prosperity of Cheltenham leading bids for external funding, maximising contributions available from development.
- Establish and maintain strong and constructive dialogue and influence with strategic bodies which have impact upon Cheltenham as a place.
- Ensure that the built and green environment of the borough is enhanced through the work of the directorate.
- Work within allocated budgets to enhance the contribution from the directorate's services to supporting the town from an economic, social and environmental perspective
- Be accountable for the results and performance improvement of the directorate providing clear evidence for decision making.
- To contribute to the strategic management of the council to the extent that the Managing Director – Place & Economic Development or the Chief Executive of the council shall require.
- Lead, inspire and motivate all direct reports to ensure effective delivery of corporate plans and objectives.

Other Accountabilities

- Provide strategic and operational leadership to build a successful directorate management team, strong performance culture and motivated and engaged employees within the directorate and the wider division.
- Working with the managing director and the Director – Environment to deliver agreed divisional strategy, plans and targets.
- Planning, scheduling and reviewing workloads to ensure outputs & outcomes are delivered within budgets and agreed timescales.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Ensure non value added activity is reduced in all processes by using system thinking tools and techniques.
- Recruit, develop and retain people with the skills, competence and attitude to deliver services in accordance with procedure and law ensuring that the appropriate systems and processes are in place to measure, manage and develop staff.
- To develop and ensure a culture across the division which puts the customer at the heart of our business through the provision of a high quality customer focused service.
- Drive continuous and sustained performance improvement.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Identify sources of income for the Division / Council and highlight opportunities to the Managing Director – Place & Economic Development
- Manage governance and risk through a robust framework including regular monitoring and reports to the managing director and executive board.
- Ensure that all activities meet legal requirements including the general duty of care, quality management standards and environmental policies.
- Involved in emergency planning, either responding to incidents as required or supporting the effective planning for business continuity / emergency planning scenarios.
- Any other reasonable request from the Managing Director – Place and Economic Development or the council's Chief Executive

Job Description

Job Title: Director - Environment

Reporting to: Managing Director – Place and Economic Development

Direct reports: Building Control Manager, Bereavement Services Manager, Head of Enforcement and Head of Public Protection.

Job Purpose

Take lead responsibility for delivering the regulatory and protective services of the Place Division to ensure that people in Cheltenham are safe and have access to a range of high quality and responsive services

Key Accountabilities

- Lead on the development of the operational strategy for Environment Directorate ensuring that the outcomes and objectives agreed by the council are linked to service provision and assist and support the effective achievement of Cheltenham Borough Council statutory and other responsibilities.
- Oversee the management of the day-to-day operational functions ensuring that performance standards and targets are achieved.
- Promote and drive the ongoing development, improvement and efficiency of divisional functions.
- Responsible (along with divisional and corporate colleagues) for contributing towards the achievement of the council's strategic and operational targets and overall business aims.
- Accountable for the results and performance improvement of the directorate, promoting transparency of performance data and providing clear evidence for decision making.
- To contribute to the strategic management of the council to the extent that the Managing Director – Place & Economic Development or the Chief Executive of the council shall require.
- Lead, inspire and motivate all direct reports to ensure effective delivery of corporate plans and objectives.

Other Accountabilities

- Provide strategic and operational leadership to build a successful directorate management team, strong performance culture and motivated and engaged employees within the directorate and the wider division.
- Working with the Managing Director and the Director - Planning to deliver agreed divisional strategy, plans and targets.
- Planning, scheduling and reviewing workloads to ensure outputs & outcomes are delivered within budgets and agreed timescales.
- Ensure non value added activity is reduced in all processes by using system thinking tools and techniques.
- Recruit, develop and retain people with the skills, competence and attitude to deliver services in accordance with procedure and law ensuring that the appropriate systems and processes are in place to measure, manage and develop staff.
- To develop and ensure a culture across the division which puts the customer at the heart of our business through the provision of a high quality customer focused service.
- Drive continuous and sustained performance improvement.
- Manage the council brand and the division's reputation across key stakeholders, partner organisations, clients and potential clients and the target market, ensuring that effective relationships are developed and sustained.
- Identify sources of income for the Division / Council and highlight opportunities to the Managing Director – Place and Economic Development.
- Manage governance and risk through a robust framework including regular monitoring and reports to the managing director and executive board.
- Ensure that all activities meet legal requirements including the general duty of care, quality management standards and environmental policies.
- To negotiate and manage the budget in accordance with the Council's Standing Orders and Financial Regulations, obtaining value for money and maximise income where applicable.
- Involved in emergency planning, either responding to incidents as required or supporting the effective planning for business continuity / emergency planning scenarios.
- Any other reasonable request from the Managing Director – Place and Economic Development or the council's Chief Executive

This page is intentionally left blank

Cheltenham Borough Council

Cabinet – 14th July 2015

Council – 20th July 2015

Financial outturn 2014/15 and budget monitoring to June 2015

Accountable member	Councillor John Rawson, Cabinet Member for Finance
Accountable officer	Paul Jones, Section 151 Officer
Accountable scrutiny committee	All
Ward(s) affected	All
Key Decision	No
Executive summary	<p>In accordance with financial rule A11.3, the Section 151 Officer is responsible for providing regular reports to the Cabinet on the Council's finances and financial performance. This report highlights the Council's financial performance for the previous year which sets out the General Fund and Housing Revenue Account (HRA) revenue and capital outturn position for 2014/15. The information contained within this report has been used to prepare the Council's Statement of Accounts for 2014/15.</p> <p>Financial rule B10.1 states that carry forward of planned underspend of revenue budgets into the following financial year will only be allowed with the agreement of the Section 151 Officer, in order to meet the needs of approved service delivery. Financial rule B10.3 states that all other carry forward requests, including budget underspends that have been carried forward in previous financial years, will be subject to full Council approval at the financial outturn meeting held after the year end.</p> <p>The Council's Treasury Management Policy requires the Section 151 Officer to report to members annually, by the 30th September, on the treasury management activities and prudential indicators for the previous financial year. This report also seeks to meet this requirement.</p>
Recommendations	<p>We therefore recommend that Cabinet approve the following recommendations to Council:</p> <ol style="list-style-type: none"> 1. That Council receives the financial outturn performance position for the General Fund, summarised at Appendix 2, and notes that services have been delivered within the revised budget for 2014/15 resulting in a saving (after carry forward requests) of £9,021 which will be returned to general balances. <p style="padding-left: 40px;">That furthermore Council:</p> <ol style="list-style-type: none"> 2. Approves £380,700 of carry forward requests (requiring member approval) at Appendix 5. 3. Notes the annual treasury management report at Appendix 7 and approve the actual 2014/15 prudential and treasury indicators. 4. Approves the additional ICT requirements (section 6) to be

funded from capital resources unapplied.

5. Approves the additional capital programme in respect of affordable housing (section 7).
6. Notes the capital programme outturn position as detailed in Appendix 8 and approve the carry forward of unspent budgets into 2015/16 (section 8).
7. Notes the position in respect of Section 106 agreements and partnership funding agreements at Appendix 9 (section 10).
8. Notes the outturn position in respect of collection rates for council tax and non-domestic rates for 2014/15 in Appendix 10 (section 11).
9. Notes the outturn position in respect of collection rates for sundry debts for 2014/15 in Appendix 11 (section 12).
10. Receives the financial outturn performance position for the Housing Revenue Account for 2014/15 in Appendices 12 to 13 and approves the carry forward of unspent budgets into 2015/16 (section 13).
11. Agrees to guarantee any shortfall in the funding of the Gloucestershire leg of the Tour of Britain up to a value of £75,000, to be funded from General Balances as outlined in section 14.
12. Notes the budget monitoring position to the end of June 2015 (section 15) and approves the budget virement of £65,000.

Financial implications	As detailed throughout this report. Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154
Legal implications	None directly arising from the report recommendations. Contact officer: Peter Lewis, Peter.Lewis@teWKesbury.gov.uk, 01684 272012
HR implications (including learning and organisational development)	Employee capacity must be kept under review to ensure that any additional work is adequately resourced. Contact officer: Julie McCarthy, Julie.mccarthy@cheltenham.gov.uk, 01242 264355
Key risks	As outlined in Appendix 1.
Corporate and community plan Implications	Key elements of the budget are aimed at delivering the corporate objectives in the Corporate Business Plan.

Environmental and climate change implications	None.
--	-------

1. Background

- 1.1 This report draws together the financial outturn position for 2014/15 for the General Fund and Housing Revenue Account (HRA) revenue and capital budgets, details reserve movements, summarises requests for carry forward of budgets approved by the Section 151 Officer under delegated powers and those requiring member approval and makes recommendations in respect of the use of the budget saving.
- 1.2 In accordance with financial rule A11.3, the Section 151 Officer is responsible for providing regular reports to the Cabinet on the Council's finances and financial performance.
- 1.3 A summary of the actual General Fund outturn position by service is contained in Appendix 2.
- 1.4 A summary of the outturn position by cost centre within each service is contained in Appendix 3. Information is presented both in the format normally used in cabinet and council papers and also in Service Reporting Code of Practice (SeRCOP) format used in the preparation of the final accounts which requires under / overspends on support services cost centres to be charged to end user cost centres.

2. General Fund Revenue Outturn 2014/15

- 2.1 The budget monitoring report to the end of November 2014, considered by Cabinet on 13th January 2015, identified there may be a net overspend against the budget of £178,250. However the reported financial position of Ubico in the first half year indicated that there may be a contribution payable to the Council for 2014/15 of approximately £180,000. It was therefore anticipated that the overall position for the Council would be within budget for 2014/15.
- 2.2 It was at that stage anticipated that the general reserve would be replenished at the financial year end, upon confirmation of the Ubico outturn for 2014/15. Whilst it is pleasing to report that the contribution payable to the Council from Ubico exceeded the forecast amount (as detailed in Appendix 4) the adverse variance from business rates pooling (as detailed in section 5) has had a counter effect.
- 2.3 Despite this, it is pleasing to report that the Council has delivered services within the resources available, resulting in a budget saving, after carry forward requests, of £9,021 against the revised budget which will be returned to general balances.
- 2.4 A number of savings are the result of delays or slippage in carrying out particular tasks which are still necessary and will need to be completed in the 2015/16 financial year. Where this applies, requests for carry forwards are documented in Appendix 5 to this report.
- 2.5 A full explanation of all variances that exceed £50,000 is contained within Appendix 4.

3. Budget carry forward requests

- 3.1 At the year end, a number of budget holders requested 'carry forward' of unspent budgets. Requests fall into two categories and have been dealt with as follows:
- 3.2 Some requests are in respect of goods and services ordered but not received by 31st March 2015. Some relate to items of expenditure not yet incurred due to slippage in work programmes but still planned to be spent in line with the original intention of the budget. Others are amounts of grant

funding which have been allocated but not yet been taken up by their intended beneficiaries. In line with previous practice, these have been reviewed by the Senior Leadership Team (SLT) and approved by the Section 151 Officer, under delegated powers (financial rule B10.1). A list of the approved carry forward of budgets totalling £197,150, for which expenditure is in line with the original approved purpose, is contained in Appendix 5. In accordance with the Service Reporting Code of Practice (SeRCOP), a transfer was made to a 'carry forward' reserve in 2014/15 (Appendix 6) and transfers will be made from the 'carry forward' reserve in 2015/16 to the appropriate cost centres in order that members and officers have a clear indication of the total budget, including carry forwards, available for 2015/16.

- 3.3** Some requests have been made to carry forward an underspend to be used in a different way to that for which the budget was originally intended. Since this falls outside the budget set by Council in February 2014, their alternative use requires council approval (financial rule B10.3). The list contained in Appendix 5, totalling £380,700, has been reviewed and supported by the Senior Leadership Team and now requires council approval.

4. Treasury Management / Prudential Indicators

- 4.1** Treasury Management in Local Government is governed by the CIPFA Code of Practice on Treasury Management in the Public Services. This Council has adopted the code and complies with its requirements, one of which is the receipt by Cabinet and Council of an Annual Review Report after the financial year end.
- 4.2** The detailed treasury report, as approved by the Treasury Management Panel at its meeting on 8th June 2015, is attached at Appendix 7.
- 4.3** The prudential indicators have been monitored regularly and there were no material departures from the indicators arising during the year. The outturn indicators are reported to Cabinet and Council as part of the capital and treasury management outturn in accordance with the arrangements determined at the February 2014 council meeting.

5. Business Rates Retention Scheme (BRRS)

- 5.1** The Business Rates Retention Scheme was introduced on 1st April 2013. Under the Scheme, the Council retains some of the business rates raised locally. The business rates yield is divided - 50% locally and 50% to the Government. The Government's share is paid into a central pool and redirected to local government through other grants. Of the 50% local share, the district councils' share has been set at 80%, with the County Council's share being 20%. A tariff is applied to reduce the local share to a baseline funding level set by the Government. Where the value of retained business rates exceeds the baseline funding level, 50% of the surplus is paid over to the Government as a levy; the remaining 50% can be retained by the Council.
- 5.2** In order to maximise the value of business rates retained within Gloucestershire, the Council entered into the Gloucestershire Business Rates Pool in 2013/14. Being a part of the Pool has the benefit of reducing the levy from 50% to 19%. The aim of the pool is to maximise the business rate income retained within the County. At the end of 2013/14, the Pool generated a surplus of £774,862. This Council received a financial benefit of £114,273 from being part of the Gloucestershire Pool of which £61,449 was allocated to a 'pool' reserve. During 2014/15, two factors have impacted upon the Gloucestershire Pool:
- In Tewkesbury Borough Council, Virgin Media were successful in their appeal of their rateable value (RV) which saw a reduction **far** greater than had been anticipated by Tewkesbury BC or the Gloucestershire Pool;
 - The Government put a deadline for the receipt of appeals against the 2010 list of 31st March 2015 which consequently saw a significant number of appeals lodged in the last 2 weeks of the financial year. This is a national issue and many councils have had to increase their provisions for appeals by millions of pounds. In Gloucestershire the value of

the appeal provision increased by £2.5m (excluding Tewkesbury Borough Council provision) or £9.1m (including Tewkesbury Borough Council provision).

- 5.3** Overall, the Gloucestershire pool is reporting a deficit position of £2.336m in 2014/15. The pool deficit needs to be funded as part of the 2014/15 financial statements and this Council's contribution to the deficit is £284,955, net of the 'pool' reserve contribution.
- 5.4** This is clearly a very volatile and significant development and undoubtedly an unintended consequence of the Government's policy on Business Rates Retention. The LGA are fully aware of the situation and are including it in their submission to the Government on the spending review 2016/17. There is also a review of the Administration of Business Rates due to take place before the next spending review which will need to address the 'administrative' issue of the appeals. Whilst it is unlikely that the Government will be able to change baseline figures, it is hoped that some form of compensation for councils can be agreed.
- 5.5** One of the key documents in the budget setting process is the estimate of business rates yield which is reported in the National Non Domestic Rates return (NNDR1) which is submitted to the Department for Communities and Local Government (DCLG). The NNDR1 return was submitted DCLG by the deadline of 31st January 2014 and the budget was based on the figures within that return.
- 5.6** The table below reflects the actual performance against budget with an overall adverse variance of £197,098 when taking into account the pool deficit distribution.

	Budget	Actual	Variance
Redistributed Business Rates	(21,606,794)	(21,606,794)	-
Tariff	18,726,467	18,726,467	-
Share of 2013/14 Collection Fund Surplus	(166,506)	(166,506)	-
Retained Business Rates	(3,046,833)	(3,046,833)	-
Section 31 Grants	(636,925)	(672,622)	(35,697)
Levy paid over to Government	602,004	549,844	(52,160)
Retained Income	(3,081,754)	(3,169,611)	(87,857)
Pool Deficit distribution	-	284,955	284,955
Total	(3,081,754)	(2,884,656)	197,098

- 5.7** A significant level of risk remains due to the volume of outstanding business rates appeals which are being processed by the Valuation Office. As a consequence the Gloucestershire Chief Financial Officers have requested a technical working group be set up to evaluate the risks versus benefits of continuation in the Gloucestershire Pool, a decision of which will need to be made by October 2015.
- 5.8** Whilst this is a disappointing result for the pool, it must be recognised that it is still early days of BRRS and we need to evaluate the results over a longer period. It should also be noted that the baseline funding projection for this Council in 2014/15 was £2,530,595 which was exceeded by £354,061 despite having to make a contribution to the pool deficit.

6. ICT Strategy

- 6.1** As members will be aware, the Council set aside £1.3m to address the underfunding in ICT

infrastructure over very many years. The ICT shared service, supported by colleagues from Cotswold and West Oxfordshire, have made significant progress in delivering a challenging Infrastructure Upgrade Programme. This has resulted in major upgrade of the Council's core infrastructure including increasing the capacity and stability of the networks, rollout of new physical and virtual desktops, migration from unsupported servers, data storage improvement, virtualisation and improvements to disaster recovery arrangements. All of these improvements have helped to create a more stable ICT environment over the past 6 months.

- 6.2** However, further work has been identified which is required to ensure that the Council's ICT infrastructure is 'fit for purpose' and aligned with the other councils involved in the 2020 Programme. This includes establishing a disaster recovery environment for the 300 plus virtual desktop users, as without this reliance is placed entirely on the systems based at Coleford; continuing to roll out the new server and storage infrastructure to ensure the Council has better storage arrangements, processing performance and stability; replacement of the current disaster recovery infrastructure which is inadequate in term of data replication / recovery; development of a cluster of high speed servers to run the databases to support shared working arrangements and help reduce overall licensing costs; phase 2 of the network improvements to improve speed of link between all Council sites including the Municipal Offices; and the upgrading of video conferencing facilities to support staff working across partner sites.
- 6.3** The total additional expenditure required is £621k which can be partly funded from the unspent budgets in 2015/16 and budgets allocated to the programme for 2016/17 and 2017/18 (£140.2k) which are no longer needed, leaving a budget shortfall of £276k. To bridge this shortfall, it is recommended that the capital programme budgets for ICT Infrastructure 2016/17 and 2017/18, totalling £140,200, be brought forward to 2015/16, and a further budget allocation of £276k be approved to be funded from unapplied capital resources.
- 6.4** The clear benefit of making this investment is that it will complete the programme within the calendar year and help to deliver significant improvements in efficiency. The Council's core ICT infrastructure will be fit for purpose and this will open the way to developing and rationalising our business systems, working with our partner councils.
- 6.5** The additional funding request assumes that approved ICT capital budgets for Working Flexibly, the Virtual E-Mail appliance licence to connect all GO partners, and the ICT server room generator, totalling £54,600 are carried forward from 2014/15 and rolled into the ICT Infrastructure Strategy capital budget for 2015/16. These projects are no longer individually required and will be used to meet the overall aims and objectives of the ICT Infrastructure Strategy.

7. Affordable Housing

- 7.1** As a result of the HRA self-financing regulations, the Council now has the freedoms, flexibilities and the financial opportunity to build new affordable homes of our own. These freedoms mean that the Council can deliver new affordable housing without having to rely on the use of commuted sums from private developers (which are paid to the Council in lieu of affordable housing). This in turn means that the Council can use these commuted sums to deliver affordable housing where it would not otherwise be viable, thereby maximising the delivery of new affordable housing across the Borough.
- 7.2** The Council has received a commuted sum of £433,854 received from Berkeley Homes in lieu of the on-site provision of 5 one bedroom affordable rent flats, and a further commuted sum of £603,393 in lieu of the on-site provision of 3 one bedroom and 4 two bedroom shared ownership flats. These commuted sums have been paid to the Council pursuant to a section 106 agreement in respect of the 'Thirlestaine' site (see planning application: 12/00870/FUL) and were received by the Council in November 2014 and January 2015 respectively.
- 7.3** In addition to these, 2 further commuted sums totalling £510,980 have been secured and are likely to be due for payment in the current financial year.

7.4 These contributions must be used towards affordable housing and have consequently been incorporated into the capital programme from 2015/16 onwards as detailed in Appendix 8.

8. Capital Outturn 2014/15

8.1 The outturn position in respect of General Fund capital is contained in Appendix 8. Members are asked to note the outturn position and, where there is slippage, approve the carry forwards into 2015/16 requested by officers. Appendix 8 also incorporates the changes detailed in sections 6 and 7 above.

8.2 A full explanation of all variances that exceed £50,000 is contained within Appendix 4.

9. Reserves

9.1 The Section 151 Officer has, under delegated powers (financial rule B11.4), authority to make transfers to and from these operational reserves in accordance with the intention of the reserve as determined by the Council's Reserves Policy and Protocol. The transfers approved by the Section 151 Officer for 2014/15 are set out in the outturn performance position schedules at Appendix 2 and 3.

9.2 Appendix 6 also details the reserves held by the Council, states their purpose and indicates the balance at 31st March 2015. In setting the budget for 2015/16 a review of reserves was undertaken to assess whether the levels were appropriate and in line with the policy for reserves and balances; and also whether they took into account the needs and risks of the organisation and the prevailing economic conditions. At the year end this process has been repeated.

9.3 An assessment of the Council's other earmarked reserves has been made in line with the fiduciary duty of the Section 151 Officer at the year end. Accepting that there are still some areas of uncertainty, the level of reserves appears adequate at this point in time and no other changes are currently recommended.

9.4 At the year end, the General Fund Balance stands at £1.599m and therefore remains within the range of £1.5m to £2m recommended by the Section 151 Officer.

10. Section 106 receipts

10.1 A position statement in respect of the activity of Section 106 receipts is contained in Appendix 9.

10.2 The following summarises the activity in respect of Section 106 for 2014/15, compared to 2013/14.

	2013/2014	2014/2015
Balance of unused Section 106 receipts	544,203	573,321
Net additional receipts in year	92,522	1,289,083
Receipts used to finance projects in year	(63,404)	(60,720)
Balance outstanding at year end	573,321	1,801,684

11. Council tax and business rates collection

11.1 The monitoring report for the collection of council tax and business rates (NNDR) income is shown in Appendix 10. This shows the position at the end of March 2015.

12. Sundry debt collection

- 12.1 The monitoring report for the collection of sundry debt income is shown in Appendix 11. This shows the position at the end of March 2015.

13. Housing Revenue Account (HRA)

HRA income and expenditure

- 13.1 The revised forecast for the HRA, presented to Council in February 2015, anticipated a surplus for the year of £154,200 leaving a balance of £2,358,800 in general revenue reserves at 31st March 2015 (after transferring the sum of £2,000,000 into an earmarked reserve for the funding of new build).
- 13.2 The outturn statement at Appendix 12 shows a surplus for the year of £1,451,510, a net positive variance of £1,297,310, increasing revenue reserves to £3,656,110 at year end.
- 13.3 In summary net savings arising from day to day activity totalled £328,000 which has increased the level of available reserves. The balance of £969,000 resulted from delays in capital expenditure and the use of alternative sources of finance. As shown in paragraph 3 below a proportion of this sum (£304,000) will be required to fund projects carried forward to 2015/16 whilst the remainder (£665,000) is retained in reserves for future allocation.

The variance arose primarily from:-

Detail	£'000
Savings in estate management - grounds maintenance, gas & electricity costs	69
Reduced spend on repairs & maintenance arising from mild winter	195
Reduction in the need to provide for bad debts – no significant increase in arrears despite rent increase and reflects delay in implementation of welfare reform	27
Reduced requirement for revenue funding of capital expenditure – reduced capital spend and alternative funding sources	969
Additional income from supporting people grant and feed in tariffs from pv installations (earlier than anticipated receipt from new installations)	48
Lower recharges to leaseholders (some reclassified as contributions to capital expenditure)	(39)
Other net variances	28
Total Variance	1,297

Major Repairs Reserve (Appendix 13)

- 13.4** In accordance with regulations this reserve is funded by sums equivalent to the depreciation provision and can be used to finance HRA capital expenditure.

HRA Capital Programme (Appendix 13)

- 13.5** Appendix 13 shows actual spend of £6,974m compared to the revised forecast of £7.978m, an underspend of £1.004m. This variation arose primarily from the project delays shown below.

Area of Spend	Forecast	Actual	Variation	Reason for Variation
	£'000	£'000	£'000	
External Improvements	1,023	811	212	Delays arising from ongoing negotiations with leaseholders
PV Installations	2,259	1,949	310	Sheltered scheme at Barlow Rd waiting for National Grid permissions
Fire Protection	285	163	122	Contractor withdrawal
New Build	642	412	230	Final acquisition in Cakebridge Place completed in April 2015 and other preliminary expenses lower than expected in year

- 13.6** Having reviewed contract commitments and the proposed programme for the current year the amount of rolled forward funding to be earmarked for additional spend in 2015/16 is estimated at £534,000 (£304,000 in revenue reserves and £230,000 in usable capital receipts reserve).

14. Tour of Britain Cycle Race – September 2016

- 14.1** There is the potential for the Tour of Britain cycle race to come through Gloucestershire next year and, as is customary with this event, councils on the route are being asked to financially underwrite the costs of the event. Cheltenham's share of the guaranteed amount has been agreed at £75,000. If there is a funding shortfall, the Council would need to identify how this would be funded. Further consideration will be given to this in the 2016/17 budget. In the meantime, it is recommended that the Council agree to guarantee any shortfall in the funding of the Gloucestershire leg of the Tour of Britain up to a value of £75,000 from General Balances.
- 14.2** This will be a high profile event for the town – one of only 8 stages for an event that has grown significantly in recent years following recent Olympic and Tour de France successes. It is an opportunity to showcase Cheltenham and the Cotswolds to an international audience to attract visitors to Cheltenham for the Tour race itself, but also in subsequent years as a visitor/holiday destination. It is also likely to open doors to follow up events in future years by putting Cheltenham on the "Tour Circuit" and reinforces our reputation as an exciting Festival Town.
- 14.3** The event could make a major contribution to our health promotion agenda as part of a concerted effort to encourage more people to make journeys by bike instead of using cars thereby supporting efforts to reduce traffic and improve air quality within the town. It could also help to

inspire young people to participate and compete in cycling and other sports both through exposure to the Tour of Britain race itself, but also through associated community events (Festival of Cycling, promotion in schools, partnerships with cycling clubs).

- 14.4** The organisers have secured National Sponsors for the Tour in Aviva and Skoda, but in the event of a Gloucestershire bid being selected, we will be able to approach local sponsors regarding sponsorship for the Cheltenham Stage to offset any possible cost to the Council.

15. 2015/16 Revenue and Capital budget monitoring to June 2015

- 15.1** Due to the pressures of the year end process a detailed monitoring exercise has not been undertaken at this point in the year. However, two significant variances have been identified by service managers at this stage.

15.2 Joint Core Strategy

Each Council currently contributes £60,000 per annum to the Joint Core Strategy. In 2015/16, due to the extension of the public examination, substantial further work requests as well as the need for extended legal support indicates that the budget allocation will be £116,900 short and thus unable to cover all these costs. Specific costs include increased public examination costs, inspector, consultancy and contract staff costs, legal support, and work on the spatial strategy, green belt and strategic allocation. A request for £40,000 per council is therefore being made to support these additional costs in the current financial year.

Prior to this request, it was also identified in a Cabinet Report dated 14th April 2015 that a further £25,000 would be required to underwrite the set up costs of developing a Community Infrastructure Levy in 2015/16.

15.3 Energy Costs

In March 2015, the Council's energy contracts were re-let for a period of 12 months taking the supply to 30th April 2016. The prices achieved resulted in in-year savings of £70,500, mostly from a reduction in the gas cost per kWh, with a saving to the General Fund of c. £65,000. The Council's current energy procurement advisors have indicated that although gas prices are likely to remain stable over the next 12-24 months, it is more than likely that when the Council next has to tender electricity prices will increase significantly. The reason is that pass through charges resulting from government levies will start to affect prices from April 2016.

In order to allow for possible future price increases, the current year's saving is being treated as a one-off budget saving leaving the base budget in place.

- 15.4** As required by the Council's financial rules, Cabinet are recommended to approve the virement of the General Fund budget saving of £65,000 from the energy contract renewal to cover the increased costs of the JCS in 2015/16.

16. Section 151 Officer advice

- 16.1** The Government expects councils to make a significant contribution to reducing the national budget deficit and the Council will continue to face unprecedented public sector funding cuts over the next few years. Future budgets are likely to contain some difficult decisions and may require some sources of 'one off' finance to enable savings to be delivered through efficiency savings and cost / staffing reductions. In this situation, any opportunity to fund future investment requirements from one-off sources rather than impacting on future year's budgets should be taken.

- 16.2** The Local Government Association has said that any reforms to business rates must change the process for appeals against property valuations in order to protect councils from "speculative" reviews. In its submission to the Treasury's business rates review, the umbrella group of local authorities said that the current regime, whereby councils had to meet any refunds following

successful appeals, undermines local services. It exposes councils to financial risk even though the property valuations themselves were undertaken by the independent Valuation Office Agency.

- 16.3 Given the volatility in forecasting business rates growth against speculative appeals, Gloucestershire Chief Financial Officers have requested a technical working group be set up to evaluate the risks versus benefits of continuation in the Gloucestershire Business Rates Pool, a decision of which will need to be made by October 2015.
- 16.4 In agreeing the recommendations in this report, members need to be mindful of the prevailing challenging financial climate and in view of the budget pressures already potentially facing the Council in the current year to ensure that any carry forwards recommended for approval (even those for which the Section 151 Officer has the delegation to approve) are the most effective use of scarce resources.

17. Conclusion

- 17.1 The outturn position for 2014/15 demonstrates that, despite another challenging year, the Council has managed to deliver services within budget. There are no significant unexpected overspends, with the exception of business rates in 2014/15 which demonstrates that budget monitoring arrangements remain strong.
- 17.2 If approved, the carry forward requests will assist in the delivery of corporate objectives, help to complete projects started in 2014/15 and support initiatives which help to bridge the medium term funding gap.
- 17.3 Members should note that the outturn position has been used to prepare the Statement of Accounts for approval by the Audit Committee.

18. Consultation

- 18.1 Appropriate members and officers were consulted in the process of preparing the outturn position and associated reports and accounts.

Report author	Contact officer: Paul Jones, Section 151 Officer paul.jones@cheltenham.gov.uk, 01242 775154
----------------------	--

<p>Appendices</p>	<ol style="list-style-type: none"> 1. Risk assessment 2. Summary outturn performance position - General Fund 3. Service level outturn performance position - General Fund 4. Significant variances 5. Carry forward requests 6. Movement on earmarked reserves and general balances 7. Annual Treasury Management review 8. Capital programme - General Fund 9. Section 106 receipts statement 10. Council tax and NNDR collection 11. Sundry debt collection 12. HRA Operating account 13. HRA Capital programme and Major Repairs Reserve
<p>Background information</p>	<ol style="list-style-type: none"> 1. Section 25 Report – Council 14th February 2014 2. Final Budget Proposals for 2014/15 – Council 14^h 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
1.	Historically, the Council has used in-year savings to fund one-off growth / start-up for new initiatives. As a result of budgets getting tighter, there may be a reduced likelihood of in-year savings being delivered resulting in potentially increased pressure on General Balances to fund growth / new initiatives over the period of the MTFS.	Director Resources	December 2010	4	3	12	Reduce	Future revenue allocations may be needed to increase the size of the General Balances.	on-going	Section 151 Officer (working with SLT)	
2.	If the volatility surrounding business rates appeals continues then it may impact on the viability of the Gloucestershire Business Rates Pool as the risks may outweigh the financial benefits. As a consequence this may have a detrimental impact on Cheltenham Borough Councils financial plans.	Section 151 Officer	June 2015	4	3	12	Reduce	The Gloucestershire Chief Financial Officers have requested a technical working group evaluate the risks versus benefits of continuation in the Gloucestershire Pool, a decision of which will need to be made by October 2015. This will result to mitigation planning and a further report on the extent/possibility of the risk.	October 2015	Section 151 Officer	

3.	If the Council fails to continue to invest in its ICT Strategy, then there is a risk to its ability to support service delivery, remain secure from service disruption and to improve on effective working practices with partners.	Director Resources	June 2015	3	2	6	Reduce	Deliver sufficient funding to enable ICTSS and our 2020 partners to provide an ICT that continues to be fit for purpose	March 2016	Director of Resources	
----	---	--------------------	-----------	---	---	---	--------	---	------------	-----------------------	--

GENERAL FUND REVENUE OUTTURN 2014/15

GROUP	A	B	C	overspend / (underspend) before adjustments	D	D	E	F	G	H
	2014/15 Original Budget	2014/15 Current Budget	2014/15 Outturn per Ledger		£	Trf to / (from) Programme Mtce Reserve £	Trf to / (from) Other Reserves £	C/F requests approved by S151 Officer Appendix 5 £	Variance net of S151 c/f approvals £	C/F requests to be approved Members Appendix 5 £
Chief Executives	1,705,450	1,628,750	1,479,864	(148,886)		108,343	1,500	(39,043)		(39,043)
Environment & Regulatory Services	2,721,170	3,390,270	2,750,100	(640,170)	141,000	46,735	117,750	(334,685)	83,700	(250,985)
Deputy Chief Executives Directorate	3,963,460	4,975,660	4,390,150	(585,510)	40,000	100,000	14,700	(430,810)	108,500	(322,310)
Corporate Resources Directorate	4,459,245	6,702,945	6,309,744	(393,201)	471,100		63,200	141,099	100,000	241,099
Leisure & Culture Services	3,519,700	1,946,700	1,885,692	(61,008)		44,000		(17,008)		(17,008)
Central Target savings	(450,000)	(16,800)	0	16,800				16,800		16,800
Bad debt provision	40,000	40,000	22,474	(17,526)				(17,526)		(17,526)
Use of General underspend				0				0	88,500	88,500
	15,959,025	18,667,525	16,838,024	(1,829,501)	652,100	299,078	197,150	(681,173)	380,700	(300,473)
Capital Charges - Appendix 4	(1,886,400)	(2,337,100)	(2,337,816)	(716)				(716)		(716)
Interest and Investment Income - Appendix 5	327,800	257,800	258,323	523				523		523
Use of balances and reserves - Appendix 8	296,447	(2,046,703)	(479,067)	1,567,636				0		0
Net underspend			9,021.02							
NET BUDGET	14,696,872	14,541,522	14,288,485							
Deduct:										
New Homes Bonus	(1,030,000)	(1,098,100)	(1,097,930)	170				170		170
Council Tax Freeze Grant	(73,063)	(81,211)	(81,211)	0				0		0
S31 NDR compensation grant	(1,008,103)	(636,925)	(672,622)	(35,697)		35697		0		0
Other Government Grants	0	(16,402)	(22,017)	(5,615)				(5,615)		(5,615)
Revenue Support Grant	(2,920,874)	(2,920,874)	(2,920,874)	0				0		0
National Non-Domestic Rate	(2,321,651)	(2,444,829)	(2,150,585)	294,244		2911		297,155		297,155
Surplus on collection fund	(47,200)	(47,200)	(47,264)	(64)				(64)		(64)
NET SPEND FUNDED BY COUNCIL TAX	(7,295,981)	(7,295,981)	(7,295,982)	(1)				(1)		(1)
TOTAL INCOME	(14,696,872)	(14,541,522)	(14,288,485)					(389,721)		(9,021)
					Total budget underspend					

KEY

- A - Original budget for 2014/15 approved by Council - February 2014
B - Current budget for 2014/15 - including budget revisions approved by Council during 2014/15 and approved carry forwards from 2013/14
C - Outturn net expenditure before year end adjustments
D - Operational transfers to / (from) reserves approved by the Chief Finance Officer under delegated powers
E - Carry forward requests approved by the Chief Finance Officer under delegated powers - Appendix 5
F - Net variance after adjustments in columns D to E
G - Carry forward requests requiring Member approval - Appendix 5
H - Net variance on cost centres taking into account all carry forward requests - see detail at Appendix 3

This page is intentionally left blank

CHELTENHAM BOROUGH COUNCIL					(Under) / Overspend before SeRCOP Adjustment	Carry Forwards	Transfers to (from) Programme Mtce Reserve	Transfers to to (from) other reserves	Adjusted (Under) / Overspend	(Under) / Overspend before SeRCOP Adjustment	SeRCOP / IFRS Adjustments	SOA -Code Adjusted (Under) / Overspend
REVENUE OUTTURN 2014/15		Original Budget 14/15 £	Current Budget 14/15 £	Actuals 14/15 £	£	£	£	£	£	£	£	£
COR002	Chief Executive	(500)	(500)	2,948	3,448				3,448			500
EMP001	Emergency Planning	150,550	70,150	66,764	(3,386)				(3,386)		(2,948)	(6,486)
PLP102	Development Task Force	283,000	283,000	232,257	(50,743)			50,743	0	(50,743)	(14,882)	(65,625)
DRM001	Democratic Representation and Management	632,850	642,850	615,509	(27,341)	1,500			(25,841)	(27,341)	(11,799)	(39,140)
DRM006	Cabinet Expenditure	38,600	38,600	38,600	0				0	0	(200)	(200)
DRM007	O & S Committees	67,600	64,200	64,200	0				0	0	(2,300)	(2,300)
DRM009	Civic Expenses	29,300	29,300	26,039	(3,261)				(3,261)	(3,261)	0	(3,261)
DRM010	Civic Car	24,800	24,800	22,632	(2,168)				(2,168)	(2,168)	0	(2,168)
DRM012	Civic Events	63,500	66,600	64,929	(1,671)				(1,671)	(1,671)	(26)	(1,696)
SUP007	Committee Services	8,050	4,150	(1,810)	(5,960)				(5,960)	(5,960)	1,810	(4,150)
ELE001	Registration of Electors	160,750	158,650	137,655	(20,995)			21,000	5	(20,995)	(6,697)	(27,692)
ELE002	District Elections	245,150	245,150	228,820	(16,330)				(30)	(16,330)	(6,097)	(22,427)
ELE003	Elections Support/Overheads	1,800	1,800	(7,132)	(8,932)				(32)	(8,932)	7,132	(1,800)
ELE007	European Elections	0	0	(11,413)	(11,413)				(13)	(11,413)	0	(11,413)
ELE010	Individual Electoral Registration	0	0	(134)	(134)				(134)	(134)	0	(134)
Total Chief Executives Directorate		1,705,450	1,628,750	1,479,864	(148,886)	1,500	0	108,343	(39,043)	(148,886)	(39,106)	(187,991)
BUC001	Building Control - Fee Earning Work	19,050	46,050	28,383	(17,667)	5,200			(12,467)	(17,667)	(30,612)	(48,278)
BUC002	Building Control - Non Fee Earning Work	15,700	0	0	0				0	0	0	0
DEV001	Development Control - Applications	818,600	274,250	191,740	(82,510)			51,700	(30,810)	(82,510)	(48,748)	(131,257)
DEV004	Development Advice	(31,600)	(41,600)	(38,279)	3,321				3,321	3,321	0	3,321
PLP001	Planning Policy	221,700	214,900	201,120	(13,780)	9,550			(4,230)	(13,780)	(9,831)	(23,611)
PLP101	Joint Core Strategy	174,700	20,000	53,465	33,465			(33,465)	0	33,465	0	33,465
DEV003	Development Control - Enforcement	66,900	72,000	72,285	285				285	285	(4,833)	(4,547)
HOS004	Housing Standards	700,900	386,600	338,968	(47,632)				(47,632)	(47,632)	(25,228)	(72,860)
PSH001	Private Sector Housing Grants	86,300	56,600	53,100	(3,500)				(3,500)	(3,500)	108,453	104,953
PSH003	Disabled Facilities Grants	82,000	82,000	82,000	0				0	0	117,494	14
SPP002	Community Alarms	(13,600)	(87,300)	(79,062)	8,238				8,238	8,238	(3,204)	4
BUC004	Land Charges	(67,750)	(115,050)	(73,117)	41,933				41,933	41,933	(2,004)	9
SUP040	Built Environment	(1,190,750)	8,800	(35,307)	(44,107)	49,100			4,993	(44,107)	35,307	0
ECD001	Economic Development	101,700	153,900	105,127	(48,773)	37,900			(10,873)	(48,773)	(3,086)	0
ENF101	Cheltenham Environmental Fund- Townscape	200	7,800	5,275	(2,525)	2,500			(25)	(2,525)	0	0
ENF106	Community Pride Fund	0	33,500	0	(33,500)	33,500			0	(33,500)	0	0
FLD001	Flood Defence and Land Drainage	246,200	80,800	80,838	38				38	38	(300)	0
FRM101	Flood Risk Management	0	96,200	93,598	(2,602)				(2,602)	(2,602)	0	(2,602)
PLP004	Conservation	151,300	74,800	75,639	839				839	839	(5,039)	(4,200)
PLP006	Trees	150,600	108,900	114,376	5,476				5,476	5,476	(4,242)	1,234
PLP104	Joint Core Strategy - CBC Contribution	0	119,500	119,500	0				0	0	(3,000)	(3,000)
PUB101	Public Art	0	0	1,870	1,870				1,870	1,870	0	1,870
URB101	Urban Design	38,300	226,600	194,882	(31,718)	21,900			(9,818)	(31,718)	(13,496)	(45,213)
CPK001	Car Parks - Off Street Operations	(1,641,000)	(1,592,000)	(1,540,216)	51,784			(800)	50,984	51,784	(32,087)	19,697
CPK011	On Street Civil Parking Enforcement	19,100	0	0	0				0	0	0	0
CPK012	On Street Car Parking	20,800	0	0	0				0	0	0	0
CPK021	Residents Parking Schemes	8,800	0	0	0				0	0	0	0
CPK101	Car Parks - Off Street R&M	109,700	206,400	199,969	(6,431)		38,000		31,569	(6,431)	0	(6,431)
CPK102	Brewery Car Park	100	2,200	2,200	0				0	0	0	0
CPK103	Sandford Lido car park	200	200	200	0				0	0	0	0
ENF103	Cheltenham Environmental Fund- Transport	0	6,400	766	(5,634)	5,600			(34)	(5,634)	0	(5,634)
ESR001	Highways Agency Verges & Trees	95,900	95,900	62,777	(33,123)				(33,123)	(33,123)	(1,500)	(34,623)
PUT101	Royal Well Bus Node	15,300	15,400	27,873	12,473				12,473	12,473	378,133	390,606
PUT102	Shopmobility	67,750	60,450	48,756	(11,694)				(11,694)	(11,694)	(2,066)	(13,760)
TMR101	CBC Highways works	56,200	61,700	61,638	(62)				(62)	(62)	2,890	2,828
ENA001	Housing Enabling	6,700	25,200	6,700	(18,500)			18,500	0	(18,500)	(500)	(19,000)
HOS001	Housing Strategy	43,100	43,100	43,100	0				0	0	(2,000)	(2,000)
SPP001	Supporting People	96,100	96,100	96,100	0				0	0	(8,800)	(8,800)
CCM001	Cemetery, Crematorium and Churchyards	(809,090)	(467,190)	(622,468)	(155,278)				(155,278)	(155,278)	(22,192)	(177,470)
CCM111	Cemetery & Crematorium Repairs & Maintenance	14,700	265,700	163,484	(102,216)	22,000	103,000		22,784	(102,216)	0	(102,216)
ENF102	Cheltenham Environmental Fund- Parks	0	4,000	3,580	(420)	400			(20)	(420)	0	(420)
OPS001	Parks & Gardens Operations	1,114,710	1,099,410	1,052,392	(47,018)				(47,018)	(47,018)	(21,327)	(68,345)
OPS002	Sports & Open Spaces Operations	1,068,280	912,380	859,948	(52,432)				(52,432)	(52,432)	(200)	(52,632)
OPS004	Allotment s	39,000	34,100	34,306	206				206	206	(2,119)	(1,913)
OPS101	Arle Road Nursery Operations	(77,580)	(77,280)	(59,246)	18,034				18,034	18,034	0	18,034

CHELTENHAM BOROUGH COUNCIL					(Under) / Overspend before SeRCOP Adjustment	Carry Forwards	Transfers to (from) Programme Mtce Reserve	Transfers to to (from) other reserves	Adjusted (Under) / Overspend	(Under) / Overspend before SeRCOP Adjustment	SeRCOP / IFRS Adjustments	SOA -Code Adjusted (Under) / Overspend
REVENUE OUTTURN 2014/15		Original Budget 14/15 £	Current Budget 14/15 £	Actuals 14/15 £	£	£	£	£	£	£	£	£
OPS102	GCC Schools	400	400	700	300				300	300	0	300
CCR001	Community Safety (Crime Reduction)	177,800	177,800	174,227	(3,573)				(3,573)	(3,573)	(27,400)	(30,973)
CCT001	CCTV	138,600	101,000	104,700	3,700				3,700	3,700	(2,200)	1,500
ENF105	Cheltenham Environmental Fund- Public Protection	0	3,800	12	(3,788)	3,800			12	(3,788)	0	(3,788)
REG001	Environmental Health General	(19,700)	(104,800)	(172,171)	(67,371)			10,800	(56,571)	(67,371)	172,171	104,800
REG002	Licensing	3,350	2,450	(7,514)	(9,964)	10,000			36	(9,964)	(61,928)	(71,892)
REG003	Animal Control	22,900	22,900	26,337	3,437				3,437	3,437	(1,300)	2,137
REG012	Air Quality	33,600	33,600	29,995	(3,605)				(3,605)	(3,605)	(4,300)	(7,905)
REG013	Pollution Control	113,600	113,600	121,759	8,159				8,159	8,159	(24,700)	(16,541)
REG014	Contaminated Land	27,700	27,700	27,042	(658)				(658)	(658)	(4,800)	(5,458)
REG016	Food Safety	184,000	184,000	182,001	(1,999)				(1,999)	(1,999)	(32,800)	(34,799)
REG017	Health & Safety At Work	163,200	163,200	163,200	0				0	0	(30,500)	(30,500)
REG018	Pest Control	47,300	47,300	62,490	15,190				15,190	15,190	(15,000)	190
REG020	Water Sampling	500	500	442	(58)				(58)	(58)	0	(58)
STC011	Abandoned Vehicles	8,700	8,700	10,688	1,988				1,988	1,988	(1,800)	188
SUP039	Callouts	0	(3,300)	(2,070)	1,230				1,230	1,230	(363)	868
Total Environmental and Regulatory Services		2,721,170	3,390,270	2,750,100	(640,170)	201,450	141,000	46,735	(250,985)	(640,170)	360,946	(279,223)
ECD002	Markets	(1,800)	(1,800)	(1,429)	371				371	371	0	371
SUP017	Business Improvement/Transformation	(47,700)	(75,800)	(109,344)	(33,544)				(33,544)	(33,544)	109,344	75,800
CCC001	Climate Change	52,700	52,700	52,700	0				0	0	(16,700)	(16,700)
COM001	Community Development	(62,400)	45,400	14,540	(30,860)	27,600			(3,260)	(30,860)	0	(30,860)
CUL108	Everyman Theatre	130,000	127,800	127,633	(167)				(167)	(167)	0	(167)
CUL109	Playhouse Theatre	9,000	9,000	8,811	(189)				(189)	(189)	0	(189)
CUL111	Cheltenham Festivals	98,400	92,700	92,646	(54)				(54)	(54)	(500)	(554)
DRM011	Twinning Expenses	36,200	35,400	39,004	3,604				3,604	3,604	(1,294)	0
GBD001	Community Welfare Grants	306,350	371,350	352,705	(18,645)	16,200			(2,445)	(18,645)	(1,207)	(19,852)
GBD103	SLA Single Advice Contract	113,000	113,000	112,986	(14)				(14)	(14)	(800)	(814)
PLP103	Cheltenham Strategic partnership	131,800	131,800	132,272	472				472	472	(200)	272
SUP018	Press & PR/Communications	17,900	(2,700)	(14,138)	(11,438)	10,700			(738)	(11,438)	14,138	0
SUP037	Equal Opportunities	1,500	1,500	0	(1,500)				(1,500)	(1,500)	0	(1,500)
COR003	Corporate Policy Making	6,200	23,400	8,234	(15,166)	5,000			(10,166)	(15,166)	(8,234)	(23,400)
DRM008	Corporate Subscriptions	22,400	22,400	20,461	(1,939)				(1,939)	(1,939)	0	(1,939)
HOM001	Homelessness	348,000	377,700	338,608	(39,092)				(39,092)	(39,092)	(8,632)	(47,723)
RYC002	Green Waste	(96,000)	(62,000)	(170,718)	(108,718)				(108,718)	(108,718)	2,300	(106,418)
RYC004	Recycling Centres	248,860	350,860	380,861	30,001		40,000		70,001	30,001	(1,200)	28,801
RYC005	Bring Sites	21,620	19,620	38,380	18,760				18,760	18,760	(1,200)	17,560
RYC006	Recycling Collection Schemes	712,970	707,570	768,663	61,093				61,093	61,093	(1,600)	59,493
RYC007	Waste & Recycling - Marketing	0	22,800	10,262	(12,538)				(12,538)	(12,538)	0	(12,538)
STC001	Street Cleaning	840,180	863,980	812,682	(51,298)	24,000			(27,298)	(51,298)	(6,400)	(57,698)
SUP004	Legal	5,400	45,000	(22,710)	(67,710)	25,000			(42,710)	(67,710)	22,710	(45,000)
SUP034	Fleet Management	(146,900)	(28,200)	(5,208)	22,992				22,992	22,992	0	22,992
SUP104	L & C Trust set up costs	0	430,400	300,448	(129,952)	14,700		100,000	(15,252)	(129,952)	(77)	(130,029)
TRW001	Trade Waste	(79,660)	(13,660)	(51,536)	(37,876)				(37,876)	(37,876)	3,520	(34,356)
WST001	Household Waste	1,324,640	1,350,940	1,180,172	(170,768)				(170,768)	(170,768)	(17,300)	(188,068)
WST004	Bulky Household Waste	(9,900)	(9,900)	1,079	10,979				10,979	10,979	0	10,979
SUP036	Project Management	(19,300)	(25,600)	(27,912)	(2,312)				(2,312)	(2,312)	27,912	25,600
Deputy Chief Executive Directorate		3,963,460	4,975,660	4,390,150	(585,510)	123,200	40,000	100,000	(322,310)	(585,510)	114,581	(470,929)
SUP010	Internal Audit	19,900	17,000	23,123	6,123				6,123	6,123	(23,123)	(17,000)
ADB102	Custodians	43,200	(38,400)	(39,041)	(641)				(641)	(641)	39,041	38,400
CPK002	Car Park Income Collection	(16,200)	(64,700)	(67,856)	(3,156)				(3,156)	(3,156)	67,856	64,700
SUP008	Reception/ Customer Services	(4,800)	23,300	40,078	16,778				16,778	16,778	(40,078)	(23,300)
SUP014	Cashiers	3,600	21,600	6,534	(15,066)				(15,066)	(15,066)	(6,534)	(21,600)
SUP024	Postal Services	2,400	(53,400)	(56,586)	(3,186)				(3,186)	(3,186)	56,586	53,400
SUP103	Business Support Services	0	112,800	114,787	1,987				1,987	1,987	(114,787)	(112,800)
AIR101	Gloucestershire Airport	(11,200)	28,800	32,319	3,519				3,519	3,519	(100)	3,419
COR001	Corporate Management	1,236,300	865,100	887,186	22,086	13,000			35,086	22,086	(179,412)	(157,326)
COR006	Treasury Management	40,200	36,700	49,900	13,200				13,200	13,200	0	13,200
HAV001	Housing Advances	0	0	(782)	(782)				(782)	(782)	0	(782)
SUP009	Accountancy	(63,700)	(40,600)	(74,406)	(33,806)	13,000			(20,806)	(33,806)	74,406	40,600
SUP011	Creditors	1,200	5,750	12,925	7,175				7,175	7,175	(12,925)	(5,750)
SUP012	Debtors	1,600	8,900	9,653	753				753	753	(9,653)	(8,900)

CHELTENHAM BOROUGH COUNCIL					(Under) / Overspend before SeRCOP Adjustment	Carry Forwards	Transfers to (from) Programme Mtce Reserve	Transfers to to (from) other reserves	Adjusted (Under) / Overspend	(Under) / Overspend before SeRCOP Adjustment	SeRCOP / IFRS Adjustments	SOA -Code Adjusted (Under) / Overspend
REVENUE OUTTURN 2014/15		Original Budget 14/15 £	Current Budget 14/15 £	Actuals 14/15 £	£	£	£	£	£	£	£	£
SUP033	Central Purchasing	200	7,550	9,496	1,946				1,946	1,946	(9,496)	(7,550)
SUP035	Insurances	100	4,550	9,343	4,793				4,793	4,793	0	4,793
SUP038	Pensions Backfunding	2,080,100	2,230,100	2,238,281	8,181				8,181	8,181	(1,779,515)	(1,771,334)
SUP003	Human Resources	1,600	1,850	8,605	6,755				6,755	6,755	(8,605)	(1,850)
SUP013	Payroll	700	(8,250)	1,326	9,576				9,576	9,576	(1,326)	8,250
SUP019	Health & Safety	300	(4,650)	314	4,964				4,964	4,964	(314)	4,650
SUP020	Training & Development	200	8,050	5,326	(2,724)	3,500			776	(2,724)	(5,326)	(8,050)
HBA001	Housing Benefit Administration	(33,400)	(59,000)	(82,855)	(23,855)				(23,855)	(23,855)	(36,040)	(59,895)
HBP001	Rent Allowances	(8,600)	(8,600)	(55,706)	(47,106)				(47,106)	(47,106)	0	(47,106)
HBP002	Rent Rebates	(149,700)	(149,700)	(126,169)	23,531				23,531	23,531	0	23,531
HBP003	Local Housing Allowance	(37,900)	(30,100)	(0)	30,100				30,100	30,100	(2,023)	28,076
LTC002	Council Tax Support Administration	192,400	192,400	191,687	(713)				(713)	(713)	0	(713)
SUP005	ICT	(59,585)	42,215	43,649	1,434				1,434	1,434	(43,649)	(42,215)
NDC001	Non Distributed Costs	0	0	7,007	7,007				7,007	7,007	0	7,007
SUP022	Printing Services	300	300	0	(300)				(300)	(300)	0	(300)
SUP101	GO ICT Centre of Excellence	19,000	0	0	0				0	0	0	0
ADB101	Cheltenham Municipal Offices	(100)	(15,200)	(43,511)	(28,311)				(28,311)	(28,311)	43,511	15,200
ADB103	Cheltenham Depot	(48,400)	52,500	71,276	18,776		28,700		47,476	18,776	(71,276)	(52,500)
CUL002	War Memorials	4,400	155,900	54,293	(101,607)	100,000			(1,607)	(101,607)	0	(101,607)
CUL112	Town Hall Repairs & Maintenance	25,300	612,500	570,807	(41,693)		17,000		(24,693)	(41,693)	0	(41,693)
CUL113	Pittville Pump Room Repairs & Maintenance	12,500	301,500	301,088	(412)		22,600		22,188	(412)	0	(412)
CUL117	Art Gallery & Museum Repairs & Maintenance	8,700	376,400	457,273	80,873		7,000		87,873	80,873	0	80,873
ECD101	Xmas in Cheltenham	38,900	43,300	44,174	874				874	874	(100)	774
ENF104	Cheltenham Environmental Fund- Property	0	20,000	20,000	0				0	0	0	0
FIE040	Income & Expenditure on Investment Props & Changes in Fair Value	(471,850)	(397,550)	(433,452)	(35,902)		25,600		(10,302)	(35,902)	(3,576)	(39,478)
OPS111	Arle Road Nursery Repairs Maintenance	5,100	58,600	12,301	(46,299)		53,000		6,701	(46,299)	0	3)
OPS121	Parks & Gardens Repairs & Maintenance	0	11,300	9,272	(2,028)				(2,028)	(2,028)	0	3)
OPS122	Sports & Open Spaces Repairs & Maintenance	0	314,000	109,140	(204,860)		218,600		13,740	(204,860)	0	3)
REC111	Recreation Centre Repairs & Maintenance	38,900	1,382,900	1,250,901	(131,999)		112,100		(19,899)	(131,999)	0	3)
REC112	Prince of Wales Stadium Repairs & Maintenance	2,300	52,300	72,256	19,956		(9,700)		10,256	19,956	0	6
REG019	Public Conveniences	131,580	120,680	158,588	37,908				37,908	37,908	(1,500)	18
REG119	Public Conveniences R&M	7,300	23,800	13,086	(10,714)		5,800		(4,914)	(10,714)	(18,959)	3)
SUP025	Property Services	927,700	(26,850)	10,383	37,233	8,500	(9,600)		36,133	37,233	8,576	19
LTC001	Council Tax Collection	590,300	516,200	499,691	(16,509)				(16,509)	(16,509)	(24,883)	(41,392)
LTC011	NNDR Collection	(71,600)	(74,100)	(55,961)	18,139				18,139	18,139	(2,625)	15,514
LTC012	NNDR Discretionary Relief	0	25,200	0	(25,200)	25,200			0	(25,200)	0	(25,200)
Total Corporate Resources Directorate		4,459,245	6,702,945	6,309,744	(393,201)	163,200	471,100	0	241,099	(393,201)	(2,105,850)	(2,499,051)
CUL001	Arts Development	24,800	563	563	0				0	0	0	0
CUL106	Art Gallery & Museum grant funded projects	900	5,937	5,937	0				0	0	0	0
CUL107	Art Gallery & Museum Operations	1,148,400	526,401	527,017	616				616	616	(31,162)	(30,546)
TOU002	Tourist/Visitor Information Centre	67,100	(4,000)	(9,460)	(5,460)				(5,460)	(5,460)	0	(5,460)
CUL102	Town Hall Operations	685,100	194,432	195,149	717				717	717	(18,828)	(18,111)
CUL103	Pittville Pump Room Operations	116,200	(201,714)	(201,488)	227				227	227	0	227
CUL110	Entertainment Events - detail coded	(76,700)	(26,480)	(25,950)	530				530	530	0	530
REC101	Recreation Centre Operations	1,419,200	(126,484)	(126,383)	101				101	101	(24,712)	(24,611)
REC102	Prince of Wales Stadium Operations	3,100	16,588	2,938	(13,650)				(13,650)	(13,650)	0	(13,650)
REC001	Sports Development	87,500	10,355	10,355	0				0	0	(1,002)	(1,002)
REC002	Recreational Facilities Development	0	538	538	0				0	0	0	0
REC005	Active Lifestyles	67,700	7,037	7,036	(0)				(0)	(0)	(568)	(568)
REC007	Holiday Recreation Programme	104,800	53,600	53,600	(0)				(0)	(0)	(1,002)	(1,002)
REC008	Support To External Sports Organisations	8,300	0	0	0				0	0	0	0
CSM001	Cultural - Service Management and Support Services	(136,700)	1,489,929	1,445,841	(44,088)			44,000	(88)	(44,088)	(16,866)	(60,954)
Total Leisure & Culture Services		3,519,700	1,946,700	1,885,692	(61,008)	0	0	44,000	(17,008)	(61,008)	(94,140)	(155,148)
Central Salary Savings Target (COR001-R1099)		(450,000)	(16,800)	0	16,800	0	0	0	16,800	16,800	0	16,800
Bad Debt Provision (COR001-R8910)		40,000	40,000	22,474	(17,526)	0	0	0	(17,526)	(17,526)	0	(17,526)
TOTAL COST OF SERVICES		15,959,025	18,667,525	16,838,024	(1,829,501)	489,350	652,100	299,078	(388,973)	(1,829,501)	(1,763,568)	(3,593,069)
Capital Charges:												

CHELTENHAM BOROUGH COUNCIL					(Under) / Overspend before SeRCOP Adjustment	Carry Forwards	Transfers to (from) Programme Mtce Reserve	Transfers to to (from) other reserves	Adjusted (Under) / Overspend	(Under) / Overspend before SeRCOP Adjustment	SeRCOP / IFRS Adjustments	SOA -Code Adjusted (Under) / Overspend
REVENUE OUTTURN 2014/15		Original Budget 14/15 £	Current Budget 14/15 £	Actuals 14/15 £	£	£	£	£	£	£	£	£
BAL103-B8020	GF balance - Depreciation	(2,736,800)	(3,202,500)	(3,202,511)	(11)				(11)	(11)	0	(11)
BAL103-B8060	GF balance - Amortisation of intangible assets	(105,800)	(104,800)	(104,837)	(37)				(37)	(37)	0	(37)
BAL103-B8110	GF balance - MRP for repayment of debt	810,500	824,500	823,959	(541)				(541)	(541)	0	(541)
BAL103-B8170	GF balance - premiums/discounts (-)	145,700	145,700	145,573	(127)				(127)	(127)	0	(127)
BAL100-B8160	GF balance - contribution from Capital Receipts to government pool	0	0	(309,893)	(309,893)				(309,893)	(309,893)	0	(309,893)
O0E300-R8940	Contributions to the Housing Capital Receipts Pool	0	0	309,893	309,893				309,893	309,893	0	309,893
Total Capital Charges		(1,886,400)	(2,337,100)	(2,337,816)	(716)	0	0	0	(716)	(716)	0	(716)
BVACOP reversals-												
FIE090-R8950	Pension interest cost	0	0	0	0				0	0	5,175,000	5,175,000
FIE090-R8951	Pension interest return	0	0	0	0				0	0	(2,881,000)	(2,881,000)
BAL100-B8180	GF balance - Reversal of IAS19 charges	0	0	0	0				0	0	(3,523,000)	(3,523,000)
BAL100-B8190	GF balance - Employers pension contributions	0	0	0	0				0	0	3,622,000	3,622,000
BAL100-B8040	GF balance - Revaluation Losses on PPE	0	0	0	0				0	0	(378,133)	(378,133)
BAL100-B8085	GF balance - Accumulated absences	0	0	0	0				0	0	(10,862)	(10,862)
BAL100-B8120	GF balance - RCCO	0	0	0	0				0	0	811,875	811,875
BAL100-B8146	GF balance - capital receipts transferred - grants repaid	0	0	0	0				0	0	31,721	31,721
BAL100-B8240	GF balance - Capital Financing from RCCO	0	0	0	0				0	0	(811,875)	(811,875)
TG1040	Capital Grants and Contributions Receivable	0	0	(1,533,459)	(1,533,459)				(1,533,459)	(1,533,459)	319,696	(1,213,763)
BAL100-B8080	GF balance - REFCUS	0	0	0	0				0	0	(591,854)	(591,854)
BAL100-B8070	GF balance - Capital grants and contributions applied and unapplied	0	0	1,533,459	1,533,459				1,533,459	1,533,459	0	1,533,459
Total BVACOP reversals		0	0	0	0	0	0	0	0	0	1,763,568	1,763,568
EIP003	Impairment of Investments	0	0	(20,238)	(20,238)				(20,238)	(20,238)	0	(20,238)
FIE010	Interest Payable and Similar Charges	369,600	369,600	388,148	18,548				18,548	18,548	0	18,548
FIE030	Interest and Investment Income	(41,800)	(111,800)	(160,372)	(48,572)				(48,572)	(48,572)	0	(48,572)
FIE050	Exchange rate (profit)/loss	0	0	50,785	50,785				50,785	50,785	0	50,785
Interest and Investment Income		327,800	257,800	258,323	523	0	0	0	523	523	0	523
BAL104	Balances and Reserves	296,447	(2,046,703)	(479,067)	1,567,636	(577,850)	(652,100)	(337,686)	0	1,567,636	0	1,567,636
Use of balances and reserves		296,447	(2,046,703)	(479,067)	1,567,636	(577,850)	(652,100)	(337,686)	0	1,567,636	0	1,567,636
General	Use of general underspend	0	0	0	0	88,500			88,500	88,500	0	88,500
NET BUDGET		14,696,872	14,541,522	14,279,464	(262,058)	0	0	(38,608)	(300,666)	(262,058)	0	(262,058)
FUNDING:												
TG1020-	Non-ringfenced Government Grants:											
R9005	New homes bonus grant	(1,030,000)	(1,098,100)	(1,097,930)	170				170	170	0	170
R9006	Council tax freeze grant	(73,063)	(81,211)	(81,211)	0				0	0	0	0
R9009	S31 NDR compensation grant	(1,008,103)	(636,925)	(672,622)	(35,697)			35,697	0	(35,697)	0	(35,697)
R9060	Other specific government grants	0	(16,402)	(22,017)	(5,615)				(5,615)	(5,615)	0	(5,615)
Total Other Government Grants		(2,111,166)	(1,832,638)	(1,873,780)	(41,142)	0	0	35,697	(5,445)	(41,142)	0	(41,142)
O0E200	Parish Council Precepts	0	177,454	177,454	(0)				(0)	(0)	0	(0)
O0E210	Parish Council Tax Support Grant	10,269	10,269	10,268	(1)				(1)	(1)	0	(1)
TG1010-R9070	Demand on the Collection Fund - Council Tax	(7,306,250)	(7,483,704)	(7,483,704)	0				0	0	0	0
TG1010-R9071	Share of Collection Fund surplus (-) / deficit	(47,200)	(47,200)	(47,264)	(64)				(64)	(64)	(71,508)	(71,572)
Council Tax Income		(7,343,181)	(7,343,181)	(7,343,246)	(65)	0	0	0	(65)	(65)	(71,508)	(71,573)
TG1018-R9071	Payment to business rates pool re share of deficits 14/15	0	0	346,405	346,405			(61,449)	284,955	346,405	64,251	410,656
TG1018	Non-domestic rates income and expenditure	(2,321,651)	(2,444,829)	(2,496,990)	(52,161)			64,360	12,199	(52,161)	0	(52,161)
BAL100-B8210	GF balance - Council tax and NNDR Surplus	0	0	0	0				0	0	7,257	7,257
Non Domestic Rates from national pool		(2,321,651)	(2,444,829)	(2,150,585)	294,244	0	0	2,911	297,155	294,244	71,508	365,752
TG1020-R9001	Revenue Support Grant	(2,920,874)	(2,920,874)	(2,920,874)	0				0	0	0	0
Revenue Support Grant		(2,920,874)	(2,920,874)	(2,920,874)	0	0	0	0	0	0	0	0
TOTAL FUNDING		(14,696,872)	(14,541,522)	(14,288,485)	253,037	0	0	38,608	291,645	253,037	0	253,037

CHELTENHAM BOROUGH COUNCIL	Original Budget 14/15 £	Current Budget 14/15 £	Actuals 14/15 £	(Under) / Overspend before SeRCOP Adjustment £	Carry Forwards £	Transfers to (from) Programme Mitce Reserve £	Transfers to to (from) other reserves £	Adjusted (Under) / Overspend £	(Under) / Overspend before SeRCOP Adjustment £	SeRCOP / IFRS Adjustments £	SOA -Code Adjusted (Under) / Overspend £
REVENUE OUTTURN 2014/15											
NET OUTTURN	0	0	(9,021)	(9,021)	0	0	0	(9,021)	(9,021)	0	(9,021)

This page is intentionally left blank

**SIGNIFICANT VARIANCES IN REVENUE OUTTURN FOR 2014/15
(OVER £50,000) BY SERVICE**

CHIEF EXECUTIVES

There is a net underspend of £39k in 2014/15 with no significant variances to note.

ENVIRONMENTAL & REGULATORY SERVICES

There is a net underspend of £251k within the Built Environment Directorate for 2014/15 including the following significant variances:-

Off Street Car parking

There is a net overspend against Off Street Car Parking (including response maintenance) of £89k. This includes a small deficit on income of £8k which was matched by an equivalent saving on staff costs, an overspend on supplies and services accounted for £66k, a proportion of which is in relation to additional expenditure on cleaning, security, equipment and general repairs and maintenance.

The remaining £16k is as a result of an unbudgeted increase in annual service charges in respect of the Regent Arcade Car Park which has been resolved as part of the 2015-2016 budget setting process.

Cemetery & Crematorium

There is a net surplus in the Cemetery & Crematorium service of £132.5k in 2014/15.

The cremations income budget in 2014/15 was reduced by £234k following a review of income levels impacted by cremator operational issues. However in the months following these projections income by far exceeded forecasts resulting in excess income against revised budget of £152k.

This surplus on income was offset by an over spend of £22.8k on repairs and maintenance due to requirements arising from the current cremator equipment.

Sports & Open Spaces

An under spend of £56k has arisen on Sports & Open Spaces due to the surplus delivered by Ubico Ltd which was a result of operational efficiencies achieved and savings on fuel.

DEPUTY CHIEF EXECUTIVES

There is a net underspend of £322k within the Commissioning Directorate for 2014/15 including the following significant variances:-

Green Waste

There is an underspend of £108.7k on Green Waste due to additional income over budget of £55k, plus the surplus delivered by Ubico Ltd which was a result of operational efficiencies achieved and fuel savings.

Waste and Recycling

There is a net underspend in waste and recycling budgets of £60k for the year. This is made up of £179k income in respect of the waste and recycling services' share of the Ubico surplus for the year, reduced by £77k shortfall in recycling centres and collection schemes income and a net overspend of £42k in supplies and services budgets.

CORPORATE RESOURCES DIRECTORATE

There is a net overspend within the Corporate Resourcing Directorate of £241k including the following significant variances:-

Art Gallery & Museum Repairs & Maintenance

There is an overspend of £88k including an overspend in utility costs of £51k at The Wilson. This is partially offset by a savings in utility costs in the other Leisure and Culture operational buildings of £26k for the year and a saving of £14k in consultancy costs funded by planned maintenance.

There is a shortfall in the income budget of £21k in respect of the share of facilities by the Cheltenham Library, which is no longer payable by Gloucestershire County Council following the redevelopment of The Wilson and the self-containment of the two buildings.

**SIGNIFICANT VARIANCES IN CAPITAL OUTTURN FOR 2014/15
(OVER £50,000) BY SERVICE****Cremators**

There is an underspend of £59.8k against the capital budget for cremators of £188.3k. This underspend needs to be carried forward for the completion of the works in 2015/16.

Town Centre acquisitions

The Council purchased land at Synagogue Lane and the former shopfitters site from the £1m Town Centre acquisitions budget leaving £432k to carry forward into 2015/16.

Capitalisation of UNIFORM

As part of budget setting for 2015/16, the Council approved a budget of £104,000 for the capitalisation of UNIFORM which would result in annual revenue savings from licensing costs.

However, the Council was required to progress with the purchase in advance of 2015/16 in order to secure revenue savings from 1st April 2015 onwards. The cost was therefore incurred in 2014/15 which resulted in timing differences in terms of budgetary provision. The cost will be funded from capital reserves in 2014/15, and the approved budget in 2015/16 returned to the reserve to compensate accordingly.

Allotments

The enhancement schemes for allotments started towards the end of 2014/15 with £591k of the £610k budget needing to be carried forward into 2015/16.

Town Hall Chairs

The order for the town hall chairs is to be placed in July 2015 so the £80k budget needs to carry forward into 2015/16 to cover this.

Integrated Transport – Civic Pride Schemes

The bulk of the expenditure on these scheme will take place in 2015/16 due to lead in times for the required works, therefore £387k needs to be carried forward into 2015/16. The Council will be upgrading and re-lining spaces at Grosvenor Terrace car park in the future and its usage may increase and will be further helped by Gloucestershire County Council's planned changes to the highway network.

CCTV in Car Parks

The capital budget for the full digital upgrade of town centre and car parking CCTV cameras at an estimated cost of £249k was approved to be delivered over the financial years 2014/15 and 2015/16. The underspend of £212k is therefore required to deliver this upgrade in 2015/16.

Public Realm Improvements

The works planned for the High Street and Town Centre improvements are now timed for 2015/16 so the £244k budget needs to be carried forward into 2015/16.

Car Park Investment

The budget of £250k for new car park machines needs to be carried forward into 2015/16 when the programme for this work will take place as part of the car parking investment strategy.

Disabled Facilities Grants (DFG)

There was an underspend of £155k in 2014/15 due to timing of grant approvals and subsequent take up. It is not proposed to carry this forward as the DFG capital budget of £600k per annum is deemed sufficient to meet demand.

Vacant Property Grant

£275k of this budget was not used in 2014/15 due to timing of allocations and needs to be carried forward into 2015/16.

Warm and Well Grants

The £78.4k balance of unspent funding for these grants needs to be carried forward into 2015/16 to allow the home energy efficiency programme to continue.

Housing Enabling – St Paul’s Phase 2

The unspent element of this budget of £1.613m needs to be carried forward into 2015/16 due to the uncertain timing for this programme of provision of new affordable housing.

Vehicle and Recycling Caddies

The lead in time to procure these items means the budget of £61,800 needs to be carried forward into 2015/16.

10 Year Vehicle Replacement Programme

The lead in time to procure a number of new vehicles for the Ubico fleet means this budget of £628k needs to be carried forward into 2015/16.

2014/15 CARRY FORWARD REQUESTS

Amount £ (Net of VAT)	Expenditure Code	Cost Centre	Reason for carry forward	A (i)	A (ii)	B
				Base Budgets Amounts agreed by S151 Officer under delegated powers	One-Off Budgets Amounts agreed by S151 Officer under delegated powers	Amounts for member approval
1,500	R1650-DRM001-NA	Democratic Services	To fund committed expenditure in 2015/16 for a Member Training course for Planning Committee.	1,500		
1,500	TOTAL CHIEF EXECUTIVES DIRECTORATE			1,500	0	0
13,000	R1000-COR001-NA	Corporate Management	Balance of one-off budget carried forward to cover committed SLT capacity costs in 2015/16.		13,000	
13,000	R4400-SUP009-NA	GOSS Finance	To support the delayed Agresso upgrade in 2015/16, works commenced in 2014/15 but due to staffing pressures and issues with Payroll module this has been delayed until July 2015.		13,000	
3,500	R4400-SUP020-NA	GOSS Training & Development	CBC's contribution towards 12 month contract for an additional Learning & Organisational Development business partner - agreed by SLT and GOSS Chief Officers' Group. The costs of which straddled 2014/15 and 2015/16.		3,500	
8,500	R4400-SUP025-NA	Property Services	CIPFA Asset Management Plan Health Check - committed expenditure with completion in 2015/16.		8,500	
100,000	R2078-CUL002-NA	War Memorials	Carry forward from 13/14 to fund war memorial renovation expenditure in the World War One Centenary year.			100,000
15,000	R6280-LTC012-HSI001	Discretionary NNDR relief	To fund consultation with the business community about the possibility of setting up a Business Improvement District (BID) in Cheltenham. High Street Innovation Fund allocation.		15,000	
10,200	R6280-LTC012-HSI001	Discretionary NNDR relief	To continue the business rates discount scheme for another year, with additional efforts being made to publicise it. High Street Innovation Fund allocation.		10,200	
163,200	TOTAL CORPORATE RESOURCES DIRECTORATE				63,200	100,000
5,200	R4530-BUC001-NA	Building Control	Contribution to cost of upgrade of uniform for use by Building Control - Shared cost with Tewkesbury Borough Council - balance of one off budget to cover remaining costs to be incurred in 2015/16		5,200	
9,550	R4400-PLP001-NA	Planning Policy	Production of AONB Study for Cheltenham Local Plan - committed expenditure paid May 2015	9,550		
49,100	R4400-SUP040-NA	Built Environment	REST Project - balance of one-off budget required to continue supporting project in 2015/16 including development of online forms for food inspectors.		49,100	
10,000	R4400-ECD001-NA	Economic Development	Economic Development Strategy work - committed to be spent in 2015/16	10,000		
9,300	R4400-ECD001-HSI001	Economic Development	High Street Innovation Fund - To continue to provide skills training to help new and existing businesses, by providing Skillsmart retail workshops - funds to be spent in 2015/16.			9,300
600	R4400-ECD001-HSI001	Economic Development	High Street Innovation Fund - To provide a grant to the Montpellier traders in order to purchase a Christmas Tree in Montpellier in 2015/16 and pay electricity costs in order to support Christmas trading in the area.			600
18,000	R4400-TOU002-NA	Economic Development	Balance of Economic Development budget for Promoting Cheltenham Fund, carried forward from 2013/14. Request to carry forward this underspend to part fund Tourism Strategy work in 2015/16			18,000

2014/15 CARRY FORWARD REQUESTS

Amount £ (Net of VAT)	Expenditure Code	Cost Centre	Reason for carry forward	A (i)	A (ii)	B
				Base Budgets Amounts agreed by S151 Officer under delegated powers	One-Off Budgets Amounts agreed by S151 Officer under delegated powers	Amounts for member approval
5,100	R4400-TOU002-NA	Cheltenham Environmental Fund - Community Pride Fund	Cheltenham Environmental fund budget for Community Pride, carried forward from 2012/13 and 2013/14, for which original grants awarded are no longer needed. Request to carry forward this underspend to part fund Tourism Strategy work in 2015/16, in addition to above carry forward.			5,100
28,400	R6280-ENF106-ENV019	Cheltenham Environmental Fund - Community Pride Fund	Balance of carry forward from 2012/13 - 2013/14. Funding required to support environmental fund community pride grants that were allocated by Cabinet in 2013-14 and 2014-15, where successful applicants have 12 months to spend the grant allocation (although time may be extended at the discretion of the council). The fund will be kept under review during the 2015-16 and any unused funding will be discussed with relevant Cabinet members.			28,400
500	R4400-ENF101-ENV004	Cheltenham Environmental Fund - Townscape	Cheltenham Environmental Fund - balance of Humber & Mersey Road budget brought forward from 2013/14. Required for committed expenditure to complete project in 2015/16			500
2,000	R4400-ENF101-ENV001	Cheltenham Environmental Fund - Townscape	Cheltenham Environmental Fund - balance of Connect my Street budget brought forward from 2013/14. Required for committed expenditure to complete project in 2015/16			2,000
5,600	R4400-ENF103-ENV007	Cheltenham Environmental Fund - Transport	Cheltenham Environmental Fund - Cheltenham Cycle Infrastructure - balance of project brought forward from 2013/14. Required for committed expenditure to be spent in 2015/16.			5,600
400	R2075-ENF102-ENV006	Cheltenham Environmental Fund - Parks	Cheltenham Environmental Fund - Pilley Bridge Nature Reserve - balance of scheme brought forward from 2013/14. Required to complete project in 2015/16			400
3,800	R4000-ENF105-ENV020	Cheltenham Environmental Fund - Public Protection	Cheltenham Environmental Fund - Public Protection: Cracking Environmental Crime - this will be used to purchase equipment for a tackling dog fouling project including signage, literature, bags, dog chipping equipment.			3,800
21,900	R1000 / R1001 / R1006-URB101	Urban Design	One-off budget straddling financial years to continue funding Urban Design posts to support Civic Pride projects		21,900	
22,000	R4400-CCM111-CPN005	Cemetery & Crematorium	One off budget to contribute towards costs of feasibility study. Works to be completed in 2015/16.		22,000	
10,000	R4531-REG002-NA	Licensing	Carry forward requested to fund the development and costs of existing software to create new on line license application forms, to reduce customer processing time.			10,000
201,450	TOTAL ENVIRONMENT & REGULATORY SERVICES			19,550	98,200	83,700
12,500	R4400-SUP004-NA	One Legal	Balance of carry forward from 2013/14. Contribution towards locums / advisors for One-Legal to enable provision of service whilst new structure of the expanded service is being finalised. Shared cost with Tewkesbury Borough Council.			12,500
12,500	R4400-SUP004-NA	One Legal	Balance of carry forward from 2013/14. Contribution towards the extension of the existing One Legal service arrangement in 2015/16. Shared cost with Tewkesbury Borough Council.			12,500
11,700	R1100-SUP104-NA	Leisure & Culture set up costs	Agency costs to fund temporary Finance Director for The Cheltenham Trust to 31st May 2015.		11,700	
3,000	R4400-SUP104-GOSS01	Leisure & Culture set up costs	External VAT advice in May 2015 in respect of set up of VAT structure for The Cheltenham Trust.		3,000	

2014/15 CARRY FORWARD REQUESTS

Amount £ (Net of VAT)	Expenditure Code	Cost Centre	Reason for carry forward	A (i)	A (ii)	B
				Base Budgets Amounts agreed by S151 Officer under delegated powers	One-Off Budgets Amounts agreed by S151 Officer under delegated powers	Amounts for member approval
8,400	R4531-SUP018-NA	Communications	Underspend in Communications supplies and services to be used to fund Jadu (web management system) responsive design costs in 15/16			8,400
5,000	R4400-COR003-NA	Corporate Policy Making	The twinning reserve set aside to fund significant twinning events was reduced in 2012/13 and has since been drawn upon to cover Olympic torch and special Gottingen and Annecy visits. The carry forward of Corporate policy underspend is required to replenish the twinning reserve in order to fund the Annecy twinning 60th anniversary celebrations in 2015/16.			2,300
2,300	R4400-SUP018 -NA	Communications	The carry forward of Communications supplies and services underspend is required to replenish the twinning reserve in order to fund the Annecy twinning 60th anniversary activities in 2015/16, with particular focus on promoting tourism.			5,000
27,600	R6280-COM001-CPN001	Community Development grants	Balance of Children and Young People's grant c/fwd from 13/14 - to be used to fund for school based peer support project, Oakley alcohol project and HWB grant expenditure in 2015/16.			27,600
8,000	R6280-GBD001-GRA006	Community Welfare Grants	Underspend on small grants to fund committed Glos Media rugby world cup grant programme in 2015/16			8,000
4,200	R6280-GBD001-CPN003	Community Welfare Grants	Balance of carry forward from 2013/14. Funding required to support community pride grants that were allocated by Cabinet in 2013-14 and 2014-15, where successful applicants have 12 months to spend the grant allocation (although time may be extended at the discretion of the council). The fund will be kept under review during the 2015-16 and any unused funding will be discussed with relevant Cabinet members.			4,200
4,000	R6280-GBD001-GRA003	Community Welfare Grants	Balance of carry forward from 2013/14. Funding required to support community pride grants that were allocated by Cabinet in 2013-14 and 2014-15, where successful applicants have 12 months to spend the grant allocation (although time may be extended at the discretion of the council). The fund will be kept under review during the 2015-16 and any unused funding will be discussed with relevant Cabinet members.			4,000
24,000	R4000-STC001-HIS001	Street Cleaning - High Street Innovation grant	13/14 carry forward of High Street Innovation Fund - To purchase a specialist street cleaning vehicle for the town centre. Work is currently being undertaken by Ubico to source a vehicle suitable for the requirements.			24,000
123,200	TOTAL DEPUTY CHIEF EXECUTIVE DIRECTORATE			-	14,700	108,500
48,500	SUP025-R1000-NA	ICT Services	Use of general underspend to support ICT infrastructure and capacity costs in 2015/16.			48,500
40,000	B8240-BAL104-RES102	Planning Appeals	Use of general underspend to increase planning appeals reserve to fund future appeals costs			40,000
88,500	TOTAL GENERAL UNDERSPEND			-	-	88,500
577,850	TOTAL CARRY FORWARD REQUESTS			21,050	176,100	380,700

This page is intentionally left blank

<u>Purpose of Reserve</u>		<u>31/3/14</u>	<u>2014/15</u>	<u>2014/15</u>	<u>2014/15</u>	<u>2014/15</u>	<u>31/3/15</u>
		<u>Restated</u>	<u>Movement</u>	<u>Movement</u>	<u>Movement</u>	<u>Movement</u>	
		£	<u>Out</u>	<u>IN</u>	<u>Out</u>	<u>IN</u>	£
			£	£	£	£	
<u>EARMARKED RESERVES</u>							
<u>Other</u>							
RES002	Pension Reserve	To fund future pension liability	-92,446		-84,800		-177,246
RES003	Economic Development Reserve	To fund future economic studies	-14,200	10,000			-4,200
RES004	IBS License Reserve	To fund cost of IBS license paid up front	0				0
RES005	Keep Cheltenham Tidy Reserve	Keep Cheltenham Tidy campaign - scheme contributions	-626				-626
RES006	Cultural Development Reserve	To fund future arts facilities/activity	-22,361				-22,361
RES008	House Survey Reserve	To fund cyclical housing stock condition surveys	-95,525		-26,000		-121,525
RES009	Twinning Reserve	Twinning towns civic visits to Cheltenham	-4,279				-4,279
RES010	Flood Alleviation Reserve	To fund future flood resilience work, delegated to the Flood working group for allocation	-154,227	50,000			-104,227
RES011	Art Gallery & Museum Development Reserve	To fund capital scheme	0				0
RES012	Pump Room Insurance Reserve	Insurance reserve for stolen jewellery	-18,135	4,400			-13,735
RES013	TIC Shop Reserve	Accumulated profits held for TIC shop improvements	-29				-29
RES014	GF Insurance Reserve	To fund risk management initiatives / excess / premium increases	-79,371				-79,371
RES015	Vehicle Leasing Equalisation Reserve	Purchase of vehicles and equipment	0				0
RES016	Joint Core Strategy Reserve	To fund Joint Core Strategy	-135,945	67,165			-68,780
RES018	Civic Pride Reserve	To pump prime civic pride initiative / match funding	-560,584	115,000	-50,743	4,190	-492,137
RES019	Land Charges Reserve	Cushion impact of fluctuating activity levels	-34,400	34,400			0
RES020	Ubico Reserve		-170,000				-170,000
RES021	Cheltenham Leisure & Culture Trust	To cover unforeseen deficits in operations in new trust	-200,000		-70,000		-270,000
RES022	Homelessness Reserve	To cover future homelessness prevention costs	-50,000				-50,000
RES023	Transport Green Initiatives Reserve	To fund Transport Green Initiative Schemes	-35,400	800			-34,600
			-1,667,529				-1,613,117
<u>Repairs & Renewals Reserves</u>							
RES201	Commutated Maintenance Reserve	Developer contributions to fund maintenance	-146,629	39,000			-107,629
RES202	Highways Insurance Reserve	County highways - insurance excesses	-15,000				-15,000
RES203	Revs & Benefits IT Reserve	Replacement fund to cover software releases	-30,000				-30,000
RES204	I.T. Repairs & Renewals Reserve	Replacement fund	-76,566	35,665			-40,901
RES205	Property Repairs & Renewals Reserve	20 year maintenance fund	-742,242	390,900	-680,800		-1,032,142
			-1,010,438				-1,225,673
<u>Equalisation Reserves</u>							
RES101	Rent Allowances Equalisation	Cushion impact of fluctuating activity levels	-142,756	64,856			-77,900
RES102	Planning Appeals Equalisation	Funding for one off appeals cost in excess of revenue budget	-101,232		-51,700		-152,932
RES103	Licensing Fees Equalisation	Past income surpluses to cushion impact of revised legislation	-22,555	11,400			-11,155
RES104	Interest Equalisation	To cover any additional losses arising in the value of Icelandic deposits and/or to reduce the borrowing arising from the capitalisation of the losses	-174,012				-174,012
RES105	Local Plan Equalisation	Fund cyclical cost of local plan inquiry	-67,230	60,000			-7,230
RES106	Elections Equalisation	Fund cyclical cost of local elections	-96,000	61,500	-57,600		-92,100
RES107	Car Parking equalisation	To fund fluctuations in income from closure of car parks	-94,600		-255,400		-350,000
RES108				61,449	-202,057		-140,608
			-698,384				-1,005,936
<u>Reserves for commitments</u>							
RES301	Carry Forwards Reserve	Approved budget carry forwards	-1,449,298	1,352,300	-577,850		-674,848

	<u>Purpose of Reserve</u>	<u>31/3/14</u> <u>Restated</u> £	<u>2014/15</u> <u>Movement</u> <u>Revenue</u> <u>Out</u> £	<u>2014/15</u> <u>Movement</u> <u>Revenue</u> <u>IN</u> £	<u>2014/15</u> <u>Movement</u> <u>Capital</u> <u>Out</u> £	<u>2014/15</u> <u>Movement</u> <u>Capital</u> <u>IN</u> £	<u>31/3/15</u> £
<u>CAPITAL</u>							
RES402	Capital Reserve - GF To fund General Fund capital expenditure	-1,612,746	14,000		807,685		-791,061
		-1,612,746					-791,061
	TOTAL EARMARKED RESERVES	-6,438,395					-5,310,635
<u>GENERAL FUND BALANCE</u>							
B8000 - B8240	General Balances General Balances	-1,753,387	154,161				-1,599,226
		-1,753,387					-1,599,226
	TOTAL GENERAL FUND RESERVES AND BALANCES	-8,191,782	2,526,996.25	-2,056,950.37	811,874.82	0.00	-6,909,860.98
		<u>31/3/14</u>			<u>Receipts</u> <u>Received</u>	<u>Receipts</u> <u>Applied</u>	<u>31/3/15</u>
B8700 - B8716	General Fund Capital Receipts	-10,195,399			-1,878,449	651,244	-11,422,603

Annual Treasury Management Review 2014/15

Purpose

This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2014/15. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

During 2014/15 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Council 13/02/2014)
- a mid-year (minimum) treasury update report (Council 15/12/2014)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is, therefore, important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

This Council confirms that it has complied with the requirement under the Code to give prior scrutiny to all of the above treasury management reports by the Treasury Management Panel before they were reported to the full Council.

Executive Summary

During 2014/15, the Council complied with its legislative and regulatory requirements. The key actual prudential and treasury indicators detailing the impact of capital expenditure activities during the year, with comparators, are as follows:

Prudential and treasury indicators		2013/14 Actual £000	2014/15 Original £000	2014/15 Actual £000
Capital expenditure				
•	General	5,044	9,558	4,333
•	Fund	6,363	7,948	6,974
•	HRA			
•	TOTAL	11,407	17,506	11,307
Capital Financing Requirement:				
•	General	27,844	28,300	29,120
•	Fund	44,750	44,750	44,750
•	HRA			
•	TOTAL	72,594	73,050	73,870
Gross borrowing		68,454	67,527	69,614
External debt		58,680	60,781	58,926

Prudential and treasury indicators	2013/14 Actual £000	2014/15 Original £000	2014/15 Actual £000
Investments			
• Longer than 1 year	210	140	140
• Under 1 year	16,860	17,520	20,660
• Total	17,070	17,660	20,800
Net Borrowing	51,384	49,867	48,814

Other prudential and treasury indicators are to be found in Appendix 1 of this report. The Director of Resources also confirms that new long term borrowing of £1.4m was undertaken for a capital purpose during 2014/15 and the statutory borrowing limit (the authorised limit) was not breached at any time.

The financial year 2014/15 continued the challenging investment environment of previous years, namely low investment returns.

Recommendations

The Council is recommended to:

1. Approve the actual 2014/15 prudential and treasury indicators in this report
2. Note the annual treasury management report for 2014/15

Introduction and Background

This report summarises the following:-

- Capital activity during the year;
- Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- The actual prudential and treasury indicators;
- Overall treasury position identifying how the Council has borrowed in relation to this indebtedness, and the impact on investment balances;
- Summary of interest rate movements in the year;
- Detailed investment activity.

1. The Council's Capital Expenditure and Financing 2014/15

The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or

The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

£m General Fund/HRA	2013/14 Actual £000	2014/15 Estimate £000	2014/15 Actual £000
Capital expenditure			
Financed in year	11,407	17,506	11,307
Unfinanced capital expenditure	0	0	0

2. The Council's Overall Borrowing Need

The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's indebtedness. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents the 2014/15 unfinanced capital expenditure (see above table), and prior years' net or unfinanced capital expenditure which has not yet been paid for by revenue or other resources.

Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. Borrowing of £1.4m from the Public Works Loan Board was taken to finance the 2014/15 capital expenditure.

Borrowing activity is constrained by prudential indicators for net borrowing and the CFR, and by the authorised limit.

Gross borrowing and the CFR - in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2014/15) plus the estimates of any additional capital financing requirement for the current (2014/15) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allows the Council some flexibility to either borrow in advance of its immediate capital needs in 2014/15 or reduce its investments. The table below highlights the Council's gross borrowing position against the CFR.

	31 March 2014 Actual	31 March 2015 Budget	31 March 2015 Actual
Gross borrowing position	£66.424m	£69.044m	£69.614m
CFR	£72.594m	£73.050m	£73.870m

The authorised limit - the authorised limit is the “affordable borrowing limit” required by s3 of the Local Government Act 2003. Once this has been set, the Council does not have the power to borrow above this level. The table below demonstrates that during 2013/14 the Council has maintained gross borrowing within its authorised limit.

The operational boundary – the operational boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the boundary is acceptable subject to the authorised limit not being breached.

Actual financing costs as a proportion of net revenue stream - this indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

	2014/15
Authorised limit	£109m
Operational boundary	£101m
Average gross borrowing position	£59.5m
Financing costs as a proportion of net revenue stream	5.88%

3. Treasury Position as at 31 March 2015

The Council's debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established through member reporting detailed in the summary. At the beginning and the end of 2014/15 the Council's treasury position was as follows:

TABLE 1	31 March 2014 Principal	Rate/Return	31 March 2015 Principal	Rate/Return
Fixed rate funding:				
-PWLB	£41.81m	3.75%	£43.03m	3.78%
-Market	£15.90m	4.00%	£15.90m	4.00%
-Temporary	-	-	-	-
Total debt	£57.71m	3.83%	£58.93m	3.84%
CFR	£72.594m		£73.87m	
Over / (under) borrowing	(£14.80m)		(£14.94m)	
Investments:				
- in house	£17.07m	0.57%	£20.80m	0.62%
Total investments	£17.07m	0.57%	£20.80m	0.62%

4. The Strategy for 2014/15

The expectation for interest rates within the strategy for 2014/15 anticipated low but rising Bank Rate (starting in quarter 1 of 2015), and gradual rises in medium and longer term fixed borrowing rates during 2014/15. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

The actual movement in gilt yields meant that PWLB rates saw little overall change during the first four months of the year but there was then a downward trend for the rest of the year with a partial reversal during February.

5. The Economy and Interest Rates

The original market expectation at the beginning of 2014/15 was for the first increase in Bank Rate to occur in quarter 1 2015 as the unemployment rate had fallen much faster than expected through the Bank of England's initial forward guidance target of 7%. In May, however, the Bank revised its forward guidance. A combination of very weak pay rises and inflation above the rate of pay rises meant that consumer disposable income was still being eroded and in August the Bank halved its forecast for pay inflation in 2014 from 2.5% to 1.25%. Expectations for the first increase in Bank Rate therefore started to recede as growth was still heavily dependent on buoyant consumer demand. During the second half of 2014 financial markets were caught out by a halving of the oil price and the collapse of the peg between the Swiss franc and the euro. Fears also increased considerably that the ECB was going to do too little too late to ward off the threat of deflation and recession in the Eurozone. In mid-October, financial markets had a major panic for about a week. By the end of 2014, it was clear that inflation in the UK was going to head towards zero in 2015 and possibly turn negative. In turn, this made it clear that

the MPC would have great difficulty in starting to raise Bank Rate in 2015 while inflation was around zero and so market expectations for the first increase receded back to around quarter 3 of 2016.

Gilt yields were on a falling trend for much of the last eight months of 2014/15 but were then pulled in different directions by increasing fears after the anti-austerity parties won power in Greece in January; developments since then have increased fears that Greece could be heading for an exit from the euro. While the direct effects of this would be manageable by the EU and ECB, it is very hard to quantify quite what the potential knock on effects would be on other countries in the Eurozone once the so called impossibility of a country leaving the EZ had been disproved. Another downward pressure on gilt yields was the announcement in January that the ECB would start a major programme of quantitative easing, purchasing EZ government and other debt in March. On the other hand, strong growth in the US caused an increase in confidence that the US was well on the way to making a full recovery from the financial crash and would be the first country to start increasing its central rate, probably by the end of 2015. The UK would be closely following it due to strong growth over both 2013 and 2014 and good prospects for a continuation into 2015 and beyond. However, there was also an increase in concerns around political risk from the general election due in May 2015.

6. Borrowing Outturn for 2014/15

For 2014/15 the Council's actual debt management costs (borrowing) were £2,072,848 compared to a revised budget of £2,054,300, an over spend of £18,548. The weighted average rate on all loans for 2014/15 was 3.80% (2013/14 3.83%) on an average loan balance of £ 59,547m for the financial year.

The HRA repaid the General Fund £1.685m interest for the use of debt balances it holds.

Loans were drawn down in 2014/15 from the PWLB for £1.4m to fund capital expenditure for the Garage Sites project on behalf of Cheltenham Borough Homes. This loan was taken on an annuity basis in which Cheltenham Borough Homes are repaying back in full to the Council based on the loan term taken (40 years) with the PWLB, ensuring the GF is cost neutral.

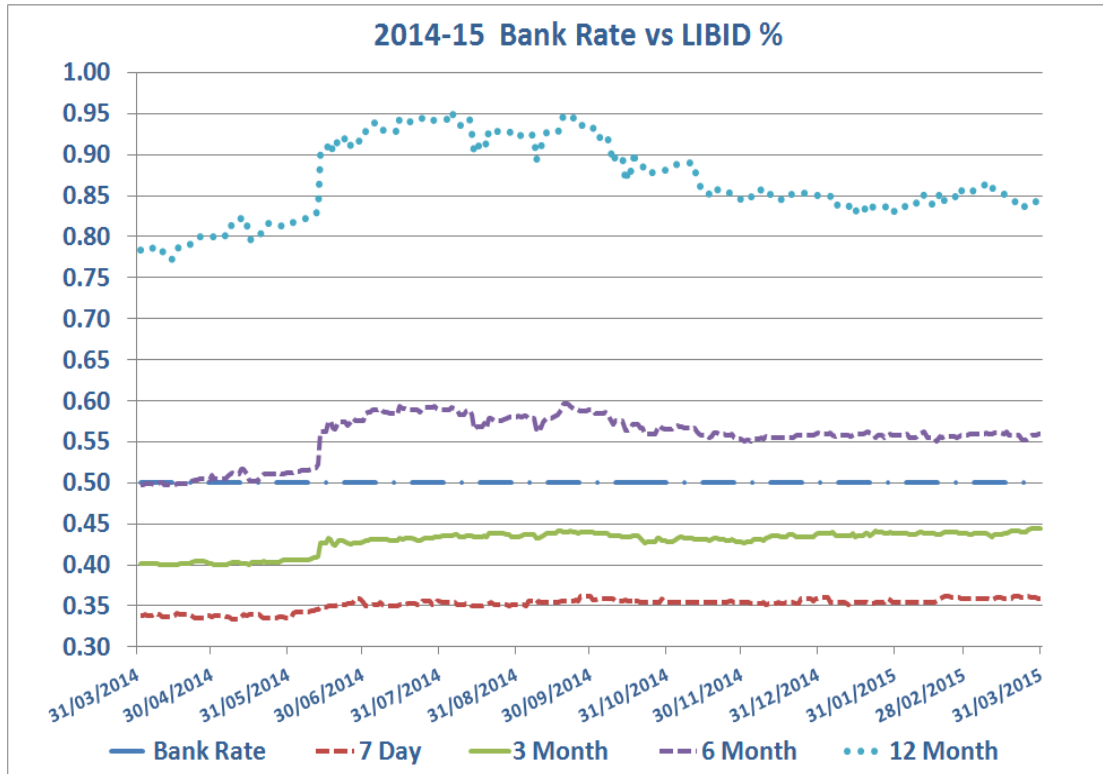
The loans drawn were:

Lender	Principal	Type	Interest Rate	Maturity
PWLB	£1.4m	Fixed interest rate	4.22%	40 years

No rescheduling was done during the year as the average 1% differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

7. Investment Rates in 2014/15

Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for six years. Market expectations as to the timing of the start of monetary tightening started the year at quarter 1 2015 but then moved back to around quarter 3 2016 by the end of the year. Deposit rates remained depressed during the whole of the year, primarily due to the effects of the Funding for Lending Scheme.



8. Investment Outturn for 2014/15

Investment Policy – the Council’s investment policy is governed by CLG guidance, which was been implemented in the annual investment strategy approved by the Council on 13th February 2014 and again on the 15th December 2014 for changes made. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

Type of Investments	Balance on 01/04/2014	Average Weighed	Interest Earned in	% Rate Achieved in	Balance on 31/03/2015
---------------------	-----------------------	-----------------	--------------------	--------------------	-----------------------

	£	Balance Held in 2014/15 £	2014/15 £	2014/15 %	£
Fixed Term Deposits	5,000,000	14,517,260	99,816	0.69	12,000,000
Call Accounts & MMF's	11,790,000	5,642,013	22,978	0.41	8,590,000
Policy Investments	280,000	253,000	3,633	1.50	210,000

The Council maintained an average balance of £20.413m of internally managed funds during 2014/15. The internally managed funds earned an average rate of return of 0.62%. The comparable performance indicator is the average 3 month LIBID rate which was 0.43%. The Council budgeted for £111,400 investment interest for 2014/15 but made an actual return of £159,936, a surplus of £48,536. Included in this figure was interest accrued on the Glitnir Escrow account which accounted for £31,697 towards the surplus.

9. Icelandic Bank Defaults

The Council had £11m deposited with three Icelandic Banks when the banking system in Iceland collapsed in October 2008.

At the current time, the process of recovering assets is still ongoing with the administrators. In the case of Kaupthing, Singer and Friedlander Ltd, the administrators have made a number of dividend payments to date, with further payments and updates anticipated during 2015/16. To date 82.5p in the pound has been recovered. It is estimated that total dividends will be between 85p to 86.5p in the pound.

In regard to Glitnir the outstanding amount currently resides in an escrow account held in Iceland where it is earning interest at over 3%. Until government controls are relaxed the Council cannot access these funds. It is reported that these controls could be relaxed sometime later on this year.

The table below shows the detailed repayments in respect of the specific Icelandic investments held in administration:

Icelandic Deposits Held	Original Deposits	Amount Received to date	Amount Owed
	£	£	£
Kaupthing Singer & Friedlander	2,000,000	1,650,000	350,000
Kaupthing Singer & Friedlander	1,000,000	825,000	175,000
Glitnir	3,000,000	2,427,600	572,400
Landsbanki	2,000,000	1,888,835	0
Landsbanki	2,000,000	1,889,110	0
Landsbanki	1,000,000	974,730	0
TOTAL	11,000,000	9,655,275	1,097,400

Appendix 1: Prudential and treasury indicators

1. PRUDENTIAL INDICATORS	2013/14	2014/15	2014/15
Extract from budget and rent setting report	actual	original	actual
	£'000	£'000	£'000
Capital Expenditure			
Non - HRA	5,044	9,449	4,333
HRA	6,363	7,948	6,974
TOTAL	11,407	17,397	11,307
Ratio of financing costs to net revenue stream			
Non - HRA	3.24%	3.27%	2.90%
HRA	8.47%	8.05%	8.01%
Gross borrowing requirement			
brought forward 1 April	£66,424	£68,454	£68,454
carried forward 31 March	£68,454	£69,641	£69,614
in year borrowing requirement	£2,030	£1,187	£1,160
CFR			
Non – HRA	£27,844	£28,300	£29,120
HRA	£44,750	£44,750	£44,750
TOTAL	£72,594	£73,050	£73,870
Incremental impact of capital investment decisions	£	£	£
Increase in council tax (band D) per annum *	£nil	£nil	£nil
Increase in average housing rent per week **	£nil	£nil	£nil
* Council Tax Freeze for 2014/15			
** Decisions on annual rent increases are subject to rent restructuring guidelines set by Central Government. As a consequence rent levels will only rise by RPI Index plus 0.5% and this should cover all additional capital expenditure.			

2. TREASURY MANAGEMENT INDICATORS	2013/14	2014/15	2014/15
	actual	original	actual
	£'000	£'000	£'000
Authorised Limit for external debt - borrowing	£109,000	£109,000	£109,000
other long term liabilities	£0	£0	£0
TOTAL	£109,000	£109,000	£109,000
Operational Boundary for external debt - borrowing	£96,000	£101,000	£101,000
other long term liabilities	£0	£0	£0
TOTAL	£96,000	£101,000	£101,000
Actual external debt	£57,709	£59,074	£58,926
Upper limit for fixed interest rate exposure			
Net principal re fixed rate borrowing / investments :-	0-100 %	0-100 %	0-100 %
Upper limit for variable rate exposure			
Net principal re variable rate borrowing / investments :-	0-100 %	0-100 %	0-100 %

Maturity structure of fixed rate borrowing during 2014/15	upper limit	lower limit
under 12 months	50%	0%
12 months and within 24 months	50%	0%
24 months and within 5 years	100%	0%
5 years and within 10 years	100%	0%
10 years and above	100%	0%

GENERAL FUND CAPITAL PROGRAMME

Code	Fund	Scheme	Scheme Description	Original Scheme Cost	Payments to 31/03/14	Revised Budget 2014/15	Outturn 2014/15	Underspend/ (Overspend) 2014/15	Budget 2015/16	Revised Budget 2015/16	Budget 2016/17	Budget 2017/18
				£	£	£	£	£	£	£	£	£
		RESOURCES										
		Property Services										
CAP001	C/R	Cremators	New cremators			188,300	128,517	59,783		59,700		
CAP401	C	Town Centre acquisitions	Acquisition of Shopfitters site & Delta Place			1,000,000	567,628	432,372		14,182,300		
		Financial Services										
CAP010	C	GO ERP	Development of ERP system within the GO Partnership	421,700	441,973	14,700		14,700		14,700		
		ICT										
CAP021	C	Working Flexibly	Deliver council services at a time and place which suit the customer. Implementation of Citrix environment to deliver business applications to the home / remote users desktop	35,300	27,674	7,600		7,600				
CAP025	C	IT Infrastructure	Virtual e-mail appliance licence -setting up of e-mail connection between all GO Partner authorities.			22,000		22,000				
CAP026	C	IT Infrastructure	5 year ICT infrastructure strategy			403,800	393,167	10,633	275,600	470,400		
CAP026	C	IT Infrastructure	Capitalisation of UNIFORM			0	122,550	(122,550)	104,000	0		
CAP027	C	ICT Server Room Generator	50% of the cost of a generator in the Forest of Dean DC server room to provide business continuity back-up which supports the delivery of a revenue saving as identified in Appendix 4			25,000		25,000				
		WELLBEING & CULTURE										
		Parks & Gardens										
CAP101	S	S.106 Play area refurbishment	Developer Contributions			72,000	56,092	15,908	50,000	65,900	50,000	50,000
CAP102	C	Play Area Enhancement	Ongoing programme of maintenance and refurbishment of play areas to ensure they improve and meet safety standards			80,000	64,862	15,138	80,000	95,100	80,000	80,000
			Investment in the play area							300,000		
CAP501	C	Allotments	Allotment Enhancements - new toilets, path surfacing, fencing, signage, and other improvements to infra-structure.			610,200	18,754	591,446		591,400		
CAP104	P	Leckhampton Hill dry stone wall	Match funded with Natural England to construct dry stone walling on Leckhampton Hill sit of special scientific interest (SSSI)				(500)	500				
CAP106	P	Pittville Gates	Restoration of Pittville Gates - Partnership Funding				54,935					
CAP108	S	King George V Playing Field Cycle Track	Developer Contributions				2,507					
		Cultural Services										
CAP121	R/P	Art Gallery & Museum Development Scheme	Council's commitment to new scheme as agreed by Council 20th July 2008			90,000	101,052	(11,052)				
			Preliminary work, subject to Council approving a detailed scheme and a business case							400,000		
CAP124	C	Town Hall Chairs	Replacement of Town Hall chairs on a like for like basis			80,000		80,000		80,000		
		Recreation										
CAP112	C	Carbon reduction scheme	Replacement of Pool Hall lighting to LEDs at Leisure@			30,000		30,000		30,000		

GENERAL FUND CAPITAL PROGRAMME

Code	Fund	Scheme	Scheme Description	Original Scheme Cost	Payments to 31/03/14	Revised Budget 2014/15	Outturn 2014/15	Underspend/ (Overspend) 2014/15	Budget 2015/16	Revised Budget 2015/16	Budget 2016/17	Budget 2017/18
BUILT ENVIRONMENT												
Integrated Transport												
CAP152	C	Civic Pride	Upgrade of Promenade pedestrianised area including remodelling of tree pits, providing seating, re-pointing existing Yorkstone.			65,800		65,800		65,800		
CAP152	S	Civic Pride	Public Art - Promenade			22,000		22,000		22,000		
CAP153	C	Civic Pride	Remodelling of Sherborne Place Car Park into a Green car park for short stay bus use.			100,000		100,000		100,000		
CAP154	C	Civic Pride	Scheme for St.Mary's churchyard			49,500	4,190	45,310		45,300		
CAP154	S	Civic Pride	Public Art - St Mary's churchyard			20,000		20,000		20,000		
CAP155	S	Pedestrian Wayfinding	GCC Pedestrian Wayfinding			131,200	103,701	27,499		27,500		
CAP156	S	Hatherley Art Project	Public Art - Hatherley			10,000	2,122	7,878		7,800		
CAP204	C	Civic Pride	Improvements to Grosvenor Terrace Car Park (Town Centre East), improving linkages to the High Street, signage and decoration.			129,000	(5,250)	134,250		134,200		
CAP201	C	CCTV in Car Parks	Additional CCTV in order to improve shopping areas and reduce fear of crime			245,700	30,644	215,056	50,000	265,000	50,000	50,000
CAP202	C	Car park management technology	The upgrade of the car park management technology at selected sites such as Regent Arcade is essential as the existing management systems and hardware have now reached the end of their life cycle.			37,100		37,100		37,100		
CAP205	C	Public Realm Improvements	High Street & Town Centre public realm improvement including repaving work in the High Street and town centre			244,400		244,400	317,300	561,700		
CAP206	C	Car Park Investment	New car park machines to allow additional functionality to be introduced for the benefit of customers			250,000		250,000		250,000		
Housing												
CAP221	C/SCG	Disabled Facilities Grants	Mandatory Grant for the provision of building work, equipment or modifying a dwelling to restore or enable independent living, privacy, confidence and dignity for individuals and their families.			600,000	445,390	154,610	600,000	600,000	600,000	600,000
CAP222	C	Adaptation Support Grant	Used mostly where essential repairs (health and safety) are identified to enable the DFG work to proceed (e.g. electrical works).			26,000	12,393	13,607	26,000	26,000	26,000	26,000
CAP223	PSDH	Health & Safety Grant / Loans	A new form of assistance available under the council's Housing Renewal Policy 2003-06									
CAP223	PSDH	Vacant Property Grant	A new form of assistance available under the council's Housing Renewal Policy 2003-06			287,900	12,656	275,244		275,200		
CAP223	PSDH	Renovation Grants	Grants provided under the Housing Grants, Construction and Regeneration Act 1996									
CAP224	LAA / C	Warm & Well	A Gloucestershire-wide project to promote home energy efficiency, particularly targeted at those with health problems			90,000	11,587	78,413		78,400		
CAP225	C/S	Housing Enabling - St Paul's Phase 2	Expenditure in support of enabling the provision of new affordable housing in partnership with registered Social Landlords and the Housing Corporation			2,418,500	805,639	1,612,861		2,312,800		
CAP227	C/S	Housing Enabling - Garage Sites	Expenditure in support of enabling the provision of new affordable housing in partnership with Cheltenham Borough Homes			1,400,000	1,400,000	0				
	S	Housing Enabling	Expenditure in support of enabling the provision of new affordable housing in partnership with registered Social Landlords and the Housing Corporation							500,000	500,000	

GENERAL FUND CAPITAL PROGRAMME

Code	Fund	Scheme	Scheme Description	Original Scheme Cost	Payments to 31/03/14	Revised Budget 2014/15	Outturn 2014/15	Underspend/ (Overspend) 2014/15	Budget 2015/16	Revised Budget 2015/16	Budget 2016/17	Budget 2017/18
		OPERATIONS										
CAP301	C	Vehicles and recycling caddies	Replacement vehicles and recycling equipment			61,800		61,800		61,800		
CAP301	C	10 Year vehicle Replacement	CBC & Ubico vehicle & plant replacement programme			628,000		628,000	806,000	1,434,000	905,000	143,000
		BUDGET PROPOSALS FUTURE CAPITAL PROGRAMME:										
	C	Town Hall redevelopment (£2m)	Subject to Council approving a detailed scheme and a business case									
	C	Public Realm improvements (£2m)	Pending the completion of the Cheltenham Transport Plan process									
	C	Investment in the Crematorium (£1m)	Pending the Council approving a detailed proposal including a business case									
	C	Material Bulking Plant	Maximum Project Budget for acquisition cost of creating the materials' bulking plant at the central Depot, required to deliver annual revenue savings of £92k							390,000		
	C	Bus Station	Demolition of existing concrete bus shelter and waiting room and provision of services to supply new café facility							50,000		
		CAPITAL SCHEMES - RECLASSIFIED AS REVENUE										
CAP203	C	Re-jointing High Street/Promenade pedestrianised area	Re-jointing works required to improve safety and appearance of the core commercial area	60,000	52,171	7,500		7,500		7,500		
		TOTAL CAPITAL PROGRAMME				9,448,000	4,332,636	5,172,806	2,308,900	23,561,600	2,211,000	949,000
		Funded by:										
		G Government Grants				319,697	319,696		306,000	306,000	306,000	306,000
		SCG Specified Capital Grant (DFG)				90,000	11,587					
		LAA LAA Performance Reward Grant				131,200	157,387					
		P Partnership Funding				287,900	12,656					
		PSDH Private Sector Decent Homes Grant				100,000			50,000	50,000	50,000	50,000
		HRA Housing Revenue Account Contribution								59,700		
		R Property Planned Maintenance Reserve				146,100	60,720		50,000	565,900	550,000	50,000
		S Developer Contributions S106					1,832					
		C Capital Debtor				86,100	205,639					
		C HRA Capital Receipts				2,994,200	651,244		447,300	5,218,200	130,000	130,000
		C GF Capital Receipts				215,300	4,190					
		C Civic Pride Reserve				3,818,500	2,100,000		806,000	14,996,800		
		C Prudential Borrowing				1,259,003	807,685		649,600	2,365,000	1,175,000	413,000
		C GF Capital Reserve				9,448,000	4,332,636	0	2,308,900	23,561,600	2,211,000	949,000

This page is intentionally left blank

Page 81

S106 Contributions 2014-15 as at 31 March 2015						
AGRESSO - Cost Centre - BAL101			Balance	Receipts/	Amounts	Usable
Detail	Developer Contributions (S106)	YEAR	@ 1/4/14	Refunds	Applied	Developer
			£	in year	to fund	Contributions
				£	fixed assets	@ 31/3/15
					£	£
AGRESSO ACCOUNT CODE >>>>			B7410/20	B7410/20	B7410/20	
DEV401	Courts-Kingsditch-Bond Sum Indexed Linked	06/07	(19,800.00)			(19,800.00)
DEV402	St James South-Bond Sum Indexed Linked	06/07	(63,000.00)			(63,000.00)
DEV403	Cold Pool Lane Grounds Maintenance	11/12	(53,303.83)			(53,303.83)
DEV404	Gloscat Park Grounds Maintenance	11/12	(34,083.00)			(34,083.00)
DEV405	Benhall Grounds Maintenance	11/12	(96,564.03)			(96,564.03)
DEV406	Rosebay Gardens Grounds Maintenance	13/14	(41,835.83)			(41,835.83)
DEV407	Portland St & North Place MSCP repairs & insi	14/15		(100,000.00)		(100,000.00)
DEV408	Portland St & North Place compensation claim	14/15		(80,000.00)		(80,000.00)
Sub-Total DEV4*			(308,586.69)	(180,000.00)	0.00	(488,586.69)
AGRESSO ACCOUNT CODE >>>>			B8900	B8910	B8920	
DEV002	Berkeley Homes - Thirlestaine Hall	14/15	0.00	(433,854.08)		(433,854.08)
DEV002	Berkeley Homes - Thirlestaine Hall	14/15	0.00	(603,392.86)		(603,392.86)
			0.00	(1,037,246.94)	0.00	(1,037,246.94)
DEV101	Dunalley St-Public Art	10/11	(7,000.00)			(7,000.00)
DEV102	Rosemullion-Public Art	07/08	(1,340.57)			(1,340.57)
DEV103	75-79 Rowanfield Road-Public Art	08/09	(5,342.50)			(5,342.50)
DEV104	Hatherley Lane (ASDA) - Public Art	10/11	(25,000.00)		2,122.00	(22,878.00)
DEV106	12/13 Hatherley Lane (B&Q) - Public Art	12/13	(53,100.00)			(53,100.00)
DEV107	Devon Avenue - Public Art	12/13	(27,740.00)	24,300.00		(3,440.00)
DEV109	79 The Park	12/13	(2,557.00)			(2,557.00)
DEV110	Spirax Sarco St Georges Road	13/14	(15,000.00)			(15,000.00)
DEV111	Public Art - Midwinter site	14/15	0.00	(50,000.00)		(50,000.00)
			(137,080.07)	(25,700.00)	2,122.00	(160,658.07)
DEV201	S106 Playspace-Adult/Youth	07/08 - 11/12	(103,384.98)	(40,775.31)	56,091.61	(88,068.68)
DEV203	58-60 St Pauls-Adult/Youth	09/10	(3,756.13)			(3,756.13)
DEV204	Dunalley Street-Adult/Youth	10/11	(2,720.00)			(2,720.00)
DEV206	Merrowdown-Adult/Youth	10/11	(201.98)			(201.98)
DEV207	Charlton Lane-Adult/Youth	10/11	(1,840.00)			(1,840.00)
DEV208	S106 Playspace Arle Farm	11/12	(495.01)			(495.01)
DEV209	S106 Playspace-Beeches	08/09 + 11/12	(470.50)			(470.50)
DEV211	Market Street-Elmfield	07/08	(7.67)			(7.67)
DEV212	07/08 S106 Playspace Fairview	12/13	(1,690.00)			(1,690.00)
DEV214	S106 Playspace-Lansdown Crescent	10/11 + 11/12	(1,518.50)			(1,518.50)
DEV215	S106 Playspace-Leckhampton Lanes	08/09	(43.00)			(43.00)
DEV217	S106 Playspace-Priors Farm	10/11	(7,220.50)			(7,220.50)
DEV218	S106 Playspace-Whaddon Road	Pre 07/08	(5.49)			(5.49)
DEV219	S106 Playspace-Prestbury	09/10	(759.67)			(759.67)
DEV222	S106 Playspace - OE2	11/12	(182.00)			(182.00)
DEV223	S106 Winston Churchill Gardens	11/12	(216.00)	(3,723.00)		(3,939.00)
DEV224	12/13 King George V PF S106	12/13	(2,252.61)		2,252.61	(0.00)
DEV224	12/13 King George V PF S106	12/13	(890.00)		254.13	(635.87)
DEV233	S106 Play area - Beeches	14/15	0.00	(1,638.00)		(1,638.00)
			(127,654.04)	(46,136.31)	58,598.35	(115,192.00)
B8900 - B8920	Sub-Total DEV0* to DEV3*		(264,734.11)	(1,109,083.25)	60,720.35	(1,313,097.01)
Total Developers Contributions BAL101			(573,320.80)	(1,289,083.25)	60,720.35	(1,801,683.70)

This page is intentionally left blank

**Council Tax and Business Rates
Collection Rates 2014-2015**

Business Rates 2014/2015

Current Year Charges - 2014/2015		
Monitoring Period	% Collected at 31.03.2015	2014/2015 Target
	98.12%	98.50%
Comparison with 2013/2014	% Collected at 31.03.2014	% Collected 31.03.2014
	98.40%	98.40%

The collection rate is lower than the target and lower than for last year. We continue to monitor collection levels closely and work with businesses struggling to pay.

Previous Years Charges Outstanding in 2014/2015		
Monitoring Period	Amount outstanding at 31.03.2015	2014/2015 Target
	£744,809	£550,000
Comparison with 2013/2014	Amount outstanding at 31.03.2014	Amount outstanding at 31.03.2014
	£501,507	£501,507

The arrears level is higher than the target and higher than at the same time last year. We continue to work with any businesses having difficulty in paying.

Council Tax 2014/2015

Current Year Charges - 2014/2015		
Monitoring Period	% Collected at 31.03.2015	2014/2015 Target
	98.08%	98.15%
Comparison with 2013/2014	As at 31.03.2014	% Collected 31.03.2014
	98.10%	98.10%

The collection rate is lower than the target and lower than for last year. We continue to monitor collection levels closely and work with customers who are struggling to pay.

Previous Years Charges Outstanding in 2014/2015		
Monitoring Period	Amount outstanding at 31.03.2015	2014/2015 Target
	£1,123,252	£1,040,000
Comparison with 2013/2014	As at 31.03.2014	Amount o/s 31.03.14
	£1,009,650	£1,009,650

The arrears outstanding are higher than the target. Again, we are monitoring the position closely and working with council tax payers having difficulty in paying.

This page is intentionally left blank

This page is intentionally left blank

HRA OPERATING ACCOUNT

	2014/15	
	Forecast	Actual
	<u>£</u>	<u>£</u>
<u>EXPENDITURE</u>		
General & Special Management	2,054,000	1,985,380
ALMO Management Fee	4,968,300	4,967,200
Rents, Rates, Taxes and Other Charges	59,000	50,171
Repairs and Maintenance	4,107,300	3,912,338
Provision for Bad Debts	150,000	122,560
Interest Payable	1,684,700	1,684,665
Depreciation & Impairment of Dwellings	5,298,500	5,308,514
Depreciation of Other Assets	142,100	142,100
Debt Management Expenses	81,700	80,900
TOTAL	18,545,600	18,253,828
<u>INCOME</u>		
Dwelling Rents	18,803,800	18,807,768
Non Dwelling Rents	418,500	428,874
Charges for Services and Facilities	828,200	789,080
Supporting People Grant	110,000	121,484
Feed in Tariff from PV Installations	85,000	121,913
TOTAL	20,245,500	20,269,119
NET INCOME FROM SERVICES	1,699,900	2,015,291
Amortised Premiums / Discounts	10,100	10,103
Interest Receivable	41,600	54,984
NET OPERATING INCOME	1,751,600	2,080,378
<u>Appropriations</u>		
Revenue Contributions to Capital	1,597,400	628,868
HRA Surplus / (Deficit) carried to reserve	154,200	1,451,510
Revenue Reserve brought forward	4,204,600	4,204,600
Transfer to New Build Reserve	-2,000,000	-2,000,000
Revenue Reserve carried forward	2,358,800	3,656,110

HRA CAPITAL PROGRAMME

	2014/15	
	Forecast	Actual
	£	£
<u>EXPENDITURE</u>		
Property Improvements & Major Repairs (incl fees)	7,468,000	6,538,316
Adaptations for the Disabled	400,000	386,263
Environmental Works (Tenant Selection)	60,000	48,220
Repurchase of Shared Ownership Dwellings	50,000	1,546
	<u>7,978,000</u>	<u>6,974,345</u>
<u>FINANCING</u>		
Capital Receipts	940,000	656,367
HRA Revenue Contribution	1,597,400	628,868
Major Repairs Reserve	5,440,600	5,442,700
New Build Reserve		96,856
Capital Contributions		149,555
	<u>7,978,000</u>	<u>6,974,346</u>

MAJOR REPAIRS RESERVE

	2014/15	
	Forecast	Actual
	£	£
Balance brought forward	0	0
Depreciation of Dwellings	5,298,500	5,300,600
Depreciation of Other Assets	142,100	142,100
	<u>5,440,600</u>	<u>5,442,700</u>
Applied in Year	-5,440,600	-5,442,700
Balance carried forward	<u>0</u>	<u>0</u>

NEW BUILD DEVELOPMENT RESERVE

	2014/15	
	Forecast	Actual
	£	£
Transfer from HRA Revenue Reserve		2,000,000
Applied in Year		-96,856
Balance carried forward	<u>0</u>	<u>1,903,144</u>

Housing Revenue Account New Build

Accountable member	Councillor Peter Jeffries, Cabinet Member Housing
Accountable officer	Martin Stacy, Lead Commissioner – Housing Services
Ward(s) affected	St Marks, Warden Hill, Up Hatherley and Springbank,
Key Decision	Yes
Executive summary	In March 2015 Cabinet resolved that the Authority seek bids from contractors to build new homes across Cheltenham on a number of garage sites. Following a recent procurement exercise this report seeks approval to enter into a JCT Design and Build Contract with J Harper and Sons with Total Scheme Costs not to exceed £1,684,800. The scheme will deliver up to ten new homes on four HRA garage sites, representing the first Council owned stock built since the late 1980's.

Recommendations

That Cabinet:-

1. **Subject to subsequent Council approval, authorise the Authority to accept the tender received from J Harper and Sons and enter into a JCT Design and Build Contract for the construction of up to ten new dwellings on the garage sites listed in section 2 of this report with Total Scheme Costs not to exceed £1,684,800.**

2. **Delegate authority to the Head of Property and Asset Management, in consultation with the Borough Solicitor to:**
 - 2.1. **Conclude the JCT Design and Build contract with J Harper and Sons including removing the Parkbury Close /Rowanfield Road site if planning permission is not granted;**

 - 2.2 **Take all necessary steps and undertake all necessary procedures, including entering into any legal agreements or other documentation as may be required to implement or facilitate the developments.**

3. **Authorise the Authority to charge Affordable Rents to all ten dwellings at 80% of Market Rents with the exception of the four bedroom dwelling proposed at Parkbury Close/Rowanfield Road. At this site authorise the Authority to charge 70% market rent.**

Cabinet recommends that Council:

4. **Authorise the allocation of up to £1,684,000 for the construction**

of up to ten new dwellings on the garage sites listed in section 2 of this report.

5. Note that the total scheme costs of £1,684,800 (broken down in further detail in exempt appendix 3) will be funded by circa £500k of RTB receipts with the balance funded by the most appropriate combination of the other funding streams noted within the report – this decision being delegated to the Section 151 Officer in accordance with Financial Rules B7 and B8.
6. Approves the Authority sourcing loan finance of up to £1.0m from the Public Works Loan Board to be used for the construction of up to ten new dwellings on the garage sites listed in section 2 of this report.

--

Financial implications	<p>As outlined in the report and exempt appendix.</p> <p>The development of a HRA new build programme will require an ongoing review of resource availability to ensure the most effective and timely use of each funding stream. The choice of funding streams is delegated to the Section 151 Officer.</p> <p>To ensure that the retention of RTB receipts are not put at risk it is important that development is commenced in October 2015.</p> <p>Contact officer: Paul Jones Paul.Jones@cheltenham.gov.uk 01242 775154</p>
Legal implications	<p>The Authority has the power under Section 9 of the Housing Act 1985 to build new housing accommodation on land it owns for that purpose. All of these sites are held for housing purposes.</p> <p>Due to the value of the JCT contract, the Authority’s constitution requires Cabinet approval to the Authority awarding the contract.</p> <p>As the Authority owns the land on which the dwellings are to be constructed, it will be the Authority entering into the contract. CBH will monitor the contract and the progress of the build on the Authority’s behalf with assistance from Employer’s Agents engaged by the Authority.</p> <p>Contact officer: Donna Ruck, Solicitor, donna.ruck@tewkesbury.gov.uk 01684 272696</p>
HR implications (including learning and organisational development)	<p>There are no direct HR implications arising from this report.</p>
Key risks	<p>Please see risk assessment at Appendix 1 of this report.</p>

<p>Corporate and community plan Implications</p>	<p>By increasing the provision of new affordable housing we will be supporting our key strategic objective of strengthening our communities</p>
<p>Environmental and climate change implications</p>	<p>The redevelopment of the sites will improve the area as they currently consist predominantly of void and poorly maintained garages.</p> <p>The quality of the proposed housing will have an impact on climate change. All of the dwellings will achieve a minimum of Code for Sustainable Homes level 3 adopting a 'fabric first' approach to energy efficiency. The intention is that Solar Photovoltaic panels will be installed to the houses to contribute towards the electricity generation in the dwellings.</p> <p>Contact Officer: Gill Morris, Climate Change and Sustainability Officer</p> <p>gill.morris@cheltenham.gov.uk, 01242 264229</p>
<p>Property/Asset Implications</p>	<p>The redevelopment of the sites will bring back into use current underutilised and surplus land, and add to the affordable housing stock.</p> <p>The potential party wall awards have been built into the the £1.684m total scheme costs.</p> <p>Contact officer: David Roberts, Head of Property Services</p> <p>david.roberts@cheltenham.gov.uk, 01242 264151</p>

1. Background

- 1.1 In March 2015, Cabinet was provided with an update on the pipeline development programme for new build housing. Since then CBH has continued to work with Council Officers via the Joint Programme Group (JPG) to progress suitable sites for new build development within the Housing Revenue Account (HRA). The next tranche of dwellings will be owned by CBC rather than CBH to ensure Right to Buy (RTB) receipts are utilised, by their due date, to part fund the projects.
- 1.2 The redevelopment programme for redundant or underutilised garage sites was developed as the result of a comprehensive survey of all 80+ sites which considered garage condition and utilisation together with site redevelopment potential.
- 1.3 This phase of new build development comprises the redevelopment of four garage sites. CBH has experience in delivering new build housing on garage sites following the successful completion of 14 new dwellings on 4 sites in March-April 2014.
- 1.4 In addition, CBH continues to progress a number of other sites which includes the redevelopment of 5 further garage sites, the site at the corner of Swindon Road/Brunswick Street and the regeneration of Cakebridge Place. In total these developments will provide circa 48 new affordable dwellings.

2. Scheme Details

- 2.1 This package of four garage sites includes the following:-

- A part used garage site at Coniston Road
- A part used garage site at Haweswater Road
- A predominantly derelict garage site at Parkbury Close/ Rowanfield Road
- A cleared garage site at Redgrove Road

The scheme will provide 10 homes comprising of a range of house types as follows to meet local housing need: 5 x 3 bed 5 person dwellings; 2 x 1 bed 2 person flats; 2 x 2 bed 3 person flats and 1 x 4 bed 7 person detached dwelling.

The sites are all in CBC's ownership and there are no acquisition costs.

- 2.2 Planning permission was granted for the sites at Coniston Road, Redgrove Road and Haweswater Road on 19th March 2015. The fourth site at Parkbury Close/Rowanfield Road is to be considered by the Planning Committee on 16th July. In the event that planning permission is not secured, this site will not proceed within this contract.
- 2.3 Due to the proximity of the proposed new dwellings at the Haweswater Road, Coniston Road and Redgrove Road sites in relation to existing housing the Party Wall Act will apply to a number of adjoining properties. A Party Wall Surveyor is to be appointed to ascertain the dwellings affected, serve the relevant Notices and negotiate Awards where necessary.

3. The Case for Garage Site Redevelopment

- 3.1 One of the 3 key aims in the approved 30 year HRA business plan is to build new affordable homes in the Cheltenham area. This development proposal is an important first step in meeting this aim.
- 3.2 The benefits of proceeding with this development include:
 - it aligns with CBC's housing strategy by providing for current housing needs;
 - it ensures the redevelopment of redundant and problematic garage sites;
 - it provides ten high quality lifetime homes; and
 - it will further strengthen the HRA through positive cashflows from Year 1 and a significant return on investment over 40 years (a net present value contribution in excess of £0.5m).

4. Alternative Uses of RTB Receipts

- 4.1 Following the re-invigoration of the RTB policy in 2012, the Government introduced complex rules on how the proceeds from sales are distributed and used. The Council has signed a retention contract (in common with most local authorities) which allows a significant proportion of such receipts to be kept by the authority on the proviso they are used to finance new build expenditure (at a ratio of 30% of eligible expenditure) within 3 years of receipt.
- 4.2 Right to Buy sales in Cheltenham since April 2012 have generated a total of £1.601m of retention receipts to date. The receipts are accrued on a quarter by quarter basis and the authority is required to use them within 3 years of the quarter in which they were realised. This would require total expenditure of £5.337m on new affordable housing by 31st March 2018 and the expenditure will also have to meet the phasing of the receipts. If the receipts are not used by the due date the Council is required to pay them over to Government with interest.
- 4.3 The receipts can only be used to fund “additional” affordable rented housing. These new homes can be new build council homes, newly acquired council homes (existing homes bought on the open market but not those already owned by a registered provider), or social housing provided through local authority grant to registered providers (but not one controlled by the authority i.e. not CBH). While it is the Government’s intention to encourage an increase in the supply of new housing (new build always being the favoured option) the receipts can be used to buy existing properties for conversion into affordable rent.
- 4.4 The 3 options noted above for use of RTB receipts have been considered in proposing this garage site redevelopment. These considerations, relating to the 3 options, are set out below:
- 4.4.1 Council officers have been working with CBH to identify new build schemes which will satisfy the criteria for retaining and using RTB receipts and meet current housing need. The scheme brought forward for approval in this report is the first of a number currently under appraisal. Building new homes, in line with this scheme, provides the greatest financial contribution to the HRA of each of the 3 options for using RTB receipts set out above.
- 4.4.2 Utilising the same level of funds, and RTB receipts, properties could be purchased from the open market and made available for affordable rent. This option could also provide additional council properties in line with housing need. However, full market price would need to be paid for stock that would be of a lower standard than this scheme provides. Depending on the age, price and availability of property purchased this could also result in fewer homes being provided and the financial contribution to the HRA would be lower than option 1 above.
- 4.4.3 Granting the RTB receipts to an independent registered provider could provide new affordable rent properties in Cheltenham however there is no certainty that these will deliver additionality to existing development plans. In addition there would be no financial contribution to the HRA.
- 4.5 Further to the 3 options for using RTB receipts above, the possibilities of retaining the garage sites as is or selling the sites have been considered. Neither of these approaches gives an appropriate financial or qualitative return that would justify these approaches. Leaving the site ‘as is’ will not deliver any regeneration to strengthen these communities or deliver any significant financial contribution to the HRA. Selling these garage sites for private development does not accord with either the Council’s declared housing strategy or the HRA business plan objectives. Therefore the recommended approach is to redevelop these garage sites within the HRA.

5. Other Funding Available for New Build

- 5.1 In addition to RTB receipts new build expenditure in the HRA can be funded from the following sources:-
- 5.1.1 External borrowing financed by the HRA – the level of borrowing was restricted by Government as part of the self- financing settlement in 2012, the “debt cap” for Cheltenham being set at £52.862m. Current HRA debt totals £44.75m, leaving £8.112m available to finance new expenditure.
- 5.1.2 Capital Receipts from HRA asset disposals not arising from RTB. These receipts are exempt from pooling regulations and can be used to finance any capital expenditure without time restraint or the conditions related to use of retention receipts as described above. The sum available at 31st

March is £532,000. This will be increased by proceeds from the disposal of the St Pauls Phase 2 site in the current year (approximately £1.4m).

- 5.1.3 Revenue contributions from the HRA. The Council has previously resolved to transfer £2m from HRA reserves to an earmarked reserve for new build development. After using a proportion of that reserve to fund preliminary costs in 2014/15, the balance remaining at 31st March 2015 is £1.903m.
- 5.1.4 The Council can also consider funding the delivery of affordable housing schemes through the use of commuted sums received from developers.
- 5.1.5 The total sum available to finance new build, excluding RTB receipts, as at 31st March 2015 is £10.5m (excluding the further receipt from St Pauls Phase 2 in the current year). Use of these resources does not prejudice the delivery of the two other objectives in the HRA Business Plan i.e. further investment in the existing stock and tenant services.
- 5.2 The total scheme costs of £1.684m (broken down in further detail in exempt appendix 3) will be funded by circa £500k of RTB receipts with the balance funded by the most appropriate combination of the other funding streams noted above – this decision being delegated to the Section 151 Officer.

6. Affordable Rent

- 6.1 Affordable Rent is a Homes and Communities Agency (HCA) product. The expectation of the HCA is that these rents should be set at 80% of market rents, unless approval has been given for these rents to be set at a lower level.
- 6.2 The majority of the dwellings CBC propose to build will be at 80% of market rent, however there is a risk that if the proposed 4 bedroom dwelling is set at the 80% level, then this will be unaffordable for larger households on low incomes.
- 6.3 Our concerns about the affordability of 4 bedroom dwellings being set at 80% of the market rent is also reflected in the Council's Strategic Housing Market Assessment, dated December 2014, which identified that of the rented affordable housing which needs to be delivered within the Joint Core Strategy area over the plan period to 2031, approximately 85% of new affordable rented 4 bedroom homes should be set at below 80% market rent.
- 6.4 Our concern is in particular for large families who at the time of accessing their accommodation can afford it, but who subsequently lose their employment. These families could be left in accommodation that is difficult, if not impossible to afford, leading to risks of rent arrears and unintentional homelessness; the consequence of which is that the Authority would still have a duty to rehouse these families into another suitable dwelling.
- 6.5 The Council currently has available, via its Housing Benefits Team, Discretionary Housing Payments (DHP) to top up Housing Benefit for households that are experiencing financial hardship across the private and social housing sectors. However DHP is intended to be only a time limited payment which is reviewed every three months, and there is no certainty that this funding will continue to remain available by the Department of Communities and Local Government at current levels or at all in the future. It should also be noted that DHP is not available to support households who are in work and not on benefits, but who are nevertheless still struggling to afford to make payments on their rent.
- 6.6 In view of these risks, the Homes and Communities Agency has confirmed that it will permit the Authority to charge rents at 70% of the market rent on the proposed 4 bedroom dwelling.
- 6.7 It is estimated that the cost to the Authority by charging a lower rent will be in the region of £30,000 per property over 40 years, taking account of various assumptions regarding annual rent increases etc. The benefit to the tenant will be approximately £20/week at current rent levels.
- 6.8 It should be noted that whilst our approach is consistent with the approach the Authority takes when setting rents on 4 bedroom affordable homes with developers as part of its negotiations on s.106 site applications, the decision to set our rents at below 80% of market rents will be taken on a case by case basis, and will in any event require the approval of the HCA.

7. Consultation and feedback

- 7.1 These proposals have been developed through consultation with key stakeholders including Ward Councillors.
- 7.2 Local residents surrounding the various sites have been written to confirming the intention to redevelop to provide new affordable housing. Prior to the formal submission of the planning applications a number of information sessions were arranged at local facilities to give residents and local stakeholders the opportunity to review the proposals.
- 7.3 Pre-application planning advice has been sought for each site and the schemes have been amended to incorporate comments from the Planning Department. The proposals submitted to the Planning Department reflect the feedback received from the information sessions, CBC Planning department and CBC and CBH staff members.
- 7.4 CBC Councillors have been consulted on the proposals via the Asset Management Working Group.
- 7.5 Following feedback received from local residents and the local ward Councillors in relation to concerns over the impact on parking provision due to the loss of garage spaces, CBH will be demolishing further underutilised garage sites, to leave them level and serviceable, providing additional off road parking to off-set the lost garage spaces which will be reviewed on an ongoing basis. These additional sites are at Grasmere Road, Thirlemere Road and Ullswater Road. These sites will be cleared and available for parking prior to the commencement of construction works on the redevelopment sites.
- 7.6 Contact with the current garage tenants will begin in the coming weeks with 'Notices to Quit' being issued giving garage tenants four formal weeks to surrender their licence. Where possible, CBH will work to reallocate available garages within close proximity to those affected.
- 7.7 Prior to the commencement of construction works, all affected residents will be written to and a further drop in session will be arranged for each site, to include meeting the contractor to unveil the intended site traffic plan etc.

8. Tender Validation

The report on tender from the project appointed Employers Agent and Quantity Surveyor, Baily Garner, confirms that the tender from J Harper and Sons is competitive in the current market and represents value for money for the size and scope of the works proposed. Please see exempt Appendix 2.

9. Indicative Programme

- **Planning achieved:** 19th March 2015 for Coniston Road, Redgrove Road and Haweswater Road. Planning Committee meeting date for Parkbury Close/Rowanfield Road 16th July.
- **Tenders returned:** 19th June 2015
- **Required approvals:** Cabinet (14th July) and Council (20th July)
- **Contract start date:** Pending the outcome of Cabinet and Council approval the intention is to award the contract to J Harper and Sons to follow late July/early August.
- **Start on site:** Assuming a 12 week lead in time the likely start on site date will be October 2015.
- **Practical Completion:** September 2016

10. Performance monitoring and review

- 10.1 JPG will continue to oversee the delivery of the forward programme of housing development. An Operational Group has been created consisting of key Officers from CBH and CBC to deliver day-to-day management and to provide JPG with performance monitoring and reporting data.
- 10.2 The performance of the contractor will be monitored informally each week at regular site visits and formally each month at the monthly site meetings to ensure compliance with the contractual obligations of the JCT Design and Build contract.

10.3 Close financial monitoring of the scheme will continue with costs monitored on a monthly basis to ensure budgets are not exceeded. Should any issues be encountered these will be discussed with CBC to ensure appropriate action is agreed.

11. Forward Actions

Following approval of the recommendations contained herein, CBH to progress completion of the overall legal documentation and enter into the Build Contract.

<p>Report author</p>	<p>Contact officers: Alison Salter, CBH Development Project Manager <i>Alison.Salter@cheltborohomes.org</i></p> <p>01242 774612</p> <p>Martin Stacy, Lead Commissioner for Housing Services CBC Martin.Stacy@cheltenham.gov.uk</p> <p>01242 775214</p>
<p>Appendices</p>	<ol style="list-style-type: none"> 1. Risk Assessment 2. Report on Tender from Baily Garner (confidential) 3. Financial Assessment (confidential)
<p>Background information</p>	<p>Cabinet Report 17th March 2015</p>

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 capital receipts held from RTB sales under the retention agreement with DCLG are not used within 3 years of receipt they are repayable with interest to the Government	Pat Pratley	December 2013	3	4	12	Reduce	CBC and CBH to work closely via JPG to monitor the programme to enable construction on the first sites to commence in the Autumn 2015; Review alternative ways of spending the RTB receipts; effective contract management	Dec 2015	Martin Stacy	
	If the contractor and/or its sub-contractors become insolvent or otherwise cease to trade, then this will adversely impact on the delivery of the programme	Pat Pratley	June 2015	3	3	9	Reduce	Effective contract management; inclusion of retention monies in contract; include Liquidated and Ascertained damages within the contract in the case of delays to the programme; ongoing dialogue with the contractor to monitor labour and resources	October 2016	Martin Stacy	
	If the existing garage tenants fail to vacate the garages within the required timescales to	Pat Pratley	April 2015	3	3	9	Reduce	Give garage tenants advance notice of notices to quits being issued; include a	October 2015	Martin Stacy	

	enable vacant possession of the site, then this will adversely impact on the delivery of the programme							contingency in the programme to accommodate clearing the garages			
	If significant adverse ground conditions and site contamination is identified, then this will impact on the delivery of the programme	Pat Pratley	April 2015	2	3	6	Reduce	Commission site investigations and issue detail to contractor, assume asbestos containing materials will be found in the existing garages	October 2015	Martin Stacy	
	If new rights of ways are identified on the proposed sites, then this could impact on the deliverability of the planning approved designs	Pat Pratley	April 2015	3	2	6	Reduce	Complete due diligence prior to formal award of build contract to ensure there are no visible rights of way; secure indemnity insurance via Onelegal to protect the Council's interests in the event of any right of way claims	October 2015	Martin Stacy	

Explanatory notes

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)

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)

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

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

Cheltenham Borough Council
Council – 20 July 2015
Constitution Working Group - Review of the Constitution

Accountable members	<p>Constitution Working Group</p> <p>Cabinet Member Corporate Services, Councillor Jon Walklett</p>
Accountable officers	<p>Borough Solicitor</p> <p>Democratic Services Manager</p>
Ward(s) affected	None directly
Significant Decision	No
Executive summary	This report sets out the recent work and recommendations of the Constitution Working Group for consideration by Council.
Recommendations	<p>That Council:</p> <ol style="list-style-type: none"> 1. Approves the revised <ol style="list-style-type: none"> 1.1 Access to Information Rules – Appendix 2 1.2 Employment Rules – Appendix 3 1.3 Rule 2.13 Council Procedure Rules – Appendix 4 1.4 Rules 5.3 and 15.3 Committee Procedure Rules and Overview & Scrutiny Rules – Appendix 5 2. Appoints the two independent persons on Standards Committee to Disciplinary Committee for such term as is necessary for the purpose of making recommendations to Council on disciplinary action against a statutory officer and, in the event of one or both of those persons not being available, to authorise Disciplinary Committee to appoint for the same term and purpose an independent person or persons from another local authority's Standards Committee 3. Agrees to amend Committee Procedure Rule 3 (Substitute Members) as proposed in paragraph 5 of this report 4. Approves the miscellaneous changes set out in Appendix 6 5. Agrees the inclusion as appendices to the Constitution of the documents in Appendix 7-9 6. Delegates to the Borough Solicitor authority to make any textual or other amendments which are necessary to ensure accuracy,

	consistency and legality of the Constitution when incorporating the revisions authorised by Council.
Financial implications	There are no financial implications arising from this report. In the event of a disciplinary process being necessary under the Employment Rules, the Regulations cap the sums paid to an Independent Person sitting on the Disciplinary Committee to any allowance received under the conduct regime. Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk 01242 775154
Legal implications	As referenced in the report. Contact officer: Peter Lewis , peter.lewis@tewkesbury.gov.uk, 01684 272012
HR implications (including learning and organisational development)	As contained in the report. Once approved, it is essential that all relevant employees are briefed on the changes to the Employment Rules and any HR documentation and/or HR policies are updated to reflect the changes. Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk 01242 264355
Key risks	See attached risk assessment – Appendix 1

1. Background

- 1.1** The Constitution Working Group (CWG), which is the Member Group with responsibility for reviewing the Constitution, has met on 3 occasions since December 2014. The Group has been chaired by Councillor Colin Hay and supported by the Borough Solicitor, Democratic Services Manager and officers from their teams.
- 1.2** The CWG has focused on reviewing the Access to Information Rules, Employment Rules, Council Procedure Rules and Committee Procedure Rules. Further detail on these matters is set out below. The CWG recommends the proposed changes for approval by Council. Once approved, the master version (which is stored electronically on the council's website), will be updated and the changes will then take effect.

2. Access to Information Rules

- 2.1** The Access to Information Rules were last substantially reviewed in October 2008 and the CWG has undertaken a comprehensive review of the Rules to ensure that they are fit for purpose and reflect the current legislative requirements.
- 2.2** In particular, the Rules now include the right for the public to report on public meetings and make provision for officer decisions which need to be published.
- 2.3** The Guide to Recording and Publication of Officer Decisions (Appendix 7) has been reviewed and it is proposed that this be included as an appendix to the Constitution.

2.4 Guidance for reporting on Council, Cabinet and Committee Meetings has been prepared and is set out at Appendix 8. Again, it is proposed that this be appended to the Constitution.

2.4 The CWG considered that a diagrammatic chart showing the main decision making processes would be beneficial as a supplement to the Access to Information Rules. Two 'decision trees' have been produced (Appendix 9) and it is proposed that these be included in the Constitution appendices. It is intended that these diagrams will be refined and improved over time.

3. Employment Rules

3.1 The Employment Rules are intended to reflect the legislative provisions which specifically relate to the appointment and dismissal of senior local government officers and statutory officers. The Authority has three statutory officers – the Head of Paid Service, Chief Finance (section 151) Officer and Monitoring Officer (who is seconded to the Authority).

3.2 The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 came in to effect on 11 May 2015 and require the Authority to adopt amended standing orders in respect of dismissal of statutory officers. There is no longer a statutory requirement that a designated independent person be appointed to investigate and make a binding recommendation to the Authority in a case of disciplinary action being initiated against a statutory officer.

3.3 The Regulations provide for a new process whereby a statutory officer can only be dismissed by Council following recommendations received from an independent panel of members. In order to achieve independence, at least two independent persons (appointed for the purposes of the local standards regime under the Localism Act 2011) must 'be invited' to sit on the panel. It is proposed that the Disciplinary Committee, which already has in its terms of reference disciplinary matters in respect of senior and statutory officers, undertakes the role of the independent panel by appointing to it the two independent persons (for the time being) of Standards Committee. It is proposed that the independent persons shall only sit on the Committee when it is considering disciplinary action against a statutory officer.

3.4 If one or more independent persons from the authority's own Standards Committee are not available to sit on the Panel, then the Regulations provide that the authority must invite one or more independent persons who sit on the Standards Committee of another local authority or authorities. It is proposed that this should be the agreed default position, in other words, that in the event of their not being two independent persons available from the Authority's Standards Committee to sit on Disciplinary Committee then replacement independent persons from another local authority or authorities shall be appointed by Disciplinary Committee.

3.5 Whilst amending the Employment Rules to reflect the new legislative requirements, the opportunity has been taken to generally tidy up the Rules for clarity and consistency. Also, Rule 2 'Recruitment and Appointment' has been amended to be consistent with the Authority's current employment procedures for recruitment of staff.

4. Rule 2.13 Council Procedure Rules and Rule 5.3 Committee Procedure Rules/Rule 15.3 Overview & Scrutiny Rules

4.1 The CWG has considered whether it was appropriate for Annual Council and Extraordinary Council meetings to consider items other than those for which the meeting had been specifically called.

4.2 It was agreed that paragraph f) in Rule 2.13 should be removed from the order of business for an Extraordinary Meeting of Council. This would not preclude statutory officers from bringing a report because it was connected with the business of the meeting or, if it was urgent, it could be considered under paragraph g). The revised Rule is at Appendix 4.

- 4.3** With regard to the Annual Meeting of Council, CWG acknowledged that the order of business would allow reports and motions to be put forward although it was accepted as custom and practice that this meeting dealt solely with the appointment of the Mayor and Deputy Mayor and was immediately followed by the inauguration ceremony. Therefore, CWG is not recommending that the order of business changed at this time. Should there be a need to add any business to the agenda for the Annual Meeting this could be accommodated through an earlier start time if necessary.
- 4.4** For consistency, Rule 5.3 of the Committee Rules and Rule 15.3 Overview & Scrutiny Rules are also proposed for amendment, again on the basis that an extraordinary meeting of a committee should focus on the matter for which it has been called. The revised Rules are at Appendix 5.

5. Rule 3 – Committee Procedure Rules

- 5.1** The Committee Rules of Procedure include the following provisions:-

Rule 3 – SUBSTITUTE MEMBERS

Rule 3.4 Regulatory Committees

3.4 No substitute Members shall participate in a Regulatory Committee until they:

- have undergone the same initial training as required of full Members of the Committee;
- have participated in all on-going training as provided for full Members of the Committee;
- have, after the initial period of three months following the introductory training, attended either as a substitute member or an observer not less frequently than every third meeting of the Committee

and their compliance with these conditions has been certified by the relevant officers.

- 5.2** With regard to the third bullet point, requiring a minimum level of mandatory attendance by members of the Planning / Licensing Committees, there is no corresponding requirement for Committee Members and consequently it would be permissible for a Member of the Committee to miss 3 consecutive meetings of the Committee whereas it would not be permissible for a Substitute Member to do so.
- 5.3** The Authority's planning officers raised questions regarding the application of the Rule 3.4 wording with the Borough Solicitor and, accordingly, the CWG considered this inconsistency with a view to recommending that Council regularise the position. The CWG recognised that it is good practice for Members and Substitute Members to be fully up to date with any training requirements for participating at Regulatory Committees and considered it to be essential for this provision to be retained. However, the requirement for attending one in every three meetings as substitute or observer seemed to the Working Group to be relatively arbitrary, particularly as it is not replicated as a requirement for Members of the Committee.
- 5.4** Planning Committee Members were consulted on the matter and, having considered responses received, the Working Group was of the view that the requirement for all members of a Regulatory Committee to attend appropriate training before sitting on the committee should suffice and that it should be for individual Members (both Committee and Substitutes) to ensure that they attend training and maintain their level of knowledge and experience by attending

meetings either as a member or as an observer at an appropriate frequency. On that basis it is proposed that the third bullet point be deleted from Rule 3.4.

6. Miscellaneous Matters

- 6.1 The opportunity has been taken to make a number of other changes to the Constitution to ensure that it is consistent and up to date with legislation and changing circumstances. These changes are set out in the table in Appendix 6.

7. Reasons for recommendations

- 7.1 To ensure that the Council's Constitution is up to date.

8. Alternative options considered

- 8.1 None.

9. Consultation and feedback

- 9.1 Consultation on the proposed change to Committee Rule 3 has been undertaken with Planning Committee.

Report authors	Contact officers: Peter Lewis, peter.lewis@tewkesbury.gov.uk, 01684 272012 Rosalind Reeves, rosalind.reeves@cheltenham.gov.uk, 01242 774937
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Access to Information Rules 3. Employment Rules 4. Council Procedure Rules (Rule 2.13) 5. Committee Procedure Rules (Rule 5.3)/ Overview and Scrutiny Rules 15.3 6. Table of Miscellaneous Changes 7. Guide to Recording and Publication of Officer Decisions 8. Guidance for the Recording of Council, Cabinet and Committee Meetings 9. Diagrams of Decision Making Processes
Background information	Council Constitution

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Constitution is not regularly reviewed there is a risk of decisions being made outside of due process	Borough Solicitor	27/06/2015	2	2	4	Reduce	Ensure robustness of the Decision Making processes in the Constitution	20/7/15	Borough Solicitor	
	If we do not take steps to improve understanding of the Constitution there is a risk that officers and members may not fully understand the implications of a proposed course of action.	Democratic Services Manager	27/06/2015	2	2	4	Reduce	Include appropriate appendices in the Constitution to aid understanding and encourage officers and members to refer to it as a reference guide.	31/10/15	Democratic Services Manager	

Rules of Procedure

Part 4E – Access to Information Rules**RULE 1. SCOPE**

- 1.1.1 These Rules set out the rights of the public to access the business of the Authority when conducted at Meetings (i.e. formal meetings of Council, Cabinet, committees and sub-committees) or through formal decisions made by Cabinet Members and Officers. They also set out the additional rights of Members to certain information.

RULE 2. LIMITATION

- 2.1 These Rules do not require the disclosure to the public or Members of Confidential or Exempt Information or limit the Authority's duties to protect certain information, including that covered by data protection legislation.

RULE 3. RIGHT TO ATTEND AND REPORT ON MEETINGS

- 3.1 Members of the public and Members may attend all Meetings subject only to the exceptions in these Rules. When attending Meetings under this Rule, members of the public may also report on them (see Appendix K 'Guidance for the recording of Council, Cabinet and Committee Meetings')

RULE 4. NOTICE OF MEETINGS AND FORWARD PLAN

- 4.1 The Proper Officer will give at least five Clear Days notice of any Meeting by posting details of the meeting at the Authority's offices and on its website.
- 4.2 The Authority publishes a rolling Forward Plan on its website which sets out such business as is proposed to be conducted at Meetings (Council and Cabinet only). The Forward Plan includes any Key Decisions that are to be taken (see Rule 13).

RULE 5. ACCESS TO AGENDA AND REPORTS BEFORE THE MEETING

- 5.1 The Proper Officer will make copies of the agenda and reports (except those reports which contain Confidential or Exempt Information) available for public inspection at the Municipal Offices and on the Authority's website at least five Clear Days before the Meeting.
- 5.2 If any item is added to the agenda after it has been published under Rule 5.1, the revised agenda shall be made available for public inspection from the time the item is added to the agenda. Where that item is the subject of a report, then the Proper Officer shall make such report available to the public as soon as it is completed and shall send the report to Members of the relevant Meeting.

RULE 6. SUPPLY OF COPIES

- 6.1 The Proper Officer will make available to the public present at a Meeting a reasonable number of copies of the agenda and reports (excepting Confidential or Exempt Information).
- 6.2 The Proper Officer will supply to any person on payment of a charge for postage and any other administrative costs copies of:
- (a) any agenda and reports which are open to public inspection;
 - (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
 - (c) if the Proper Officer thinks fit, any other documents supplied to Members in connection with an item.

RULE 7. ACCESS TO DOCUMENTS AFTER THE MEETING

- 7.1 The Proper Officer will make available copies of the following for six years after a Meeting:
- (a) the minutes of the meeting or records of decisions taken, together with reasons, excluding any part of the minutes or proceedings when the Meeting was not open to the public or which disclose Confidential or Exempt Information;
 - (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
 - (c) the agenda for the Meeting; and
 - (d) reports relating to items when the Meeting was open to the public.

RULE 8. BACKGROUND PAPERS**List of Background Papers**

- 8.1 The report author shall ensure that there is set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:
- (a) disclose any facts or matters on which the report or an important part of the report is based; and
 - (b) have been relied on to a material extent in preparing the report

but the list does not have to include published works or those documents which disclose Confidential or Exempt Information.

Public Inspection of Background Papers

- 8.2 The Proper Officer will make available for public inspection for four years after the date of the Meeting one copy of each of the documents on the list of background papers.

RULE 9. NOTICE OF PUBLIC'S RIGHTS

- 9.1 These Rules give notice of the public's rights to attend Meetings and to inspect and copy documents. A summary of these rights is included on the Authority's website.

RULE 10. EXCLUSION OF PUBLIC ACCESS TO MEETINGS

Confidential Information – Requirement to exclude public

- 10.1 The public must be excluded from Meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that Confidential Information would be disclosed.
- 10.2 "Confidential Information" means information given to the Authority by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by any enactment or Court Order

Exempt Information – Discretion to exclude public

- 10.3 The public may be excluded from Meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that Exempt Information would be disclosed.
- 10.4 "Exempt Information" means information falling within the categories set out in Appendix L and subject to any condition in that Appendix.
- 10.5 Where the Meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the Meeting will be held in public unless a private hearing is necessary for one of the reasons specified in that Article.

Procedure for exclusion of public access to Cabinet Meetings

- 10.6 At least twenty-eight Clear Days before the Cabinet Meeting, the Proper Officer shall:
- (a) make available at the Authority's offices a notice of intention to hold the Meeting in private, such notice to include a statement of reasons for the meeting to be held in private, and

- (b) publish that notice on the Authority's website
- 10.7 At least five Clear Days before a private meeting, the Proper Officer shall:
- (a) make available at the Authority's offices a further notice of its intention to hold the Meeting in private,
 - (b) publish that notice on the Authority's website, and
 - (c) include that notice in the agenda for the Meeting.
- 10.8 A notice under Rule 10.7 shall include:
- (a) a statement of the reasons for the meeting to be held in private,
 - (b) details of any representations received by the Authority about why the Meeting should be open to the public, and
 - (c) a statement of the Authority's response to such representations.
- 10.9 Where the date by which a Meeting must be held makes compliance with this Rule impracticable, the Meeting may only be held in private where:
- (a) the chairman of the appropriate Overview & Scrutiny Committee; or
 - (b) if there is no such person, or if the chairman of the appropriate Overview & Scrutiny Committee is unable to act, the Mayor; or
 - (c) where both the chairman of the appropriate Overview & Scrutiny Committee and the Mayor are unable to act, the Deputy Mayor
- has agreed that the Meeting is urgent and cannot reasonably be deferred.
- 10.10 As soon as reasonably practicable after agreement to hold a private meeting has been obtained under Rule 10.9, the Proper Officer shall:
- (a) make available at the Authority's offices a notice setting out the Reasons why the Meeting is urgent and cannot reasonably be deferred; and
 - (b) publish that notice on the Authority's website.

RULE 11. EXCLUSION OF ACCESS BY THE PUBLIC TO REPORTS

- 11.1 If the Proper Officer thinks fit, the Authority may exclude access by the public to reports which in his/her opinion relate to items during which, in accordance with Rule 10, the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

RULE 12. WORKING GROUPS

12.1 Working groups, task groups and other bodies which are not empowered to make decisions in respect of the Authority's functions are not Meetings for the purposes of these Rules.

RULE 13. KEY DECISIONS**Notice of Key Decision**

13.1 Subject to Rule 14 (general exception) and Rule 15 (special urgency), a Key Decision may not be taken unless:

- (a) prior notice of the Key Decision has been made available for inspection at the Authority's offices and on its website;
- (b) at least twenty-eight Clear Days have elapsed since the publication of such notice; and
- (c) where the decision is to be taken at a meeting of the Cabinet or its committees (if any), notice of the meeting has been given in accordance with Rule 4.

Contents of Notice of Key Decision

13.2 The notice referred to in Rule 13.1 will include:

- (a) the matter in respect of which the decision is to be made (subject to not disclosing Confidential or Exempt Information);
- (b) where the decision maker is an individual, his/her name and title, if any, and where the decision maker is a body, its name and a list of its membership;
- (c) the date on which, or period within which, the decision is to be made;
- (d) a list of the documents submitted to the decision maker for Consideration in relation to the matter;
- (e) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- (f) that other documents relevant to those matters may be submitted to the decision maker; and
- (g) the procedure for requesting details of those documents (if any) as they become available.

General Exception

- 13.3 If prior notice of a Key Decision has not been given in accordance with Rule 13.1 then, subject to Rule 13.5 (special urgency), the decision may still be taken if:
- (a) the decision must be taken by such a date that it is impracticable to give twenty eight Clear Days notice of it;
 - (b) the Proper Officer has informed the chairman of the appropriate Overview and Scrutiny Committee or, if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made;
 - (c) the Proper Officer has made copies of such notice available to the public at the Authority's offices and on its website; and
 - (d) at least five Clear Days have elapsed since the Proper Officer complied with (a) and (b).
- 13.4 As soon as reasonably practicable after the Proper Officer has complied with Rule 14.1, he must make available at the Authority's offices and on its website the reasons why compliance with Rule 13.1 was impracticable.

Special Urgency

- 13.5 If by virtue of the date by which a decision must be taken Rule 13.3 (general exception) cannot be followed, then the decision can only be taken if the decision maker (if an individual) or the chairman of the body making the decision, obtains the agreement of the chairman of the appropriate Overview and Scrutiny Committee that the taking of the decision is urgent and cannot reasonably be deferred. If there is no Chairman of the appropriate Overview and Scrutiny Committee, or if the Chairman of each appropriate Overview and Scrutiny Committee is unable to act, then the agreement of the Mayor, or in his/her absence the Deputy Mayor will suffice.
- 13.6 As soon as reasonably practicable after the decision maker has obtained agreement under Rule 13.5 above, they shall request the Proper Officer to make available at the Authority's offices and publish on the Authority's website a notice setting out the reasons why the decision was urgent and could not reasonably be deferred.

Reports on special urgency decisions

- 13.7 Where an executive decision is taken in the circumstances set out in Rule 13.5 (special urgency) the Leader shall report to the next Ordinary Meeting of Council with a summary of the decision. At least one such report must be made to Council on an annual basis and shall include a nil return if appropriate.

RULE 14. DECISIONS BY CABINET MEMBERS AND OFFICERS**Application**

14.1 This Rule applies to decisions made by Cabinet Members and those executive and non-executive decisions made by Officers covered by the 'Guide to Recording and Publication of Officer Decisions' at Appendix M.

Reports intended to be taken into account

14.2 Where a Cabinet Member (including the Leader) or an Officer receives a report which he/she intends to take into account in making any decision covered by Rule 14.1, then he/she will not make the decision until at least three clear days after receipt of that report.

Provision and publication of copies of reports

14.3 On giving of such a report to a Cabinet Member or Officer, the person who prepared the report will give a copy of it to the chairman of the appropriate Overview and Scrutiny Committee as soon as reasonably practicable and, unless it contains Confidential or Exempt Information, the Proper Officer will make it publicly available as soon as reasonably practicable.

RULE 15. RECORD OF DECISIONS**Record of executive decisions by Cabinet and Cabinet Members and executive and non-executive decisions by Officers**

15.1 As soon as reasonably practicable after Cabinet, a Cabinet Member or, within the terms of the 'Guide to Recording and Publication of Officer Decisions' at Appendix M, an Officer makes a decision, the Proper Officer will produce a written record of the decision which will include the following:

- (a) a record of the decision including the date it was made;
- (b) a record of the reasons for the decision;
- (c) details of any alternative options considered and rejected by the decision maker when making the decision;
- (d) a record of any conflict of interest declared by any Member who is involved in the making or delegation or has been consulted on the decision; and
- (e) in respect of any declared conflict of interest, a note of any dispensation granted in respect of it.

Inspection of decisions by Cabinet Members and Officers

- 15.2 The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of decisions by Cabinet Members and Officers under Rule 15.1. This does not require the disclosure of Exempt or Confidential Information.

Form of minutes - General

- 15.3 The name of each Member present shall be recorded in the minutes.

- 15.4 Minutes of decisions taken shall comprise:

- (a) the decision taken, either in full or by reference to another document;
- (b) a reference to the report or other documentation upon which the decision of the meeting was taken;
- (c) any new advice or information, which may be information provided by a member, which is additional to that in (a) above; and
- (d) the reasons for the decision taken if this is not clear from (a) and (b) above or from the wording of the resolution passed;

but shall not record details of the discussion provided that a member may require any advice or undertaking made, or any fact given, orally at the meeting to be recorded in the minutes.

- 15.5 Minutes will normally record all decisions in the order in which they were made.

- 15.6 Where an item on the agenda has been the subject of Confidential or Exempt Information and the press and public have been excluded from the meeting:

- (a) if the decision relates to Confidential Information, the Proper Officer shall arrange for the Minute to be prepared on pink paper in accordance with Rule 11.1 above; or
- (b) if the decision relates to Exempt Information, the Proper Officer shall determine whether the decision is one which can be recorded in the open minutes of the meeting or whether it should be recorded in the same manner as (a) above, in which case he/she shall ensure that a summary of the proceedings which does not disclose that Exempt Information shall be included in the open minutes of the meeting.

Form of Minutes - Council

- 15.7 Minutes of a Council meeting will:

- (a) record motions and amendments that have been proposed and seconded in the order in which they were put by the Person Presiding; and
- (b) state the proposer and seconder of each motion and amendment.

RULE 16. OVERVIEW AND SCRUTINY COMMITTEE MEMBER ACCESS TO DOCUMENTS

Rights to copies

16.1 Subject to Rule 16.2 below, a member of an Overview and Scrutiny Committee, Overview and Scrutiny Sub-Committee or Scrutiny Task Group will be entitled to a copy of any document which is in the possession or control of the Leader or Cabinet and which contains material relating to:

- (a) any business transacted at a meeting of Cabinet, or
- (b) any decision taken by a Cabinet Member;
- (c) any executive decision taken by an Officer

Limit on rights

16.2 A member of an Overview and Scrutiny Committee will not be entitled to any whole or part of a document which contains Confidential or Exempt Information unless that information is relevant to:

- (a) an action or decision which the member is formally reviewing or scrutinising; or
- (b) any review contained in a programme of work of an Overview and Scrutiny Committee

Timescale

16.3 The provision of any document under Rule 16.1 must be as soon as reasonably practicable and in any case no later than ten Clear Days after the Leader/Cabinet receives the request.

RULE 17. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS

17.1 Subject to Rules 17.5 and 17.6, any document which is in the possession or under the control of the Leader/Cabinet which contains material relating to any business to be transacted at a public Meeting of the Cabinet shall be made available for inspection by any member.

- 17.2 Any document which is required by Rule 17.1 to be available for inspection by any member must be available for such inspection for at least five clear working days before the Meeting except that:
- (a) where the Meeting is convened at shorter notice, such a document must be available for inspection when the Meeting is convened; and
 - (b) where an item is added to the agenda at shorter notice, a document that would be required to be available under Rule 17.1 in relation to that item, must be available for inspection when the item is added to the agenda.
- 17.3 Subject to Rules 17.5 and 17.6, any document which is in the possession or under the control of the Leader/Cabinet and contains material relating to:
- (a) any business transacted at a private meeting of the Cabinet;
 - (b) any decision made by the Leader or Cabinet Member in accordance with executive arrangements; or
 - (c) any decision made by an Officer in accordance with executive arrangements,
- must be available for inspection by any member when the Meeting concludes or in relation to (b) and (c) above, immediately after the decision has been made.
- 17.4 Any document which is required by Rule 17.3 to be available for inspection by any member must be available for such inspection, in any event, within 24 hours of the conclusion of the Meeting or the decision being made, as the case may be.
- 17.5 Rules 17.1 and 17.3 do not require a document to be available for inspection if it appears to the Proper Officer that it discloses Confidential or Exempt Information.
- 17.6 Notwithstanding Rule 17.5, Rules 17.1 and 17.3 do require the document to be available for inspection if the information is information of a description for the time being falling within:
- (a) paragraph 3 of Appendix L (except to the extent that the information relates to any terms proposed or to be proposed by or to the Authority in the course of negotiations for a contract); or
 - (b) paragraph 6 of Appendix L.
- 17.7 Where it appears to the Proper Officer that compliance with Rules 17.1 or 17.3 in relation to a document or part of a document would involve the disclosure of advice provided by a political adviser or assistant, that Rule will not apply to that document or part.

PART 4

Rules of Procedure

Part 4F – Employment Rules

Note: these Rules reflect the requirements of The Local Authorities (Standing Orders) (England) Regulations 2001 and 2015

RULE 1. DEFINITIONS

1.1 In these Employment Rules -

“2011 Act”	means the Localism Act 2011
"Appointer"	means, in relation to the appointment of an Employee, Council or, where a Committee, sub-committee or Employee is discharging the function of appointment on behalf of Council, that committee, sub-committee or Employee.
“Authority”	means the legal body Cheltenham Borough Council
“Cabinet Member”	means the Leader or a Cabinet Member designated by the Leader in accordance with Part 3 of the Constitution
“Chief Finance Officer”	means the employee appointed for the purposes of section 151 Local Government Act 1972 to administer the financial affairs of the Authority
“Committee”	means Appointments and Remuneration Committee or Disciplinary Committee as the context demands, a sub-committee of those Committees with appointment/dismissal/disciplinary powers or a committee established by Council for appointment/dismissal/discipline of employees
“Council”	means the elected Members of the Authority acting collectively
“Disciplinary Action”	means any action occasioned by alleged misconduct which, if proved, would, according to the usual practice of the Authority, be recorded on an Employee’s personal file, and includes any proposal for

dismissal of an Employee for any reason other than redundancy, permanent ill-health or infirmity of mind or body

"Dismissor"	means, in relation to the dismissal of an Employee, Council or, where a Committee, sub-committee or another Employee is discharging the function of dismissal on behalf of Council, that Committee, sub-committee or Employee.
"Employee"	means any employee of the Authority
"Head of Paid Service"	means the employee appointed for the purposes of section 4(1) of the Local Government and Housing Act 1989
"Independent Person"	means a person appointed under section 28(7) of the 2011 Act
"Local government elector"	means a person registered as a local government elector in the register of electors in the Authority's area in accordance with the Representation of the People Acts
"Meeting"	means a meeting of Council, a committee or Cabinet
"Monitoring Officer"	means the employee appointed for the purposes of section 5(1) of the Local Government and Housing Act 1989
"Officer"	means an Employee, a member of staff or someone seconded to the Authority
"Related Organisation"	means an organisation providing technical, administrative or professional services to the Authority
"Relevant Meeting"	means a meeting of Council to consider whether or not to dismiss the Head of Paid Service, Chief Finance Officer or Monitoring Officer

RULE 2. RECRUITMENT AND APPOINTMENT

Declarations

- 2.1 The Authority will, when undertaking recruitment and as a minimum requirement, require any candidate for employment by the Authority to state in writing whether they are related to an existing Councillor or Officer of the Authority or a member of staff of a Related Organisation.

- 2.2 No candidate so related to a Councillor or an Officer will be appointed without the authority of the Head of Paid Service or an officer authorised by him/her.

Seeking support for appointment

- 2.3 The Authority will disqualify any applicant who directly or indirectly seeks the support of any Councillor for any appointment with the Authority. The content of this paragraph will be included in any recruitment information.
- 2.4 No Councillor will seek support of any person for any appointment of that person by the Authority.

RULE 3. RECRUITMENT OF HEAD OF PAID SERVICE, MONITORING OFFICER, CHIEF FINANCE OFFICER, DEPUTY CHIEF EXECUTIVE AND DIRECTORS

3.1 Where the Authority proposes to appoint the Head of Paid Service, Monitoring Officer, Chief Finance Officer, Deputy Chief Executive and Directors, and it is not proposed that the appointment be made exclusively from among their existing officers, the Authority will:

- (a) draw up a statement specifying:
 - (i) the duties of the post concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (a) to be sent to any person on request.

RULE 4. APPOINTMENT/DISMISSAL OF HEAD OF PAID SERVICE

- 4.1 Subject to Rules 6 and 8 below, Council must, if it is not itself making the decision, approve the appointment or dismissal of the Head of Paid Service, following the recommendation of such action by a Committee (which must include at least one Cabinet Member), before an offer of appointment or notice of dismissal is given to that person.

RULE 5. APPOINTMENT/DISMISSAL OF MONITORING OFFICER, CHIEF FINANCE OFFICER, DEPUTY CHIEF EXECUTIVE AND DIRECTORS

- 5.1 Subject to Rule 6 below, the Chief Finance Officer and the Monitoring Officer will be appointed by a Committee which must include at least one Cabinet Member.

- 5.2 The designation of Employees or Officers as Chief Finance Officer or Monitoring Officer will be made by Council.
- 5.3 Subject to Rule 8 below, the dismissal of the Chief Finance Officer or Monitoring Officer must be approved by Council, following the recommendation of such action by a Committee (which must include at least one Cabinet Member), before a notice of dismissal is given to that person.
- 5.4 Subject to Rule 6 below, the Deputy Chief Executive and Directors will be appointed or dismissed by a Committee which must include at least one Cabinet Member.

RULE 6. CABINET CONSULTATION ON APPOINTMENTS AND DISMISSALS

- 6.1 An offer of appointment or notice of dismissal under Rules 4 and 5 shall not be made by the Appointer or given by the Dismissor until:
- (a) the proposed appointment or dismissal has been approved by Council or Committee under Rules 4 and 5: and
 - (b) the Appointer or the Dismissor has notified the Proper Officer of the name of the person to whom the Appointer wishes to make the offer or of the person to whom the Dismissor wishes to dismiss together with any other particulars which the Appointer or the Dismissor considers are relevant to the proposed course of action: and
 - (c) the Proper Officer has notified every Cabinet Member of
 - the name of the person to whom the Appointer wishes to make the offer or the Dismissor wishes to dismiss
 - any other particulars relevant to the proposed appointment or dismissal which the Appointer or the Dismissor have notified to the Proper Officer: and
 - the period within which any objection to the making of the offer or the giving of notice of dismissal is to be made by the Leader on behalf of the Cabinet to the Proper Officer: and
 - (d) either -
 - (i) the Leader has, within the period specified in (c), notified the Appointer or the Dismissor that neither he/she nor any other of the Cabinet Member has any objection to the making of the offer or the giving of the notice of dismissal; or
 - (ii) the Proper Officer has notified the Appointer or the Dismissor that no objection was received by him within the period specified in (c) from the Leader; or

- (iii) the Appointer or the Dismissor is satisfied that any objection received from the Leader within the specified period is not material or is not well-founded.

RULE 7. APPOINTMENT/DISMISSAL OF OTHER EMPLOYEES

- 7.1 Appointment and dismissal of Employees other than the Head of Paid Service, Monitoring Officer, Chief Finance Officer, Deputy Chief Executive and Directors and assistants to political groups is the responsibility of the Head of Paid Service or his/her nominee and may not be undertaken by Councillors.
- 7.2 Appointment or dismissal of an assistant to a Political Group shall be made in accordance with the wishes of that Political Group.

RULE 8. SUSPENSION, DISCIPLINARY ACTION, DISMISSAL – HEAD OF PAID SERVICE, CHIEF FINANCE OFFICER AND MONITORING OFFICER

Suspension

- 8.1 Those Employees in the posts of Head of Paid Service, Monitoring Officer and Chief Finance Officer may be suspended by Committee whilst an investigation takes place into alleged misconduct. That suspension will be on full pay.

Disciplinary Action

- 8.2 Subject to Rule 8.3 below, any Disciplinary Action taken in respect of the Head of Paid Service, Chief Finance Officer or Monitoring Officer shall be in accordance with the Authority's disciplinary, capability and related procedures.

Dismissal

- 8.3 Disciplinary Action leading to potential dismissal of the Head of Paid Service, Chief Finance Officer or Monitoring Officer shall be undertaken in accordance with the following procedure:
 - (a) The Authority must appoint at least two relevant Independent Persons to the Committee which is dealing with the Disciplinary Action.
 - (b) In Rule 8(a) above, 'relevant Independent Person' means any Independent Person who has been appointed by the Authority or, where there are fewer than two such persons, such Independent Persons as have been appointed by another authority or authorities as the Authority considers appropriate.
 - (c) Subject to Rule 8(d) below, relevant Independent Persons shall be appointed to the Committee in accordance with the following priority order:
 - i. A relevant Independent Person who has been appointed by the Authority and who is a local government elector;

- ii. Any other relevant Independent Person who has been appointed by the Authority;
 - iii. A relevant Independent Person who has been appointed by another authority or authorities.
- (d) The Authority is not required to appoint more than two relevant Independent Persons in accordance with paragraph 8(c) above but may do so.
- (e) The relevant Independent Persons must be appointed to the Committee at least 20 working days before the Relevant Meeting.
- (f) Before the taking of a vote at the Relevant Meeting on whether or not to approve such a dismissal, Council must take into account, in particular –
 - i. Any advice, views or recommendations of the Committee;
 - ii. The conclusions of any investigation into the proposed dismissal; and
 - iii. Any representations from the relevant Employee.

RULE 9. DISCIPLINARY ACTION – OTHER EMPLOYEES

- 9.1 Councillors will not be involved in Disciplinary Action against any employee other than the Head of Paid Service, Monitoring Officer, Chief Finance Officer, Deputy Chief Executive and Directors except where such involvement is necessary for any investigation or inquiry into alleged misconduct though the Authority's disciplinary, capability and related procedures, as adopted from time to time, and such procedures may allow a right of appeal to Councillors in respect of Disciplinary Action.

RULE 10. DEBATING EMPLOYMENT ISSUES

- 10.1 Where any question arises at a Meeting concerning the appointment, promotion, dismissal, salary, conditions of service or conduct of any Employee (as opposed to Employees in general), the Meeting shall resolve to exclude the press and public under the Access to Information Rules unless, for reasons that shall be stated in the resolution, it resolves otherwise.

RULE 11. REMUNERATION OF INDEPENDENT PERSON

- 11.1 Any remuneration, allowances or fees paid by the Authority to an Independent Person appointed to the Committee for the purposes of Rule 8 above must not exceed the level of remuneration, allowances or fees payable to that Independent Person in respect of their role as Independent Person under the 2011 Act.

Council Rules

Extraordinary Meetings

Calling Extraordinary Meetings

- 2.10 The Proper Officer may call an Extraordinary Meeting of the Council at any time when he/she considers it appropriate.
- 2.11 The Proper Officer shall call an Extraordinary Meeting of the Council when requested to do so by:
- (a) the Mayor;
 - (b) the Leader;
 - (c) the Council by resolution;
 - (d) the Standards Committee;
 - (e) the Monitoring Officer, or
 - (f) a majority of the Directors.
- 2.12 An Extraordinary Meeting may also be called under Schedule 12 of the Local Government Act 1972 by any five Members if they have signed a requisition and presented it to the Mayor and he/she has either refused to call such a Meeting or has failed to do so within seven days after the requisition was presented to him/her.

Order of Business

- 2.13 An Extraordinary Meeting will:
- (a) choose a person to preside if the Mayor and Deputy Mayor are absent;
 - (b) receive any declarations of interest from members;
 - (c) receive questions from, and provide answers to, members of the public and elected Members in accordance with these Procedure Rules, but only in so far as they relate directly to the business for which the meeting was convened;
 - (d) consider any business set out in the notice convening the meeting;
 - (e) consider any item which, by reason of special circumstances to be specified in the minutes of the Meeting, the Mayor considers should be considered at the Meeting as a matter of urgency.

- 2.14 The Mayor or the Proper Officer may include on the agenda of an Extraordinary Meeting such other business as he/she determines should be included for the efficient despatch of Council business.
- 2.15 An Extraordinary Meeting may approve any minutes of the last or previous Meetings of the Council.

Committee Rules

- 5.3 An Extraordinary Meeting will:
- (a) choose a person to preside if the Chairman and Vice-Chairman are absent;
 - (b) receive any declarations of interest from members;
 - (c) receive questions from, and provide answers to, members of the public and elected Members in accordance with these Procedure Rules, but only in so far as they relate directly to the business for which the meeting was convened;
 - (d) consider any business set out in the notice convening the meeting;
 - (e) consider any item which, by reason of special circumstances to be specified in the minutes of the Meeting, the Chairman considers should be considered at the Meeting as a matter of urgency.
- 5.4 The Chairman or the Proper Officer may include on the agenda of an Extraordinary Meeting such other business as he/she determines should be included for the efficient despatch of Committee business.
- 5.5 An Extraordinary Meeting may approve any minutes of the last or previous Meetings.

Overview and Scrutiny Committee Rules

- 15.3 An Extraordinary Meeting will:
- (a) choose a person to preside if the Chairman and Vice-Chairman are absent;
 - (b) receive any declarations of interest from members;
 - (c) receive questions from, and provide answers to, members of the public and elected Members in accordance with these Procedure Rules, but only in so far as they relate directly to the business for which the meeting was convened;
 - (d) consider any business set out in the notice convening the meeting;
 - (e) consider any item which, by reason of special circumstances to be specified in the minutes of the Meeting, the Chairman considers should be considered at the Meeting as a matter of urgency.

- 15.4 The Chairman or the Proper Officer may include on the agenda of an Extraordinary Meeting such other business as he/she determines should be included for the efficient despatch of Committee business.

- 15.5 An Extraordinary Meeting may approve any minutes of the last or previous Meetings.

MISCELLANEOUS CHANGES

Reference	Description	Reason
Appendix # [reference to be finalised]	<p>Exempt Information</p> <ol style="list-style-type: none"> 1. Information relating to any individual. 2. Information which is likely to reveal the identity of an individual. 3. Information relating to the financial or business affairs of any particular person (including the authority holding that information). 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. 5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings. 6. Information which reveals that the authority proposes— <ol style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment. 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. 	Extract from Access to Information Rules and place in its own appendix for easier reference

	<p>Conditions</p> <p>8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under—</p> <ul style="list-style-type: none"> (a) the Companies Act 1985; (b) the Friendly Societies Act 1974; (c) the Friendly Societies Act 1992; (d) the Industrial and Provident Societies Acts 1965 to 1978; (e) the Building Societies Act 1986; or (f) the Charities Act 1993. <p>9. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.</p> <p>10. Information which—</p> <ul style="list-style-type: none"> (a) falls within any of paragraphs 1 to 7 above; and (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above, <p>is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.</p>	
<p>Rule # Overview &</p>	<p>RULE #. REPORT TO COUNCIL</p>	<p>Extract from Access to Information Rules and add to Overview and</p>

<p>Scrutiny Rules</p>	<p>When an Overview and Scrutiny Committee can require a report</p> <p>#.1 If an Overview and Scrutiny Committee thinks that a Key Decision has been taken which was not:</p> <ul style="list-style-type: none"> (a) included in the Forward Plan; or (b) the subject of the general exception procedure; or (c) the subject of an agreement with a relevant Overview and Scrutiny Committee Chairman, or the Mayor or Deputy Mayor of the Council under Rule 13.5 of the Access to Information Procedure Rules <p>the Committee may require the Cabinet to submit a report to the Council within such reasonable time as the Committee specifies. The power to require a report rests with the Committee, but is also delegated to the Proper Officer, who shall require such a report on behalf of the Committee when so requested by the Chairman or any five members.</p> <p>Cabinet’s report to Council</p> <p>#.2 The Cabinet will prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within seven days of receipt of the written notice, then the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision, and, if the Leader is of the opinion that it was not a Key Decision, the reasons for that opinion.</p>	<p>Scrutiny Rules as relates to scrutiny functions</p>
<p>Policy Table Appendix C</p>	<p>Remove the name ‘Local Development Plan/Framework’ from the first column and replace with ‘Development Plans/Development Plan Documents’ with the</p>	<p>Local Development Framework is an outdated expression (Planning Policy</p>

	description in the second column of 'These include the JCS, the Cheltenham Plan and Neighbourhood Plans'.	Statement 12 has been cancelled and the expression is not used in the National Planning Policy Framework). The change will mean that Council would hold ultimate power to approve development plan documents. Any other planning policy matters, such as agreeing changes to the local development scheme, would rest with the Leader/Executive
Various	Amend references to senior officer post titles to reflect current management structures	To ensure references are up to date

A GUIDE TO RECORDING AND PUBLICATION OF OFFICER DECISIONS

1. Background

- 1.1 This document sets out the procedural framework to decision making and establishes a system to document decisions taken by officers under delegated authority.
- 1.2 It has been updated to reflect new regulations introduced on 6 August under the Local Audit and Accountability Act 2014.

2. Types of Officer Decisions

- 2.1 An “executive decision” is one made in connection with the discharge of a function which is the responsibility of the executive, i.e. the Leader and Cabinet and which has been delegated to officers
- 2.2 A “non executive decision” is one made in connection with the discharge of non-executive functions and which has been delegated to officers.
- 2.3 The significance of decisions taken under delegated powers will vary, and officers authorised to make delegated decisions will need to exercise judgement in determining whether decisions are significant enough to require formal recording in accordance with paragraph 2.6 below. Operational and Administrative Decisions although not required to be formally reported, must be recorded within the service area so as to provide an audit trail as referred to in paragraph 5.
- 2.4 Key Decision, Significant Decision and Urgent Decision are defined in Article 13.

A Key Decision is a decision made in exercise of an executive function which:-

- *requires a budget expenditure or budget saving of £100,000 or more;*
- *relates to the acquisition or disposal of land or an interest in land with a value in excess of £250,000; or*
- *is likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough*

A Significant Decision means any decision in exercise of a non-Executive Function which:-

- *requires a budget expenditure or budget saving of £100,000 or more; or*
- *is likely to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the Borough*

An Urgent Decision means a decision made in circumstances where:-

- (a) *a decision is required by statute or otherwise within a specified timescale; or*
- (b) *any delay likely to be caused by not making the decision would seriously prejudice the Authority's or the public's interests; or*
- (c) *any delay likely to be caused by not making the decision would be likely to expose the Authority, its members or its constituents to a significant level of risk, loss, damage or disadvantage*

- 2.5 Officers do not, except where (1) they are specifically authorised by the Leader or Council/Committee, or (2) the Chief Executive or (in their absence) the Deputy Chief Executive is acting under urgency powers, have authority to make Key Decisions or Significant Decisions.
- 2.6 The following types of officer decision shall be formally recorded subject to the limitations set out:

Type of Officer Decision	Limitation
Executive or Non-Executive Decision for financial expenditure or financial saving of £10,000 or more.	The expenditure or saving has already been approved by Council/Committee/Cabinet/Cabinet Member and their decision has been published (in so far as possible without releasing Confidential or Exempt Information); or The expenditure or saving is already recorded and published under separate statutory requirements; or The decision is purely operational or administrative in nature.
Non-Executive Decision : (1) for the granting of a permission or licence or changing an individual's legal rights, (2) made under an express delegation from Council or Committee.	The date, details of and reasons for the decision are already required to be produced under a statutory requirement; or The decision is purely operational or administrative in nature.
Key Decision	
Significant Decision	

- 2.7 Officers should consider whether there may be consequential or longer term financial implications or risks arising from any decision they are to take. Therefore, in addition to the types of decision specified in paragraph 2.6, they should record decisions where the consequences or risks (financial or otherwise) for the Authority are likely to be significant.

3. The Process

- 3.1 Before taking any decision, the authorised officer must take into account the principles of decision making set out in Article 13.2 of the Constitution.
- 3.2 Details of all proposed Key Decisions need to be published at least 28 days before the decision is made (unless the urgency procedure is applicable). At CBC we do this via the Council's Forward Plan which sets out matters to be considered by the Authority over the following four months and is continually updated. The Forward Plan also includes non-Key Decisions for completeness together with those non-executive decisions due to be taken by Council.

- 3.3 Where an officer is able to make an urgent Key Decision (see 2.5 above) they must comply with the legal requirements set out in Part 4 of the Constitution (Access to Information Procedure Rules).

4. Call-in

- 4.1 Key Decisions made by officers are subject to call-in by Overview and Scrutiny and cannot be implemented until either the call-in period has expired or the Scrutiny Committee has made a decision regarding the call-in. The call-in procedure is set out in the Overview and Scrutiny Procedure Rules within the Constitution.
- 4.2 Although the formal call in process only applies to officer Key Decisions, Overview & Scrutiny can call an officer to account over any decision made.

5. Recording and Publishing the Decision

- 5.1 Relevant officer decisions for publication are recorded in the same manner as Cabinet / Cabinet Member Decisions. The officer must provide the Democratic Services Officer with a completed Officer/Cabinet Member Decision report form (available on the Council's intranet site) within two clear working days of the date of taking the decision. Any such forms must be copied to the relevant Director. The decision form will be accompanied by any relevant background papers, and, where appropriate (for example, in respect of a controversial or complex matter) a full report (based on the Cabinet report template)
- 5.2 Democratic Services will maintain a record of all decisions referred to in paragraphs 5.1, including any report upon which each decision was made and background papers. Subject to any requirement for confidentiality, they will ensure that this decision is available for public inspection via the modern.gov system on the website or at the Municipal offices or by post if requested on receipt of payment for copying and postage. A written record must be available for public inspection for at least 6 years and the background papers for at least 4 years.
- 5.3 It is essential that the contents of the Decision Form are clear in conveying the decision taken, i.e., it will not be sufficient to state that the recommendations in a report were agreed. The form and accompanying report must set out:
- a record of the decision (including the date it was made);
 - the reasons for the decision;
 - details of any alternative options considered and rejected;
 - a record of any conflict of interest declared by any Cabinet Member consulted; and
 - in relation to any such declaration, a note of any dispensation granted by the Chief Executive

6. Consultation with Members

- 6.1 **Decisions by Officers following delegation from Cabinet**
Officers to whom decision-making powers have been delegated following a Cabinet decision, subject to consultation with Cabinet Members, will ensure that such consultation takes place.
- 6.2 **Other Decisions delegated to officers**
- a. Officers acting within the remit of their delegated powers within the Constitution will ensure that they identify, at an early stage, issues upon which Members should be consulted; and
 - b. Officers will ensure that appropriate consultation takes place.

This page is intentionally left blank

Guidance for the recording of Council, Cabinet and Committee Meetings

1. Introduction

The aim of this guidance is to help any members of the press and public who wish to film, audio-record, take photographs, and use social media (for example, 'tweeting' and 'blogging'), to report the proceedings of all meetings of Cheltenham Borough Council that are open to the public.

2. Do I need to ask permission to record meetings?

There is no requirement to ask permission to record a meeting. However, any person wishing to carry out this activity is requested to let Democratic Services (contact details below) know in advance so that all necessary arrangements can be made for the meeting.

3. Can I tweet or blog a meeting?

Yes, you may report meetings via social media of any kind. Therefore, bloggers, tweeters, Facebook and YouTube users, and individuals with their own website, are able to report meetings.

4. Can I provide commentary during the meeting?

Any person can provide written commentary during a meeting, as well as oral commentary outside or after the meeting. It is not permitted for oral commentary to be provided during a meeting as this would be disruptive to the good order of the meeting.

5. Can I be asked to leave a meeting and stop recording?

The majority of Cheltenham Borough Council's meetings are open to members of the public. However, meetings cannot be recorded when it is agreed to formally exclude the press and public from the meeting due to the confidential/exempt nature of the business to be discussed.

You will also be asked to leave a meeting if you act in a disruptive manner.

Examples of this can include:

- Moving to areas outside the areas designated for the public without the consent of the Chairman,
- Excessive noise in recording or setting up or re-siting equipment during the debate/discussion,
- Intrusive lighting and use of flash photography
- Asking for people to repeat statements for the purposes of recording.

6. Are there any limits about recording a meeting or what people can say in a tweet or recording?

Cheltenham Borough Council requests that the public gallery/seating area is not filmed and that you respect the wishes of members of the public who have come to speak at a meeting but do not wish to be filmed.

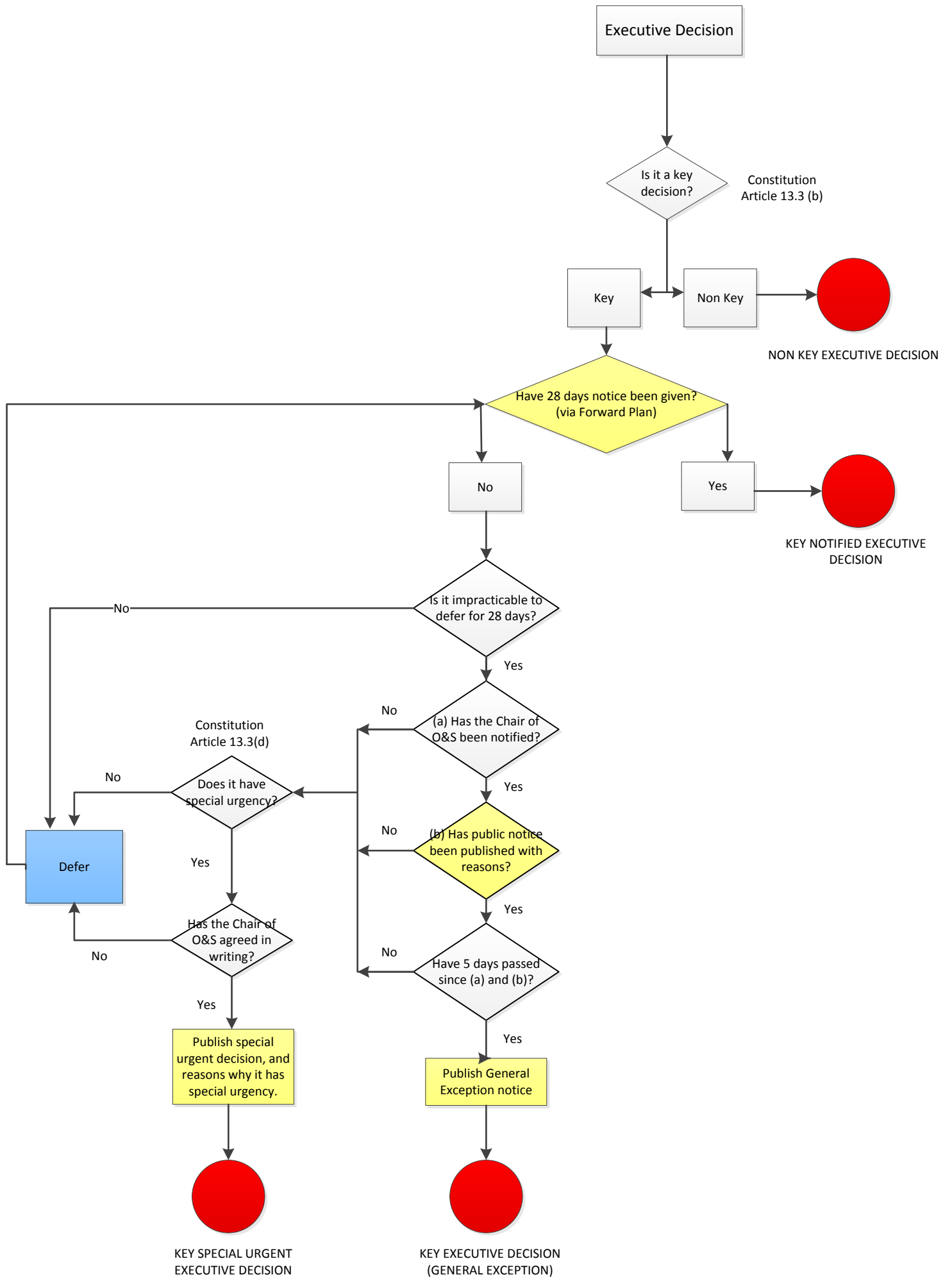
More generally the law of the land applies – including the law of defamation and the law on public order offences (see the Crown Prosecution Service guidance on social media). Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others. Cheltenham Borough Council asks those recording proceedings not to edit the recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being filmed/recorded.

7. Can I leave recording equipment in a public meeting room and record without being present?

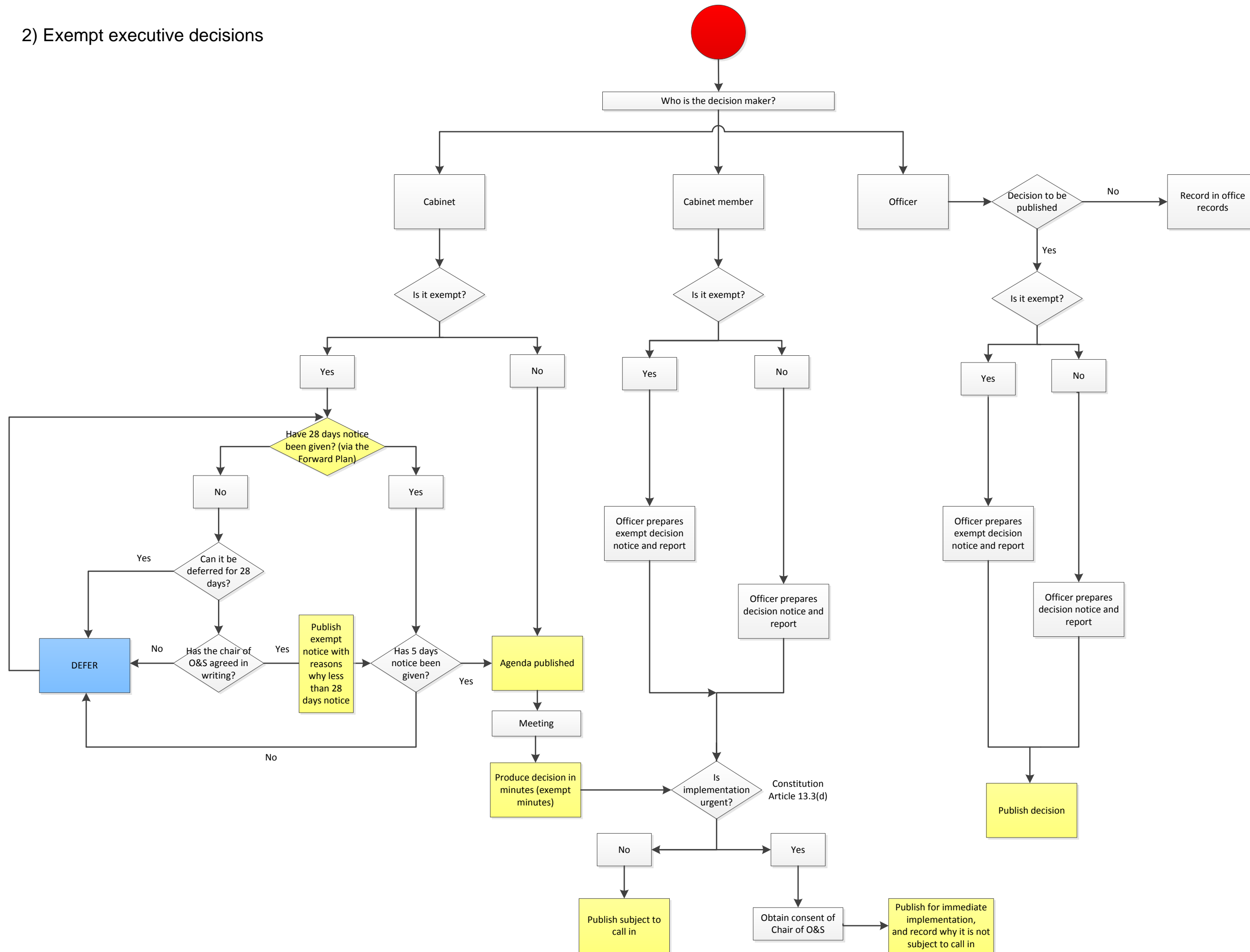
This can take place; however, any such recording would have to stop if at any stage the meeting became a private meeting. It is therefore suggested that the person doing the recording remains in the meeting. Cheltenham Borough Council takes no responsibility for any unsupervised equipment.

8. Further questions & Contact details

If you have any questions on the issue of filming/recording of meetings please contact Democratic Services on 01242 77 4937 or email democratic.services@cheltenham.gov.uk.



2) Exempt executive decisions



Cheltenham Borough Council
Council – 20 July 2015
Planning Code of Conduct

Accountable member	Standards Committee Chairman, Councillor Bernard Fisher Cabinet Member, Corporate Services, Councillor Jon Walklett
Accountable officer	Borough Solicitor
Key Decision	No
Executive summary	The Planning Code of Conduct which was adopted by the Council in October 2006 has been reviewed and amended by a Working Group of Members and approved by the Standards Committee for adoption by the Council. The draft revised Planning Code of Conduct is attached at Appendix 1 reflects changes to legislation, the Code of Members' Conduct and best practice which have taken place since 2006. The Council is asked to adopt the revised Planning Code of Conduct for inclusion as Part 5D of the Constitution.
Recommendations	To adopt the revised Planning Code of Conduct attached at Appendix 1 to be included as Part 5D of the Council's Constitution.

Financial implications	No financial implications. Contact officer: paul.jones@cheltenham.gov.uk, 01242 775154
Legal implications	None specifically arising from the report. Contact officer: sara.freckleton@teWKesbury.gov.uk, 01684 272011
HR implications (including learning and organisational development)	The Planning Code applies to both Councillors and planning officers who become involved in operating the planning system. The successful operation of the planning system relies on mutual trust and understanding of each other's role. It also relies on both Members and Officers ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so. It is therefore important that all Members and employees involved in the planning system are made aware and adhere to the revised code. Contact officer: julie.mcarthy@cheltenham.gov.uk, 01242 264355

1. Background

- 1.1 The Standards Committee established a Working Group comprising members of the Standards and Planning Committees assisted by officers from the Planning Department and One Legal to review the Planning Code of Conduct.
- 1.2 The current Planning Code of Conduct (within part 5 of the Council's Constitution) was adopted by the Council in October 2006. Its purpose is to provide more detailed guidance for members involved in the planning process and is intended to complement the Cheltenham Borough Council Code of Members' Conduct.
- 1.3 There have been significant changes to the Standards / Code of Conduct regime since the adoption of the Planning Code of Conduct in 2006 as well as changes to planning legislation and the Council's practices and the revisions which have taken place bring the Code up to date in respect of legislation, the Code of Members' Conduct and recent best practice.

2. Revisions to the Planning Code of Conduct

- 2.1 The Standards Committee has approved the draft revised Planning Code of Conduct attached at Appendix 1 and is recommending it to the Council for adoption and inclusion within the Constitution.
- 2.2 The revised Planning Code follows the format of the current one in generally providing bulleted points stating "Do" or "Do not" under each of the sections. Certain points are of relevance to all Members dealing with planning matters (whether or not they are on the Planning Committee or a substitute) and others will only be relevant to members of the Planning Committee (including substitutes). The draft revised Planning Code of Conduct now flags up which parts will be "applicable to ALL members" and which are "applicable to members of the Planning Committee".
- 2.3 In the draft revised Planning Code of Conduct there has been a slight re-organising and re-naming of the sections and a significant extension to the Introduction, with a summary of the planning process and a planning process flowchart added as Appendix 1 and 2 to the Code. Members of the Planning Committee have been consulted on the revised Planning Code of Conduct and the document approved by the Standards Committee includes amendments to reflect the responses to the consultation.

3. Reasons for Recommendations

- 3.1 To ensure that the Planning Code of Conduct is up to date and fit for purpose.

4. Consultation and feedback

- 4.1 The Standards Committee has considered and approved the provisions of the revised Code following consultation with Members of the Planning Committee as set out above. The draft revised Planning Code of Conduct attached at Appendix 1 incorporates amendments arising from responses to consultation.

Report author	Contact officer: sara.freckleton@teWKesbury.gov.uk 01684 272011
Appendices	1. Planning Code of Conduct – Appendix 1

Background information	Report to and Minutes of the Council on the 9 th October 2006. Planning Code of Conduct Cheltenham Borough Council Code of Members' Conduct
-------------------------------	--

This page is intentionally left blank

PART 5

Codes and Protocols

Part 5D – Planning Code of Conduct
(xx July 2015)

Introduction

1. Relationship to the Code of Members' Conduct
2. Development Proposals and Interests under the Code of Members' Conduct
3. Relationship with Officers
4. Engagement – Contact with Applicant, Developer, Supporters, Objectors and the Media
5. Fettering Discretion in the Planning Process
6. Lobbying of Councillors
7. Lobbying by Councillors
8. Site Visits
9. Public Speaking at Meetings
10. Decision Making and the Voting Process
11. Training

Introduction

This Code of Conduct applies to all members dealing with planning matters, with some sections applying to all members of the Council and other sections applying to members on the Planning Committee (including substitutes).

Planning is not an exact science. Rather it relies on informed judgement within a firm policy context. It is often highly contentious because its decisions affect the daily lives of everyone and the private lives of individuals, landowners and developers. This is heightened by the openness of the system (it actively invites public opinion before taking decisions). This is reinforced by the legal status of development plans and decision notices. It is essential, therefore, that the planning process is characterised by open and transparent decision-making.

One of the key purposes of the planning system is to ensure development takes place through a framework whereby the public interest is well represented at every point from the preparation of Development Plans and policies, the determination of planning applications and in undertaking enforcement action. In performing this role, planning necessarily affects land and property interests, particularly the financial value of landholdings and the quality of their settings. It is important, therefore, that planning authorities should make planning decisions affecting these interests openly, impartially, with sound judgement and for justifiable planning reasons. The process should leave no grounds for suggesting that a decision has been partial, biased or not well-founded in any way.

This Planning Code applies to both Councillors and planning officers who become involved in operating the planning system – it is not therefore restricted to professional town planners and Planning Committee members (and substitutes). The successful operation of the planning system relies on mutual trust and understanding of each other's role. It also relies on both Members and Officers ensuring that they act in a way which is not only fair and impartial but is also clearly seen to be so.

The aim of this Code of Conduct: to ensure that in the planning process there are no grounds for suggesting that a decision has been biased, partial or not well founded in any way and provide the public with a transparent explanation of the planning process and the roles and responsibilities within that process.

The key purpose of Planning: to control development in the public interest. One of the key aims of the planning system is to balance private interests in the development of land against the wider public interest. In performing this role, planning necessarily affects land and property interests, particularly the financial value of landholdings and quality of their settings. Opposing views are often strongly held by those involved,

A summary of the planning process and a planning process flowchart is appended at Appendix 1 and Appendix 2 respectively.

Our role as a Local Planning Authority (LPA): the National Planning Policy Framework says that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Further, the Framework states that Local Planning Authorities should look for solutions rather than problems, and decision-takers at all levels should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure development that improves the economic, social and environmental conditions of the area.

In addition, the Human Rights Act provides additional safeguards for citizens, and encourages the application of best practice. Article 6 is concerned with guaranteeing a right to procedural fairness, transparency and accountability in the determination of civil rights and obligations.

Councillors and Officers have different but complementary roles. Both serve the public but Councillors are responsible to the electorate, whilst Officers are responsible to the Council as a whole.

Your role as a Member dealing with planning matters: to conduct yourself fairly and transparently in representing the views of local constituents and declare any interest you may have, in accordance with this Code and the Members' Code of Conduct.

Your role as a Member of the Planning Committee: to make planning decisions openly, impartially, with sound judgement and for justifiable reasons. In particular, Members should not favour any person, company, group or locality, nor put themselves in a position where they appear to be doing so.

The role of a Planning Committee member (and substitute) involves:

- Attendance at Planning Committee meetings
- Helping to build and protect the reputation of the planning committee by acting reasonably and on planning merits
- Taking into account all the material considerations;
- Understanding, and being able to interpret, all the plans and policies that are relevant to making your decision. This includes national and local plans, policies and guidance. This will require Planning Committee members and substitute members to have initial, and on-going training;
- Having regard to wider Council strategic plans and objectives, and financial aspects e.g. economic growth strategies, any proven need for house building and numbers;

- Arriving at a decision that is sound and can be justified – especially at appeal;
- Listening to people on both sides and being fair to all;
- Being aware of the duty to objectors and the duty to applicants as well;
- Making a balance between all you have heard and read, including views of Officers and your Councillor colleagues and making a sound reasonable and justifiable decision;
- Determining cases in a consistent manner

The role of officers: to handle applications in a professional and balanced way. They will visit the site and consider all representations made about an application. Officers involved in the processing of applications must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct.

As a result, planning officer's views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at odds with the views, opinions or decisions of the Committee or its Members.

Every application is dealt with by a case officer who will handle the application from validation through to determination and beyond. Members will be advised who the case officer is through the weekly list of planning applications; this is emailed to all members.

Members should not put pressure on officers to put forward a particular recommendation but are encouraged to discuss proposals with the case officer should they wish to ask questions, to ask for clarification on relevant issues or gain professional advice on matters relating to the receipt and consideration of planning applications and the process of considering applications through delegated decisions or Planning Committee.

Officers will always prepare a report and recommendation for members and will also attend the Planning Committee meeting to answer questions and support their recommendation

When the Code of Conduct applies: this Code applies to Members at all times when involving themselves in the planning process. (This includes, where applicable, when part of decision making meetings of the Council in exercising the functions of the Planning Authority or when involved on less formal occasions, such as meetings with officers or the public and consultative meetings). It applies as equally to planning enforcement matters or site specific policy issues as it does to planning applications.

If you have any doubts about the application of this Code to your own circumstances you should seek advice early, from the Monitoring Officer or one of their staff, and preferably well before any meeting takes place.

1. Relationship to the Members' Code of Conduct

Applicable to ALL members

- **Do** apply the rules in the Code of Members' Conduct first, which must always be complied with.
- **Do** then apply the rules in this Planning Code of Conduct, which seek to explain and supplement the Code of Members' Conduct for the purposes of planning control. If you do not act in accordance with this Code of Conduct, you may put:
 - the Council at risk of proceedings on the legality or maladministration of the related decision which may lead to that decision being quashed; and
 - yourself at risk of either being named in a report made to the Standards Committee, Council or the Local Government Ombudsman or, if the failure is also likely to be a breach of the Code of Conduct, a complaint being made to the Monitoring Officer.
- **Do** raise and escalate concerns in relation to potential breaches of the Code of Members' Conduct or this Planning Code of Conduct. Officers and Members at all levels of an organisation need to be prepared to speak up and challenge inappropriate behaviour where the authority's integrity is at risk.

2. Development Proposals and Interests under the Code of Members' Conduct

Applicable to ALL members

- **Do** not use your position improperly for personal gain or to advantage your friends or close associates.
- **Do** keep your register of interests up-to-date
- **Do** disclose the existence and nature of your interest at any relevant meeting, including informal meetings or discussions with officers and other Members. Preferably, disclose your interest at the beginning of the meeting and not just at the commencement of discussion on that particular matter.
- **Do** then act accordingly:
Where you have a Disclosable Pecuniary Interest (as defined within Appendix A of the Member's Code of Conduct):
 - Disclose the Disclosable Pecuniary Interest to the Committee, unless the Monitoring Officer considers it to be sensitive in nature
 - Leave the meeting

- **Do not** vote on the matter, participate (or further participate) in the discussion of the matter unless a dispensation has been granted

Where you have an Other Interest:

- Disclose the Other Interest to the Committee
- Leave the meeting and **do not** vote on the matter, participate (or further participate) in the discussion of the matter, if the matter affects:
 - o your well-being or financial position;
 - o the interest you hold that constitutes an Other Interest;
 - o the well-being or financial position of a member of your family or a person with whom you have a close association;
 - o a person with whom you, a close member of your family or a close associate have a contractual relationship; or
 - o the determination of an application submitted by you, a close member of your family or a close associate; and a reasonable member of the public knowing the facts would reasonably regard the interest as so significant that it is likely to prejudice your judgement of the public interest

unless a dispensation has been granted.

- But, **do** attend the meeting for the purpose of making representations only and after making your submission, immediately leave the meeting.

You may apply to the Monitoring Officer for a dispensation. If granted, this will allow you to participate in a discussion and vote on a matter notwithstanding a Disclosable Pecuniary Interest or Other Interest as set out above

For full details, please refer to the Code of Members' Conduct adopted 25 June 2012 and taking effect on 1 July 2012

- **Do not** get involved in the processing of the application.
- **Do not** seek or accept any preferential treatment, or place yourself in a position that could lead the public to think you are receiving preferential treatment, because of your position as a councillor. This would include, where you have an interest under the Code of Members' Conduct in a proposal, using your position to discuss that proposal with officers or members when other members of the public would not have the same opportunity to do so.

- **Do** be aware that, whilst you are not prevented from seeking to explain and justify a proposal in which you have an interest under the Code of Members' Conduct to an appropriate officer, in person or in writing, the Code places greater limitations on you in representing that proposal than would apply to a normal member of the public. (For example, where you have an interest under the Code of Members' Conduct in a proposal to be put before a meeting, you may address the Committee but only to make a presentation in the same manner that would apply to an ordinary member of the public, after which you must leave the chamber while the meeting considers it, you may not observe the meeting's consideration of it from the public gallery.)
- **Do** notify the Monitoring Officer in writing where you are making an application for planning permission and note that:

notification to the Monitoring Officer should be made no later than submission of the application; the proposal will always be reported to the Committee as a main item and not dealt with by officers under delegated powers; and

it is advisable that you employ an agent to act on your behalf on the proposal in dealing with officers and any public speaking at Committee (where permitted).

3. Relationship with Officers

Applicable to ALL members

- **Do not** put pressure on officers to put forward a particular recommendation. (This does not prevent you from asking questions or submitting views to the Head of Planning or the relevant case officer, which may be incorporated into any committee report).
- **Do** recognise that officers are employed by the Council, not by individual Councillors. A successful relationship between Councillors and officers can only be based upon mutual trust, respect, courtesy and understanding of each others positions. This relationship, and the trust which underpins it, should never be abused or compromised.
- **Do** recognise and respect that officers involved in the processing and determination of planning matters must act in accordance with the Council's Code of Conduct for Officers and their professional codes of conduct, primarily the Royal Town Planning Institute's Code of Professional Conduct. As a result, planning officers' views, opinions and recommendations will be presented on the basis of their overriding obligation of professional independence, which may on occasion be at

odds with the views, opinions or decisions of the Committee or its Members.

4. Engagement - Contact with Applicants, Developers, Supporters and Objectors

Applicable to ALL members

- **Do** refer those who approach you for planning, procedural or technical advice to officers. Planning is a constantly changing arena in the technical context any queries on such matters must be referred to your professional officers.
- **Do not** give separate advice on the development plan or material considerations and do not become involved in negotiations; this should be done by officers to ensure that the authority's approach is coordinated.
- **Do not** agree to any formal engagement with applicants, developers or groups of objectors where you can avoid it. To maintain impartiality, and its appearance it is preferable that members do not take part in meetings to discuss applications outside the public decision making process. However, exceptionally where you feel that a formal meeting would be useful in clarifying the issues, you should never seek to arrange that meeting yourself, but should request the Head of Planning to organise it. Participation in such meetings should be authorised on a case by case basis by the Chairman and Vice-Chairman of the Planning Committee and the Head of Planning. The Chairman of the Planning Committee is usually the most appropriate member representative, accompanied by local ward members. The officer(s) will then ensure that those present at the meeting are advised from the start that the discussions will not bind the authority to any particular course of action, that the meeting is properly recorded on the application file and the record of the meeting is disclosed when the application is considered by the Committee.
- **Do**
 - follow the rules on lobbying contained in this Code;
 - consider whether or not it would be prudent in the circumstances to make notes when contacted; and
 - report to the Head of Planning any significant contact with the applicant and other parties, explaining the nature and purpose of the contacts and your involvement in them, and ensure that this is recorded on the planning file.
 - raise any issues upon which you think clarification is needed with the Head of Planning and / or the case officer for the application.
 - forward any information received which the case officer may not already have so that all information is duly considered.

Applicable to members (and substitutes) of the Planning Committee
In addition in respect of presentations by applicants/developers

- **Do not** attend a planning presentation unless an officer is present and/or it has been organised by officers and/or it is open to the public.
- **Do** ensure that any presentation attended is in accordance with the guidance appended at Appendix 4
- **Do** ask relevant questions for the purposes of clarifying your understanding of the proposals.
- **Do** remember that the presentation is not part of the formal process of debate and determination of any subsequent application, this will be carried out by the appropriate Committee of the planning authority.
- **Do** be aware that a presentation is a form of lobbying and you must not express any strong view on a proposal which indicates a closed mind or state how you or other Members might vote.
- Members and officers should ensure that any contact they have with the press should accord with the principles of this Code and should not affect the integrity of the planning system. In particular, Members should ensure that they do not create the impression that they have predetermined the application and officers should restrict their comments to factual matters and should ensure that they do not prejudice the Council's position with regard to an application.

5. Fettering Discretion in the Planning Process

Applicable to members (and substitutes) of the Planning Committee

- **Do not** fetter (that is limit) your discretion and therefore your ability to participate in planning decision making at this Council by making up your mind, or clearly appearing to have made up your mind (particularly in relation to an external interest or lobby group), on how you will vote on any planning matter prior to formal consideration of the matter at the meeting of the planning authority and of your hearing the officer's presentation and evidence and arguments on both sides.

Fettering your discretion in this way and then taking part in the decision will put the Council at risk of a finding of maladministration and of legal proceedings on the grounds of there being a danger of bias or pre-determination or a failure to take into account all of the factors enabling the proposal to be considered on its merits.

- **Do** be aware that you are likely to have fettered your discretion where the Council is the landowner, developer or applicant and you have acted as, or could be perceived as being, a chief advocate for the

proposal. (This is more than a matter of membership of both the proposing and planning determination committees, but that through your significant personal involvement in preparing or advocating the proposal you will be, or perceived by the public as being, no longer able to act impartially or to determine the proposal purely on its planning merits.)

- **Do** also be aware that, whilst the Code of Members' Conduct provides for a presumption that you may regard yourself as not having an interest automatically barring participation in matters which relate to the organisations mentioned below, you must exercise your discretion in deciding whether or not to participate in each case and where:
 - you have been significantly involved in the preparation, submission or advocacy of a planning proposal on behalf of:
 - another local or public authority of which you are a member; or
 - a body to which you have been appointed or nominated by the Council as its representative
 - where you are a trustee or a company director of the body submitting the proposal and were appointed by the Council

you should always disclose this as an interest barring participation and withdraw.

- **Do** consider yourself able to take part in the debate on a proposal when acting as part of a consultee body (for instance where you are also a member of the parish council, for example, or both a borough and county councillor), provided:
 - the proposal does not substantially effect the well being or financial standing of the consultee body;
 - you make it clear to the consultee body that:
 - your views are expressed on the limited information before you only;
 - you must reserve judgement and the independence to make up your own mind on each separate proposal, based on your overriding duty to the whole community and not just to the people in that area, ward or parish, as and when it comes before the Committee and you hear all of the relevant information; and
 - you will not in any way commit yourself as to how you or others may vote when the proposal comes before the Committee; and

- you disclose the interest regarding your membership or role when the Planning Committee comes to consider the proposal.
- **Do not** speak and vote on a proposal where you have fettered your discretion. You do not also have to withdraw, but you may prefer to do so for the sake of appearances. If you do remain Do explain that you do not intend to speak and vote because you have or you could reasonably be perceived as having judged the matter elsewhere, so that this may be formally recorded in the minutes.

Where you have fettered your discretion as above but you do not also have an “other” interest under the Code of Members’ Conduct barring participation

- You may exercise your separate speaking rights as a Ward/Local Member (where this has granted by the Authority’s standing orders or by the consent of the Chairman). Where you do so:
 - advise the proper officer or Chairman that you wish to speak in this capacity before commencement of the item;
 - remove yourself from the member seating area for the duration of that item; and
 - ensure that your actions are recorded.

6. Lobbying of Councillors

Applicable to members (and substitutes) of the Planning Committee

- **Do** explain to those lobbying or attempting to lobby you that, whilst you can listen to what is said, it prejudices your impartiality and therefore your ability to participate in the Committee’s decision making to express either:
 - an intention to vote one way or another or,
 - such a firm point of view that it amounts to the same thing.
- **Do** remember that your overriding duty is to the whole community not just to the people in your ward and, taking account of the need to make decisions impartially, that you should not improperly favour, or appear to improperly favour, any person, company, group or locality.
- **Do** note that, unless you have an interest under the Member’s Code of Conduct, you will not have fettered your discretion or breached this Planning Code of Conduct through:
 - listening or receiving viewpoints from residents or other interested parties;
 - making comments to residents, interested parties, other Members or appropriate officers, provided they do not consist of or amount to pre-judging the issue and you make clear you are keeping an open mind;

- seeking information through appropriate channels; or
 - being a vehicle for the expression of opinion or speaking at the meeting as a Ward Member, provided you explain your actions at the start of the meeting or item and make it clear that, having expressed the opinion or ward/local view, you have not committed yourself to vote in accordance with those views and will make up your own mind having heard all the facts and listened to the debate.
- **Do** make clear that if you do express an opinion to objectors or supporters, that you will only be able to take a final decision after having heard all of the relevant arguments and taken into account all relevant material planning considerations at Committee.

Applicable to ALL members

- **Do not** accept gifts or hospitality from any person involved in or affected by a planning proposal. If a degree of hospitality is entirely unavoidable, ensure it is of a minimum, its acceptance is declared as soon as possible and remember to make a declaration to the Monitoring Officer where you estimate the market value or cost of the gift or hospitality is £25 or greater, in accordance with the provisions of the Code on Gifts and Hospitality at Part 5F of the Constitution.
- **Do** pass on any lobbying correspondence you receive to the Head of Planning at the earliest opportunity.
- **Do** promptly refer to the Head of Planning any offers made to you of planning gain or constraint of development, through a proposed s.106 Planning Obligation or otherwise.
- **Do** inform the Monitoring Officer where you feel you have been exposed to undue or excessive lobbying or approaches (including inappropriate offers of gifts or hospitality), who will in turn advise the appropriate officers to follow the matter up.

7. Lobbying by Councillors

Applicable to members (and substitutes) of the Planning Committee

- **Do not** become a member of, lead or represent an organisation whose primary purpose is to lobby to promote or oppose planning proposals. If you do, you will have fettered your discretion and will be prevented from participating in the debate and vote. In those circumstances you would be required to withdraw from the committee but may observe from the public gallery.
- **Do** join general groups which reflect your areas of interest and which concentrate on issues beyond particular planning proposals, such as the Victorian Society, CPRE, Ramblers Association or a local civic

society, but disclose the interest where that organisation has made representations on a particular proposal and make it clear to that organisation and the Planning Committee that you have reserved judgement and the independence to make up your own mind on each separate proposal.

- **Do not** excessively lobby fellow councillors regarding your concerns or views nor attempt to persuade them that they should decide how to vote in advance of the meeting at which any planning decision is to be taken.
- **Do not** decide or discuss how to vote on any application at any sort of political group meeting, or lobby any other Member to do so. Political Group Meetings should never dictate how Members should vote on a planning issue.
- **Do not** make planning decisions on a Party political basis in response to lobbying. The use of political whips to seek to influence the outcome of a planning decision is likely to be regarded as maladministration.

8. Site Visits

Applicable to members (and substitutes) of the Planning Committee

As part of the Councils process of fulfilling its duties of Planning Committee all Planning Committee members and substitutes are encouraged to take part in a monthly 'planning view'. This is a structured site visit organised by officers, it is an invaluable tool in the decision making process. Planning view provides members with an opportunity to view and enter application sites (and neighbouring sites where necessary) and also consider the surrounding context in advance of the Planning Committee meeting. It is a structured site visit accompanied by officers and members should try to attend;

Planning view is an opportunity to seek information and observe the site. When on site, members can ask questions or seek clarification on matters relevant to the site but it is not an opportunity to express opinions or views on the development proposed. In particular planning view offers the opportunity to:

- consider the impact of the proposed development if difficult to visualise from the plans and any supporting material, including photographs taken by officers
- more appropriately consider the comments of the applicant and objectors when these cannot be expressed adequately in writing

It is important to ensure that planning view does not become an impromptu lobbying opportunity for the applicant or objectors. If members are approached on site by the applicant or third parties, you should advise that they may make representations in writing to the authority and then direct them to officers present. Members should not discuss applications with the

applicant or third parties and should be aware of the provisions of the 'Lobbying of Councillors' section found elsewhere within this Code of Conduct.

Members should not enter a site which is subject to an application other than on planning view as this may give the impression of bias. If you do consider it essential to enter the site, or a neighbouring site, other than through planning view, please advise the Head of Planning of your intention to do so and the reasons why. If you do intend to conduct such a visit, again it is important to be aware of the provisions of the 'Lobbying of Councillors' section found elsewhere within this Code of Conduct.

Any such visit made outside of planning view will be recorded and should be declared by the member at the relevant Planning Committee

A Site Visits Practice Note is appended at Appendix 3 and shall be complied with at all planning view site visits.

9. Public Speaking at Meetings

Applicable to ALL members

- **Do** ensure that you comply with the Council's procedures in respect of public speaking.

Applicable to members (and substitutes) of the Planning Committee

- **Do not** allow members of the public to communicate with you during the Committee's proceedings (orally or in writing) other than through the scheme for public speaking, as this may give the appearance of bias.
- Members should not cross-examine or ask leading questions of the public or officers as a way of introducing new facts to the debate, only planning-related questions should be posed and late evidence should not be introduced by speakers at Committee.
- Messages should never be passed to individual Members from other Member or the public. This will create a perception of bias that will be difficult to overcome.

10. Decision Making and the Voting Process

Applicable to ALL members

- **Do** ensure that, if you request a proposal to go before the Committee rather than be determined through officer delegation, that your reasons are recorded and repeated in the report to the Committee.

Applicable to members (and substitutes) of the Planning Committee

- **Do** come to the meetings having considered all the relevant information provided in the Planning Committee pack. Officers are available prior to the meeting to answer any questions in advance of Planning Committee.
- **Do** come to meetings with an open mind and demonstrate that you are open-minded.
- **Do** make decisions in accordance with the Development plan unless material considerations indicate otherwise.
- According to the National Planning Policy Framework proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused, unless material considerations indicate otherwise. The National Planning Policy Framework is a material consideration in planning decisions.
- The purpose of the planning system is to contribute to the achievement of sustainable development, in assessing and determining development proposals, the presumption in favour of sustainable development should be applied. There are three dimensions to sustainable development: economic, social and environmental. Plans and decisions need to take local circumstances into account so that they respond to different opportunities for achieving sustainable development in different areas.
- **Do** come to your decision only after due consideration of all of the information reasonably required upon which to base a decision. If you feel there is insufficient time to digest new information or that there is simply insufficient information before you, request that further information. If necessary, defer or refuse. Although there will be occasions when it will be legitimate to abstain from a vote, all members of the Planning Committee should take part in the making of decisions by the Planning Committee.
 - **Do not** vote or take part in the meeting's discussion on a proposal unless you have been present to hear the entire debate, including the officers' introduction to the matter. This may be an occasion where it would be legitimate to abstain from the vote on a matter.
 - **Do** have recorded the reasons for Committee's decision to defer any proposal.
 - Before making a decision which differs from the officer recommendation or the development plan, the Committee may wish to take the following steps:

- Discuss the areas of difference and the reasons for that difference with officers beforehand
 - Record the detailed reasons as part of the mover's motion
 - Where there is concern about the validity of those reasons, consider deferring to another meeting to have the putative reasons tested and discussed. **Do** consider deferring an item to a later meeting where there is concern about the validity of reasons for making a decision contrary to officer recommendation in order that reasons can be tested and discussed.
- Before Members vote on a motion to determine an application contrary to officer recommendation, an officer should be given an opportunity to explain the implications of the contrary decision including an assessment of a likely appeal outcome and the chances of a successful award of costs against the authority should one be made.
 - If the Committee makes a decision contrary to officer recommendation or the development plan (whether for approval or refusal or changes to conditions or planning obligations) a detailed minute of the Committee's reasons should be made. Members should be prepared to explain in full their planning reasons for the decision they are making. Pressure should never be put on officers to 'sort out the planning reasons' following the meeting.

11. Training

A forward plan of a minimum of 3 training events for members will be organised annually. Planning Committee Members and substitutes will be required to attend a minimum of 2 training sessions each financial year. Members who fail to attend the minimum training will be excluded from meetings of Planning Committee until appropriate training has been completed. This training will include a balance of the following:

- Organised visits to review permissions granted, providing an opportunity for both Members and Officers to reflect on the details of the completed schemes and consider lessons learned;
- Topics of interest and or to consider issues in depth or where overturns have indicated problems with planning policy;
- Formal training by external speakers;

New Planning Committee and substitute members must have attended initial induction training before they sit on the Planning Committee

Applicable to members (and substitutes) of the Planning Committee

- **Do not** participate in decision making at meetings dealing with planning matters if you have not attended the mandatory initial induction planning training prescribed by the Council.
- **Do not** participate in decision making at meetings dealing with planning matters if you have not attended the minimum additional yearly training
- **Do** endeavour to attend any other specialised training sessions provided, since these will be designed to extend your knowledge of planning law, regulations, procedures, Codes of Practice and the Development Plans beyond the minimum referred to above and thus assist you in carrying out your role properly and effectively.
- **Do** request any training that you consider you need.

Appendix 1 – Summary of the Planning Process

1. When Planning Permission is Required

The carrying out of development (which includes operations and material changes in use) usually requires an express planning permission from the local planning authority.

2. Pre-application consultation or advice

While pre-application consultation and seeking pre-application advice on the part of applicants is not a legal requirement in the majority of cases (pre-application consultation is required in respect of the construction of certain wind turbine developments), it is generally encouraged.

The pre-application advice process will depend upon the nature of the proposed application:

- Enlargement, improvement or other alteration to a dwelling house or to a dwelling which is a listed building – there will be a site visit and written response within 10 days.
- For all other applications – if necessary there will be a site visit and a meeting(s) will be arranged to discuss the application. An initial written response will follow within 15 working days.

Any advice given is informal and will not commit the Council to a particular decision on any subsequent planning application.

3. Submission of Application

There are various types of applications that the local planning authority may deal with (including: full applications, outline applications, reserved matter approvals, discharge of condition applications, householder and minor commercial applications, listed building consents, non-material amendment applications, retrospective applications, applications to develop otherwise than in accordance with conditions previously attached and renewal applications).

Each have different requirements as to the documents that must be submitted with them, the notices that will be required to be given by the applicant, the publicity the local authority has to give to the application, the consultations to be undertaken and the timescales within which determinations are to be made.

4. When will an application go to Planning Committee?

The responsibility for the determination of most planning applications has been delegated to officers, but will come to the Planning Committee where it falls outside the scheme of delegation, a member has requested (having given reasons for the request) that the application be determined by the Committee or the Head of Planning considers that the application should be considered by the Planning Committee.

Further in certain circumstances the Secretary of State may call-in a planning application for determination by himself instead of the local authority.

The officer will prepare a detailed report for each application to be considered by the Planning Committee including an assessment of the proposal, comments from consultees and written submissions from the public. The

report will give the officer's recommendation to members. Where members propose to determine an application contrary to the officer's recommendation, they must provide valid planning reasons for doing so.

The Planning Committee is open to the press and public, save for certain exempt items which will be considered in closed session. There is a public speaking scheme applicable to the Planning Committee.

5. Decision

Where permission is granted, the notice will include details of any conditions and full reasons why each condition has been imposed. Where permission is refused, the notice will give full reasons and cite all policies and provisions of the development plan relevant to the refusal. In both instances, the applicant will also receive details of how to appeal to the Secretary of State against the authority's decision or conditions imposed.

6. Appeal

The applicant may appeal the following decisions of the local planning authority:

- Refusal of permission
- Grant of permission subject to conditions
- Failure to notify the applicant of its decision within the appropriate time limit

Any appeal will consider the merits of the application and costs may be awarded against parties that have caused unnecessary costs to be incurred due to unreasonable behaviour. Unreasonable behaviour may be either procedural (relating to the process) or substantive (relating to the issues arising from the merits of the appeal).

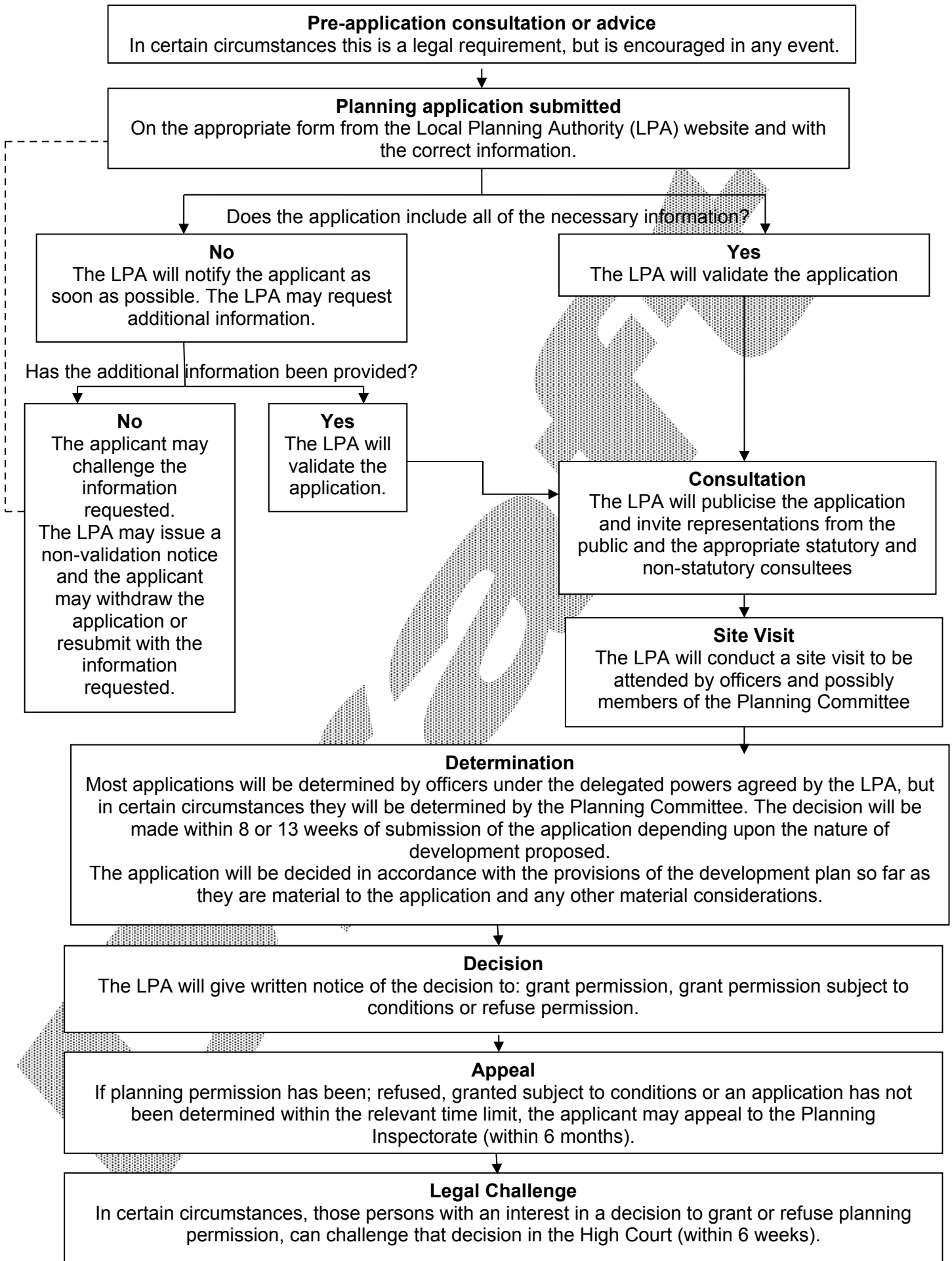
Examples of unreasonable behaviour which may result in an award of costs include:

- Providing information that is shown to be manifestly inaccurate or untrue
- Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations
- Failure to produce evidence to substantiate each reason for refusal
- Not determining similar cases in a consistent manner
- Refusing planning permission on a planning ground capable of being dealt with by conditions

7. Other Legal Challenges

A decision of the local authority or the Secretary of State may be challenged in the High Court on the basis of whether it was properly and legal made. Such challenges may include questions of procedure and whether or not irrelevant considerations were taken into account or relevant consideration were not taken into account).

Appendix 2 – Planning Process Flowchart



Appendix 3 - Site Visits Practice Note

1. Who may be present and take part in the proceedings:

- all Planning Committee members and Planning Committee substitutes
- relevant officers (including highways authority officers)

General onlookers, supporters and objectors will not be allowed to participate. An applicant, agent or landowner may be present, but is not to address any Planning Committee members (or substitutes) directly.

2. Conduct of Site Visits

- Site Visits will be conducted in a formal manner
- Officers will highlight the site factors and site issues relevant to the site visit
- Members may ask questions and seek clarification of Officers as to the physical characteristics and surroundings of the site
- If necessary, Officers may speak to the applicant, agent or landowner to seek information on such points
- There will be no debate about the merits of the application
- No hospitality will be accepted

3. General

- The Officer shall record who attends each site visit, where was visited and at what time
- If it is decided not to visit a particular site, this shall be on the basis of a consensus decision and the reason for not visiting the site shall be recorded
- It is not appropriate for member to take part in a specific site visit if the application is one where they will be prevented from participating in the debate and voting on the application when it is considered at the Planning Committee (whether due to an interest under the Code of Members' Conduct or due to a fettering of their discretion). The member should make contact with the relevant case officer as soon as the member is aware that this will be the case, so that appropriate arrangements can then be made.

Appendix 4 – Pre-application Developer Presentations to Members and Stakeholders

Pre-application developer presentations may be made to members and stakeholders in accordance with this guidance. Such presentations will normally be major development proposals but, may exceptionally (at the Officers and the Planning Committee Chairman's discretion) relate to other development proposals.

Stage in Process

A developer presentation is an opportunity for the developer to explain his proposals and to be asked questions by Members and stakeholders. It is important that presentations take place at an early pre-application stage in the development process so that developers may address certain aspects of their proposals as a result of questions asked during the presentation.

Presentations by developers will not be appropriate after a planning application is submitted to the authority. This is because at that stage there may be third party interest (e.g. objecting to the proposal) and third parties will not have the same opportunity to be able to present their ideas to members.

Arrangements for the pre application presentation

The presentation arrangements will be confirmed by the Planning Officers. Presentations will normally take place in the Council Chamber. The developer should be made aware that it can take a while to find a time for the presentation.

The invitees should include:

- All Members of Cheltenham Borough Council (invites will be forwarded by Planning Officers by way of letter, e-mail or member updates/briefings)
- The Planning Case Officer and any other Cheltenham Borough Council Officers who will have a significant role in the case.
- A representative of the Highway Authority
- The Chairman of the relevant Parish / Town Council and a deputy (or their substitutes)
- As the Head of Planning considers appropriate, a representative of any other authority/person that would be a consultee with a duty to respond under the Town and Country (Development Procedure) (England) Order 2010 (as amended or replaced from time to time) in respect of any planning application relating to the proposal. For example, this may include a representative of the Environment Agency or English Heritage.

Form of the pre-application presentation

The meeting is introduced by the Head of Planning (or the relevant delegated officer).

The presentation will normally comprise:

- (a) Officer's introduction, including the standard information below and advising that the order of the meeting will be as (b) to (d) as follows.
- (b) Planning Officer to provide a planning policy context for the development
- (c) The developer to outline their proposals (roughly 10 to 15 minutes)
- (d) Questions and answers (roughly 30 minutes)

Standard information

When introducing a Developer Presentation to Members and stakeholders, to ensure that no issues of pre-determination can arise, the following information should be presented by the Head of Planning (or the relevant delegated officer):

"This is a Developer Presentation to Members and Stakeholders and is being conducted under our guidance for such meetings.

The following stakeholders have been invited [names]

Planning Committee members (and substitutes) should remain open minded about development proposals and should not reach a firm view of the merits or otherwise of a proposal as a result of this presentation.

There will be a question and answer session at the end of the meeting.

All Members are requested to not make statements that indicate a closed mind about the development proposals and are advised to restrict themselves to questions. It would be helpful for stakeholders to do the same. "

Other issues

Formal minutes will not be taken of the meeting, but it will be noted on the pre-application file that a developer presentation has taken place.

Developers should not by themselves arrange a Developer Presentation for Members and stakeholders. This can only be done by officers. If developers do want themselves to arrange a meeting (whether pre-application or post-application) where they can present their ideas to members and stakeholders, this should take the form of a public meeting. The key differences are:

- (a) The public meeting should be held local to the development site
- (b) The general public should be invited
- (c) Planning Committee members (and substitutes) should not be specifically targeted as the invitees (rather it would be the local ward Members who would be invited or all Members).

A behind closed doors meeting between a Developer and Members of the Planning Committee, outside of any meeting arranged in accordance with this guidance, would not be acceptable.

Post Application Presentation

Applicants may wish to make a developer presentation to members and stakeholders after their planning application has been received by the Local Planning Authority. **This type of meeting is not acceptable because third parties have no right to make such presentations.** Instead, the Planning Case Officer may arrange to make a presentation on the planning application. The key features of the presentation are:

- (a) The invitees will be the same as with developer presentation except that the applicant and his advisers will not be allowed to be present.
- (b) The meeting will operate in the same way as the developer presentation, except that the Case Officer will outline the proposal
- (c) Formal minutes will not be taken of the meeting. The Case Officer can provide some feedback to the applicant following the meeting. For instance, this could be the case if questions have been asked on technical subjects and the answers are not apparent from the scheme submission.

Cheltenham Borough Council

Cabinet – 14 July 2015

Review of the council's performance at end of 2014-15

Accountable member	Cllr. John Walklett, Cabinet Member Corporate Services
Accountable officer	Richard Gibson, Strategy and Engagement Manager
Accountable scrutiny committee	Overview and Scrutiny Committee
Ward(s) affected	All
Key Decision	No
Executive summary	The report takes information and data from our performance management system to enable Cabinet to review the corporate performance of the organisation at the end of the financial year 2014-15.
Recommendations	Cabinet to endorse the review of performance in 2014-15

Financial implications	None as a result of this report
Legal implications	None as the result of this report
HR implications (including learning and organisational development)	None as the result of this report
Key risks	<p>The business planning process helps the council manage risk in a number of areas, but particularly through creating a strategic framework for the management of projects and initiatives.</p> <p>If we do not respond to performance information, then we may not direct change and improvement in a positive direction.</p>
Corporate and community plan Implications	This report sets out performance information relating to the delivery of corporate priorities in 2014-15.
Environmental and climate change implications	None identified as a result of this report

1. Background






- 1.1 The performance report takes information and data from our performance management system to provide Cabinet with an overview of how the council is performing.
- 1.2 The report summarises how the council performed in regard to the published milestones, performance indicators and outcomes set out in the 2014-15 action plan that was agreed by Council on 31st March 2014.
- 1.3 The full performance report is attached as appendix 2.

2. 2014-15 Performance Overview







Corporate Strategy milestones

- 2.1 In the 2014-15 action plan, we identified 84 milestones to track our progress. Out of these:
 - 67 (80%) are complete
 - 6 (7%) are amber, the milestone was not achieved within the financial year but there are robust plans to achieve the milestone in the first quarter of 2015-16
 - 5 (6%) are red, the milestones were not achieved in the financial year.
 - 6 (7%) were closed as the project was no longer needed.

The five red milestones are:

Milestones	Status	Owner	Commentary
ENV 02B - Procurement of bulky waste service - contract award		Scott Williams	This action has been parked pending other partners joining Ubico at which point we will undertake a full review and try to align services in order to improve the service and reduce cost.
ENV 10B - Develop Green travel plan using assistance from the LSTF funded programme		Wilf Tomaney	Project stalled due to staff resource constraints. Work to recommence May 2015.
VFM 12B - Finalise development and testing of ICT business continuity arrangements		Bryan Parsons	A significant amount of work has been undertaken to the core IT infrastructure including installing more robust networking, improved back up, revised data storage routines and the installation of a generator in the Forest of Dean server room. A testing schedule has yet to be agreed though. Audit committee will be reviewing progress with the ICT Business Continuity Plan.
VFM 14B - Agree a vision and roadmap for the rationalisation of information / data storage to support an office relocation based on reduced physical storage space and implement plan.		Bryan Parsons	This action is linked to the accommodation strategy; an audit of the council's physical storage areas has been undertaken by Property Services and staff are now being encouraged to reduce the amount space needed for storage. In terms of e-storage, ICT shared services are developing a new shared drive in conjunction with CBC info management group and when resources allow data will be migrated to the new storage drive.
VFM 16A - Following sale of North Place car park, develop a car parking strategy to determine the where council investment in car parking should be directed.		Mike Redman	In light of on-going discussions around asset management strategy, economic strategy and site allocations required to meet the identified demand for housing and employment within the Cheltenham Plan (currently out to consultation), it was considered premature to take a parking strategy forward in isolation of these other considerations.

The six amber milestones are:

Milestones	Status	Owner	Commentary
ENV 09B - Prepare tender for energy contract		David Roberts	Work underway to extend CBC contract to March 2016 to align with the end dates for GO partners (31/3/16) to increase potential for savings through a joint tender process. This will be carried forward into 2015/16.
ECON 01C - Refurbish the ten listed red telephone boxes in the Promenade		Wilf Tomaney	Contractor identified; boxes transferred to CBC by BT; start agreed by end of June, to be hopefully completed in time for Rugby World Cup.
COM 02C - Develop a more collaborative approach to tackling drug dealing through joining up enforcement and support agencies working on identified hot-spots		Pat Pratley	On drug dealing CBC has supported the work of the Town Centre coordination group who have agreed to encourage the reporting of drug dealing incident so that they can map activity. They have only just started doing this, not as yet with too much success, and they intend to extend the reporting beyond members and ask businesses to participate.
COM 04A - Support CBH to deliver 52 affordable units from the regeneration of vacant sites and underused garages		Martin Stacy	Cabinet gave approval in March 2015 for CBC / CBH to go out to tender on the delivery of new affordable housing on a number of our garage sites. A further report is due to come to Cabinet, and Council.
VFM 13A - Rollout upgrade of Agresso to all clients (GO councils, Ubico, CBH, and L&C trust)		Mark Sheldon	Agresso upgrade planning is progress for revised implementation date of July 2015.
VFM 15B - Procure a partner to work with the council to identify sponsorship and advertising opportunities		Mark Sheldon	Following the approval of a revised policy in March 2015, expressions of interest have been received for the revised contract for advertising on roundabouts, lamp posts and car parks which will be assessed in April 2015 resulting in the award of a new contract.

Performance indicators

In the 2014-15 action plan, we identified 49 key indicators to track our progress. Out of these:

- 42 were indicators which CBC is directly accountable for and targets have been set.
- 7 were community-based indicators for economic development and community safety where no targets have been set.




Out of the 42 CBC indicators with targets:









27 (64%) were green and met or exceeded the target

4 (10%) were amber, narrowly missing the target

11 (26%) were red and missed the target

The following 11 indicators are red, meaning that they did not meet targets:

Name	Status	Target	Actual	Comments
Percentage of planning appeals allowed		30%	33%	These are all very low numbers for each quarter so an average is misleading.
Number of planning applications refused (cumulative)		65	74	This measure attempts to capture the effort that the council puts into offering pre-application advice as the hope is that we encourage better quality applications that have a better chance of securing permission. Clearly, we are dependent on applicants taking this up.
Reduction in CO2 emissions from energy use, fuel use		1,473	303	Whilst some reduction has been achieved from the baseline, it has not been possible to make significant savings and the actual savings fluctuate when comparing a single year against this baseline (ie in 2013/14 a 13% reduction was achieved against the baseline compared with 6% in 2014/15). In

				2014/15, both gas and electricity consumption increased on the previous year and much of this consumption is now outside the direct control of the council. For example, the majority of the increases occurred in buildings which are now operated by The Cheltenham Trust, so it will be crucial to work closely with them in the future to manage their energy consumption.
Percentage of food premises which are broadly compliant with Food Safety Legislation		98%	91.9%	The programmed nature of food safety inspections means there can be troughs in broadly complaint performance pending revisits. This is because officers must comply with the national food hygiene rating scheme brand standard and not re-rate premises within 3 months of the non-compliant visit. Those premises that were found to be non-compliant have revisits scheduled where the focus will be to bring them to compliance.
Net affordable housing completions		65	24	There has been a delay on the delivery of CBH homes in St Pauls. These were expected to be delivered in Q4 but will now be delivered in Q1 2015/16. We also anticipated delivery of YMCA homes in Q1 2014/15 but these were in fact delivered a few weeks earlier than expected in Q4 2013/14The same is true for the Delancey Extra Care scheme too as there was a large spike in delivery overall in Q4 2013/14 (78 in Q4 out of a total net gain of 152 for 2013/14 as a whole)
Number of Free Under 16 swims (quarterly & cumulative)		53,000	38,938	Under 16 swim total for year was 38,938, the shortfalls in attendances in Q1 & Q3 were not offset by the attendance in Q2 or Q4
Number of GP referrals (quarterly & cumulative)		420	408	Although performance was ahead of target by 17 in Q4, this was insufficient to offset the shortfall seen in the Q2
Leisure@ transactional sales count (quarterly & cumulative)		300,000	270,899	The decline in transactions reflects the increasing use of alternative payments through direct debit and invoicing in combination with declining general swim attendances
Universal card holders (pay and play)		950	849	Universal Cardholders membership has been more attractive as an option to students and we have seen a migration to the subscription scheme as opposed to pay and play
Number of Freedom of Information internal reviews		1	5	Out of 5 internal reviews, 2 were not upheld, 2 upheld and 1 partially upheld. All but one were complicated and not routine requests: <ul style="list-style-type: none"> Licensing/Environmental Protection - NOT UPHELD - Original information release decision upheld - information not requested in the first place and exemptions appropriate. Planning/Legal - UPHELD - Information not originally found under search criteria available at the time, mainly due to age of issue (from 2000). Further information enabled different search for additional information which was released. Council Tax - PARTIALLY UPHELD – careful consideration of possible breach of Data Protection Act required. Planning - NOT UPHELD – further explanation provided to be helpful. Art Collection Valuation - UPHELD – further information was released.
Percentage of staff appraisals completed		100	95	Although the completion of the paperwork is outstanding for 19 appraisals because of the manager's absence, the L&OD team have spoken to the individual employees about their development and training requirements.

3. Consultation and feedback










- 3.1 The draft performance report was presented to the council’s Overview and Scrutiny Committee on 29 June 2015. Members of the committee raised the following issues:
- 3.2 Due to the importance of a car parking strategy to the continued economic performance of the town, they requested a briefing note about the red milestone “*Following sale of North Place car park, develop a car parking strategy to determine the where council investment in car parking should be directed*” from the Director of Environmental & Regulatory Services.
- 3.3 They felt that they would like to understand more about the amber milestone “*Develop a more collaborative approach to tackling drug dealing through joining up enforcement and support agencies working on identified hot-spots*” and suggested that this could be subject to a Scrutiny Task Group review.
- 3.4 They would like to understand more about the red performance indicator “*Reduction in CO2 emissions from energy use, fuel use*” and particularly the incentives that the Cheltenham Trust may have to save energy in our buildings and so help the council meets its commitment to reduce CO2 emissions.
- 3.5 They felt that the performance indicator – “*Number of planning applications refused (cumulative)*” should be measured as a percentage of all applications.

Report author	Contact officer: Richard Gibson, Strategy and Engagement Manager. 01242 235 354 richard.gibson@cheltenham.gov.uk
Appendices	1. Risk Assessment 2. Corporate Performance 2014-15
Background information	2014-15 Corporate Strategy action plan, Report to Council, 31st March 2014.
Accountability	Cllr. Steve Jordan, Leader of the Council Cllr. Jon Walklett, Cabinet Member Corporate Services

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
CD6	If the division is not able to access up to date performance monitoring information from service providers it will not be able to hold them to account also impacting on the longer-term commissioning of outcomes	Pat Pratley	June 2015	3	3	9	reduce	Be clear with our providers about what information we require. Co-create the performance measures with our providers when possible. Introduce social value measures wherever possible Ensure there is an adequate IT platform for the management of performance data	March 2016	Ken Dale	on Commissioning Division risk register
<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>											

Cheltenham is a place with a clean and well-maintained environment where waste is minimised and recycling, reusing and composting is promoted	2
Cheltenham is able to balance new development with enhancing and protecting the natural and built environment	3
Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change	6
Cheltenham has a strong and sustainable economy	8
Communities feel safe and are safe.	10
People have access to decent and affordable housing.....	12
People are able to lead healthy lifestyles.....	14
Residents enjoy a strong sense of community and involved in resolving local issues.....	15
Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment...	18
We will meet our 'Bridging the Gap' targets for cashable savings and increased income.....	19

Cheltenham is a place with a clean and well-maintained environment where waste is minimised and recycling, reusing and composting is promoted

Action	Milestones	Date	Lead	Progress
ENV 01 We will engage with customers on litter, waste and recycling issues	ENV 01A - Engage in a range of campaigns and activities to support waste minimisation, recycling and waste diversion	Tue-31-Mar-15	Scott Williams	 The Joint Waste Team have completed a campaign entitled 'summer of sport' to encourage waste reduction and recycling. In addition, bespoke waste reduction promotions for Halloween and Christmas were also completed. Bag splitting trial run at Swindon Road HRC to target people who do not segregate recyclable from general waste before visiting the site. Targeted communications ran throughout February to publicise this and other initiatives on recycling.
	ENV 01B - Assess the impact of the Food Points scheme in Up Hatherley as a way of engaging with residents	(not specified)	Scott Williams	 A report on the results of the food waste points scheme was received by JWC in October and in short showed that the scheme didn't achieve an increase in participation by those applicable households in the Up-Hatherley area, so the scheme will not be rolled out permanently in the Cheltenham area
	ENV 01C - Active enforcement campaign including street cleaning	Tue-31-Mar-15	Mike Redman	 The public protection team undertook a successful enforcement campaign in envirocrime which is being continued in this current year
	ENV 01D - Implement the findings from the dog fouling review (subject to cabinet approval)	Tue-31-Mar-15	Rob Bell	 This was reported to O+S on 27 April 2015; progress has been made with 10 out of 13 recommendations. In terms of future work, the REST project will pick up 8 of the recommendations - a further report will be brought back to O+S in 6 months time.
ENV 02 We will make improvements to our waste and recycling services	ENV 02A - Implement the findings from the review of bring sites	Mon-30-Jun-14	Scott Williams	 Following the trial on mixed plastics earlier in the year, Cabinet took the decision to make this a permanent service enhancement. The second stage of the bring site review has been completed and the improvement actions including - increasing the number of textile banks, looking at the affordability of increasing the number of carton (tetrapak) banks available and looking at the opportunities to introduce waste electrical bring site recycling are now being progressed
	ENV 02B - Procurement of bulky waste service - contract award	Sun-30-Nov-14	Scott Williams	 This action has been parked pending other partners joining Ubico at which point we will undertake a full review and try to align services in order to improve the service and reduce cost.
	ENV 02C - Secure opportunities and promotion of the re-use agenda	Tue-31-Mar-15	Scott Williams	 A bicycle reuse scheme has been introduced at the Swindon Road recycling centre and promoted accordingly
	ENV 02D - Implement the findings from the trade waste review	Tue-30-Sep-14	Rob Bell	 Changes have been made to the waste management licence at Swindon Road to facilitate trade waste recycling. Further market research has been carried out to inform service design and Ubico are delivering incremental improvements
ENV 03 We will drive out efficiency savings and maximise income from out	ENV 03A - Procurement of sale of recyclable materials - contract award	Wed-31-Dec-14	Scott Williams	 Report submitted to Cabinet and approved in December, and project now underway, due to be implemented in October 2015

waste and recycling services

ENV 03B - Develop business case for introduction in-cab technology for Ubico

Wed-31-Dec-14




Rob Bell





A business case has been prepared and circulated for consultation. No decision yet on this.

Cheltenham is a place with a clean and well-maintained environment where waste is minimised and recycling, reusing and composting is promoted

Overall Summary






Serious concerns 
 Below Target but recoverable 
 On Target 

 = On Target







 = Below target but recoverable

 = Serious concerns

Service Indicators

Indicator	Baseline	Target	Current	Comments	Status
Percentage of collections completed on schedule (of total collections)	99%	99.0%	99.9%	99.86%	
Residual household waste per head of population (kg/head) - (quarterly)	590 kg	464.0	476.0	Target of 464kg just missed	
Percentage of service complaints received (of total collections)	1%	49.0%	0.0%	0.001%	
Percentage of household waste reused, recycled and composted (quarterly)	34.4%	46.1%	45.6%	Target of 46% just missed	
Percentage of assisted collections completed on schedule (of total collections)	99.5%	99.6%	99.9%		






Cheltenham is able to balance new development with enhancing and protecting the natural and built environment

Improvement Action	Milestones	End Date	Lead	Progress
ENV 04 We will implement findings from the Green environment commissioning review	ENV 04A - Report to cabinet on the findings from the green environment commissioning review	Thu-31-Jul-14	Adam Reynolds	 The Green Environment commissioning review is complete; a set of outcomes were generated for the service, together with a savings target. In addition a number of options were brought forward for future management of the nursery.
	ENV 04B - Implement findings from the Green environment commissioning review	Tue-31-Mar-15	Adam Reynolds	 as above
ENV 05 We will develop options for the delivery of our building control service	ENV 05A - Business case to be brought to Cabinet	Thu-31-Jul-14	Iain Houston	 This action has been closed down. The REST project has focused efforts towards the review of the larger group and actions focused towards a single element of the Environment and Regulatory Services Group are not appropriate at the moment. Work coming out of the REST project could identify the potential for further action to be taken regarding the Building Control shared service, there is still potential in the development of a larger Building Control shared service.
	ENV 05B - Review shared arrangement with TBC and explore the potential to expand this to include Gloucester City	Sun-30-Nov-14	Iain Houston	 This action has been completed. On October 20th 2014 the Building Control Joint Monitoring Liaison Group confirmed their support for the officer decision to continue with the shared Building Control service between Cheltenham and Tewkesbury for a further five years, to 2019. The expansion of the shared service to include Gloucester City has not progressed because Gloucester has withdrawn from the process. It is now considered that this project is also closed.
ENV 06 We will move towards the adoption of the Joint Core Strategy	ENV 06A - Pre-submission JCS approved by Council for consultation	Wed-30-Apr-14	Tracey Crews	 Pre Submission version of the JCS was approved by Council 9 April 2014. This version of the JCS was made available for publication July/August 2014, forming a statutory stage of plan making. All representations on JCS reviewed and reported to Cross Boundary Programme Board and Member Steering Group. Minor changes agreed by Chief Executives and Leaders and programme was formally submitted to the Secretary of State 20 November 2014.
ENV 08 We will work to identify and bring forward new allotments to meet demand	ENV 08A - Identify appropriate sites in order to provide approximately 80 new allotment plots	Thu-31-Jul-14	Adam Reynolds	 Land for 80 new plots identified on land owned by CBC East of Priors Farm Playing Field, results of local consultation largely positive. Discussions with developers have taken place which has led to the inclusion of allotments in development proposals on land to the South and North West of Cheltenham.

Service Indicators

Indicator	Baseline	Target	Current	Comments	Status	Figure
Percentage of planning appeals allowed	42%	30.0%	33.0%	These are all very low numbers for each quarter so an average is misleading.	R	
Average number of days to process an application from receipt to issuing of decision	65 Days	60	54		G	
Number of projects implemented as a result of working with local interest groups on street redesign projects	1	3	4	- Suffolk Street cycle parking and planter - implementation now complete. SPJARA, BARTA, ChC - Refurbishment of surfacing & new planting areas at Norwood Triangle - implementation now complete- ;	G	
Number of planning applications appealed (cumulative)	20	25	23		G	
Number of planning applications approved (cumulative)	1486	1,500	1,642		G	
Number of planning applications determined (cumulative)	1554	1,550	1,716		G	
Number of planning applications received (cumulative)	2020	2,000	2,132		G	
Number of planning applications refused (cumulative)	68	65	74		R	


Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change


Improvement Action	Milestones	End Date	Lead	Progress
ENV 09 We will implement the recommendations of the November 2012 cabinet report, setting out how we will meet the 30% carbon reduction target by 2015 and our aspiration to reduce carbon emissions by 40% by 2020	ENV 09A -Install energy efficient lights at Leisure@(swimming pool), Regents Arcade car park and Town Centre East car park	Tue-31-Mar-15	David Roberts	 All works complete now
	ENV 09B - Prepare tender for energy contract	Sun-31-May-15	David Roberts	 Work underway to extend CBC contact to May 2016 to align with the end dates for GOSS partners (31/3/16) to increase potential for savings through a joint tender process. This will be carried forward into 2015/16.
	ENV 09C - Explore opportunity for solar power installations on council owned land and buildings	Tue-31-Mar-15	David Roberts	 Report to be presented to AMWG in Dec and then to Cabinet Lead about options for solar / PV installations. This has found that the business cases are not sufficiently attractive at this point.
ENV 10 We will promote awareness raising and behaviour change	ENV 10A - Explore introduction of electric charging points in and around the town	Tue-31-Mar-15	Wilf Tomaney	 Project just about complete in conjunction with GCC which will deliver charging points at two locations; Regent Arcade & Town Centre East car parks. Signage about to be installed and service publicised. Hopefully looking to install further points in Montpellier Street and Arle Court P+R.
	ENV 10B - Develop Green travel plan using assistance from the LSTF funded programme	Tue-31-Mar-15	Wilf Tomaney	 Project stalled due to staff resource constraints. Work to recommence May 2015.

Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change.

Overall Summary


Serious concerns
Below Target but recoverable
On Target

 = On Target









 = Below target but recoverable

 = Serious concerns

Indicator	Baseline	Target	Current	Comments	Status
-----------	----------	--------	---------	----------	--------

Reduction in CO2 emissions from energy use, fuel use	4,911 tonnes CO2e (2005/6)	1,473	303	Whilst some reduction has been achieved from the baseline, in 2014/15, both gas and electricity consumption increased on the previous year	
--	----------------------------	-------	-----	--	---

Cheltenham has a strong and sustainable economy

Improvement Action	Milestones	End Date	Lead	Progress
ECON 1 We will continue to support Cheltenham Development Task Force	ECON 01A - Provide support for Brewery development Phase 2	Thu-31-Dec-15	Mike Redman	 The Council did not need to use its CPO powers to enable the Brewery to proceed as the parties involved reached agreement. The scheme is now progressing well and there will be a seamless transition from phase 2a to phase 2b. Single High Street closure to facilitate works by Severn Trent, Kier and GCC in one phase.
	ECON 01B - Implement Phase 1 of the pedestrian way-finding project, replacing all the existing finger posts with improved map-based signage	Mon-30-Mar-15	Wilf Tomaney	 Phase 1 completed. Other public realm schemes now being progressed eg refurbishment of Promenade phone boxes. Phase 2 of pedestrian way-finding being planned.
	ECON 01C - Refurbish the ten listed red telephone boxes in the Promenade	Fri-31-Jul-15	Wilf Tomaney	 Contractor identified; boxes transferred to CBC by BT; start agreed by end of June, to be hopefully completed in time for Rugby World Cup.
ECON 2 We will support the Local Enterprise Partnership deliver the Strategic Economic growth plan for Gloucestershire	ECON 02A - Support delivery of the Strategic Economic Plan seeking alignment with the housing and economic objectives in the emerging Joint Core Strategy	Tue-31-Mar-15	Tracey Crews	 Ongoing engagement between JCS authorities and Local Enterprise Partnership. CBC has commissioned an economic development strategy for Cheltenham, which has been reported to members, representatives of both the Local Enterprise Partnership and Gloucestershire County Council are supporting CBC. A working group for Junction 10 being established which will including a representative of CBC.
	ECON 02B - Support delivery of priorities within the SEP, including exploring feasibility of junction 10 improvements	Tue-31-Mar-15	Tracey Crews	 JCS authorities have agreed a preparing a letter of co-operation agreed with LEP and this has been submitted to support the JCS examination
	ECON 02C - Support implementation of the joint economic committee for Gloucestershire to co-ordinate local authority input into the SEP	Tue-31-Mar-15	Andrew North	 Joint committee has now been set up.
ECON 3 We will provide oversight over Gloucestershire airport	ECON 03A - Working with Gloucester City Council to progress the recommendations of the York Aviation Report	Tue-31-Mar-15	Pat Pratley	 Q4 CBC Cabinet approved the GAL 3 year business plan on 17 March 2015. Gloucester City approved the plan at the shareholder forum on 20 March. Shareholder agreement discussed between the shareholders and amendments proposed which have now been forwarded to the airport board for consideration. Airport board requested to consider revised job descriptions for executive team.
ECON 4 We will commission a Business Advisory Service to support local businesses	ECON 04A - Extend Business Advisory Service for 12 months and review best way of delivering service after that.	Mon-30-Jun-14	Wilf Tomaney	 Business Start Up advice on-going from residual funding. GFirst Growth Hub now established as a point of business advice; likely to enable reduction in direct CBC commitment in this field.

Cheltenham has a strong and sustainable economy

Overall Summary

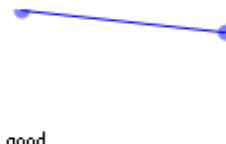

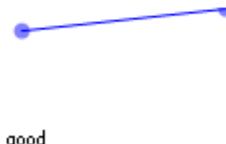
Serious concerns
Below Target but recoverable
On Target

G = On Target








A = Below target but recoverable

R = Serious concerns

Community Indicators

Indicator	Baseline	Target	Current	Comments	Status
Unemployment claimant rate	3.3% (January 2012)		1.2%		
Footfall rate in the town centre	Baseline to be measured with new footfall counters	0		There are problems with the configuration on some of the detectors, which has meant they are unable to produce accurate information for the end of last year and start of this.	
Proportion of young people not in education, employment or training	5.7% (January 2012)		3.7%		

Communities feel safe and are safe.

Improvement Action	Milestones	Date	Lead		Progress
COM 01 We will undertake a commissioning review of our Public Protection and Private sector housing services	COM 01A - Report to cabinet with findings from the Public Protection and Private sector housing commissioning review	Wed-30-Apr-14	Richard Gibson		The report went to Cabinet on 15 April that set out the agreed outcomes for the 2 services and that they be integrated within a broader commissioning review looking at all our environmental and regulatory services.
	COM 01B - Implementation of the commissioning review	Tue-31-Mar-15	Mike Redman		Now superseded by the REST commissioning review
COM 02 We will coordinate activity to reduce harms from alcohol and drug misuse	COM 02A - Agree outcomes, advisory body and process for the allocation of the Late night Levy	Mon-30-Jun-14	Pat Pratley		Outcomes, process and documentation all agreed between CBC and PCC office. Went live in December, with bids agreed April 2015.
	COM 02B - Commission two projects to reduce alcohol related harm in Cheltenham	Mon-30-Jun-14	Pat Pratley		Through Cheltenham Partnerships we have commissioned two projects; Through the NCG and CBC positive Activities funding Cheltenham West End Partnership employs youth workers to engage with the underage drinkers in the town centre and causing problems particularly around McDonalds and Winston Churchill Gardens. Plus we have commissioned a targeted place-based programme in Oakley where we know there are issues with alcohol consumption. This is community-based and is exploring different ways of enabling community groups to support each other and signpost people ont support services
	COM 02C - Develop a more collaborative approach to tackling drug dealing through joining up enforcement and support agencies working on identified hot-spots	Tue-31-Mar-15	Pat Pratley		On drug dealing CBC has supported the work of the Town Centre NCG who have agreed to encourage the reporting of drug dealing incident so that they can map activity. They have only just started doing this, not as yet with too much success, and they intend to extend the reporting beyond NCG members and ask businesses to participate.
	COM 03 We will continue to work in partnership to reduce incidents of anti-social behaviour and alcohol-related violence and the harm these cause to communities.	COM 03A - Understand and respond to the provisions of the new Anti-Social behaviour legislation.	Wed-30-Sep-15	Sarah Clark	
COM 03B - Work with community fora to increase residents' knowledge and confidence of the new Anti-Social behaviour legislation		Wed-30-Sep-15	Sarah Clark		This has been achieved through officers from CBC and Police attending community meetings including the Positive Participation Partnership and the NCG chairs meeting. In addition, the cabinet report on 17 March states that community representatives will be consulted before any PSPO is established to ensure the varying needs of those in the community are balanced. This will promote community cohesion through opportunities to improve localities because of shared wants or ambitions. Whatever the 'thorn in the side' of the community is, the new tools should provide a more effective way to work together to tackle it.

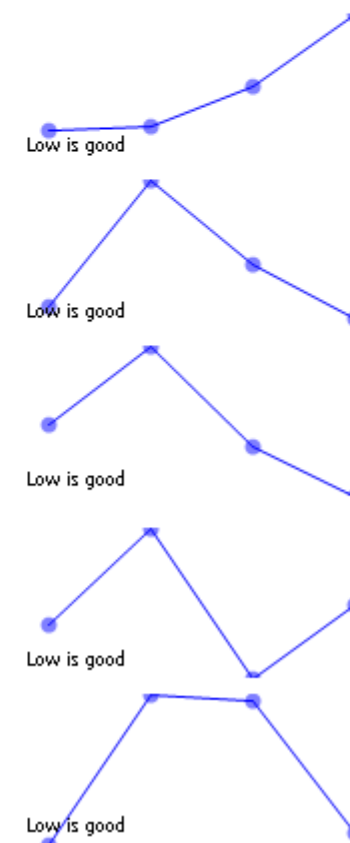
Service Indicators

Indicator	Baseline	Target	Current	Comments	Status
Percentage of licensed premise inspections undertaken	20%	100.0%	100.0%		G
Percentage of food premises which are broadly compliant with Food Safety Legislation	96.7%	98.0%	91.9%		R







Community Indicators

Indicator	Baseline	Target	Current	Comments	Status
Incidents of recorded violence in the Town Centre (Friday & Sat eve.)	262		78		
Domestic burglary incidents	1453		148		
Number of anti-social behaviour incidents	5548		1,251		
Total volume of recorded crime per annum	9565	9,187	1,791		G
Serious acquisitive crime incidents	2366		325		



People have access to decent and affordable housing

Improvement Action	Milestones	End Date	Lead	Progress
COM 04 We will enable the delivery of more affordable housing	COM 04A - Support CBH to deliver 52 affordable units from the regeneration of vacant sites and underused garages	Thu-31-Mar-16	Martin Stacy	 Cabinet gave approval in March 2015 for CBC / CBH to go out to tender on the delivery of new affordable housing on a number of our garage sites. A further report is due to come to Cabinet, and Council.
	COM 04B - Support CBH on the longer term aspirations for the delivery of affordable homes in the context of the JCS and the role CBH may play	Sat-31-Oct-15	Martin Stacy	 Consultation is now underway with developers and Registered Providers on the proposed Affordable Housing Partnership, the draft Evaluation Criteria for the Preferred Registered Partners and the proposed Memorandum of Understanding between Local Authorities and Preferred Partners. Consultation is due to end on 8th May, after which the district authorities will consider what changes are necessary to our approach in light of the feedback received
COM 05 We will bring forward plans for implementing the second phase of the St Paul's regeneration programme	COM 05A - Affordable units completed on St. Pauls phase 2 and HCA grant secured	Tue-31-Mar-15	Pat Pratley	 Project progressing and is on track. Project continues to be monitored via Joint Programme Board. CBC units for sale being monitored with first unit completed and CBC financial contribution paid to the Council.
COM 06 We will explore how to improve conditions for tenants living in private rented sector housing	COM 06A - Explore the feasibility of increasing enforcement and licensing arrangements over private rented sector housing	Mon-30-Nov-15	Mike Redman	 Cabinet on 17 March 2015 agreed to a house condition and management survey of the private rented stock is carried out by consultant surveyors as a first stage to identify areas which could potentially benefit from the introduction of a discretionary licensing scheme under housing act legislation and/or an Article 4 Direction under planning legislation.

People have access to decent and affordable housing.

Overall Summary

Serious concerns
Below Target but recoverable
On Target



G = On target







A = Below target but recoverable

R = Serious concerns

Service Indicators

Indicator	Baseline	Target	Current	Comments	Status
Number of disabled persons able to stay in their own homes	100	100	107		G High is good
Net affordable housing completions	2010-11: Affordable completion - 23	65	24	There has been a delay on the delivery of 141 homes in St Pauls. These were expected to be delivered in Q4 but will now be delivered in Q1 2015/16. We also anticipated delivery of YMCA homes in Q1 2014/15 but these were in fact delivered a few weeks earlier than expected in Q4 2013/14 as were homes at the De Laury Extra Care scheme	R High is good
Number of empty dwellings brought back into use as a direct result of council action	85	90	146		G High is good
Number of households living in temporary accommodation	13 as at Dec 2012	15	8		G Low is good
Number of private sector dwellings made safe by the council	220	220	264		G High is good
Number of homelessness acceptances	45 (estimate 2011/12)	0	2		A Low is good











People are able to lead healthy lifestyles

Improvement Action	Milestones	End Date	Lead	Progress
COM 07 We will complete the set up of the Cheltenham Leisure and Culture Trust (LCT)	COM 07A - Complete company registration of Cheltenham LCT	Wed-30-Apr-14	Pat Pratley	 Registration of The Cheltenham Trust as a company limited by guarantee was achieved in May 2014.
	COM 07B - CBC Cabinet approves transfer of services to Cheltenham LCT	Thu-31-Jul-14	Pat Pratley	 Cabinet approved the transfer of services to The Cheltenham Trust at its meeting on 26 September 2014
	COM 07C - Cheltenham LCT takes on operation of the council's leisure, culture and tourism services	Fri-31-Oct-14	Pat Pratley	 The Cheltenham Trust was launched on 1 October 2014.
COM 08 We will move to implement the Sports Facility Strategy and Prince of Wales Feasibility Study as agreed by Cabinet in July 2013	COM 08A - Progress business cases for capital development following the establishment of Cheltenham LCT	Sat-31-Jan-15	Stephen Petherick	 The business cases for investment in both POW and the leisure centre itself were considered at full council on 14 April, and they agreed that both projects be supported in principle pending the submission of a business case that would explore potential for income generation.
	COM 08B - Conclude discussions with tenants and key users to negotiate future use arrangements at the Prince of Wales Stadium	Tue-30-Sep-14	Stephen Petherick	 Lease negotiations completed.
COM 09 We will work in partnership to enable people to lead healthy lives	COM 09A - Implement social prescribing project in partnership with the Cheltenham locality of the Clinical Commissioning Group	Tue-30-Sep-14	Richard Gibson	 Roll-out to 17 surgeries complete, evaluation underway, pointing to hub model as best way forward. Government funding awarded to implement new model and procurement for this will be led by the Clinical Commissioning Group

Service Indicators

Indicator	Baseline	Target	Current	Comments	Status	Figure
Number of Free Under 16 swims (quarterly & cumulative)	48,400	53,000	38,938	U16 swim total for year 38938 shortfalls in attendances in Q1 & Q3 were not offset by the attendance in Q2 or Q4	R	
Number of GP referrals (quarterly & cumulative)	400	420	408	GP Referrals 408 initial consultations were ahead of target by 17 in Q4, however this was insufficient to offset the shortfall seen in the Q2	R	
Leisure@ transactional sales count (quarterly & cumulative)	new performance measure	300,000	270,899	Transactional sales count 270899 the decline in transactions reflects the increasing use of alternative payments through direct debit and invoicing in combination with declining general swim attendances	R	
Universal membership	50	250	313	Universal Membership 313 Significantly outperformed the targets set with students taking up membership as opposed to the universal card in isolation	G	
Total Attendances at sport and play holiday programmes	10,000	10,000	11,562	Operated a pilot February half term Playscheme at the Prince of Wales stadium following its refurbishment. Numbers below target, but successfully tested the venue suitability in readiness for Easter/Summer schemes	G	
Universal card holders	750	950	849	Universal Cardholders 849 membership has been more attractive as an option to students and we have seen a migration to the subscription scheme as opposed to pay and play	R	
Attendance at Active Life sessions (quarterly & cumulative)	63,400	60,000	68,701	Active life attendances 68701 significantly exceeded targets for the year once again proving the popularity & good value of the products on offer	G	

Residents enjoy a strong sense of community and involved in resolving local issues

Improvement Action	Milestones	Date	Lead		Progress
COM 10 We will ensure that our communities are able to adapt to changes in the welfare system	COM 10A - Positive Participation Partnership to keep impacts of welfare reform under review	Tue-31-Mar-15	Richard Gibson		The Positive Participation Partnership has continued to keep the impacts of welfare reform under review; and held a second workshop with Geoffrey Head, DWP Partnerships Manager, Cheltenham Job Centre
COM 11 We will work with others to devise an ongoing programme to commemorate the Centenary of World War 1	COM 11A - Commemorate Centenary of WW1; ongoing programme of activity including paving slabs, war memorial project with Annecy and Gottingen, commemorative flowering in parks and gardens, programme of activity through AG&M.	Sat-31-Mar-18	Pat Pratley		The conservator appointed and has now delivered his draft report which is being considered by Cabinet on 16 June. Good progress being made with HLF to secure funding for both restoration and for associated community activities. Alongside this, there have been 2x stakeholder events held in September 2014 and in February 2015 to ensure that key stakeholders are kept informed of the works. The phase 1 works were completed in September 2014 in readiness for Battle of Britain Sunday.
COM 12 We will implement changes to our neighbourhood management arrangements to ensure that local residents are actively involved in their communities	COM 12A - Gain cabinet agreement to revised neighbourhood management plans	Thu-31-Jul-14	Richard Gibson		Joint review held with Police and CBC to create a more sustainable solution; this has now been agreed with 14 NCGs in operation, though these are now convened by local community organisations (Parish councils, residents associations, neighbourhood projects etc). This approach agreed informally by Cabinet Member.
	COM 12B - Agree Big Local Plan to secure £1m investment into St. Peters and the Moors	Thu-31-Jul-14	Richard Gibson		Big Local Plan for the first tranche of £191k agreed with local residents and submitted to the Local Trust for consideration. Assessment visit planned for 17 November. This was agreed by the Local Trust on 8 December. Confirmation of funding has allowed the Big Local project to progress the appointment of a project coordinator.
COM 13 We will implement Individual Electoral Registration	COM 13A - Data matching to DWP	Mon-30-Jun-14	Kim Smith		Data matching complete
	COM 13B - Send out registration letters to residents	Thu-31-Jul-14	Kim Smith		Registration letters sent to residents, 2x canvasses undertaken to maximise number of voters on electoral register
	COM 13C - Publication of register	Wed-31-Dec-14	Kim Smith		The register was published on target in December
COM 14 We will manage the 2014 district and European elections	COM 14A - Manage the 2014 district and European elections	Thu-22-May-14	Kim Smith		Elections held successfully on 22 May, plus by-election on 3 July
	COM 14B - Counts completed	Sun-25-May-14	Kim Smith		Complete
	COM 14C - Member training completed	Thu-31-Jul-14	Kim Smith		All member induction training complete; including an open day on 28 May, and 16 separate sessions covering a wide range of the council's business

Residents enjoy a strong sense of community and involved in resolving local issues

Overall Summary

Serious concerns
Below Target but recoverable
On Target



G = On target



A = Below target but recoverable

R = Serious concerns

Community Indicators

Indicator	Baseline	Target	Current	Comments	Status
Number of VCS organisations supported by GAVCA	18 (Sept 2011)	30	47		G High is good
Number of residents directly engaged with the Springbank community project	20	100	256		G High is good
Number of residents directly engaged with the The Elsm / Big Local community project	10	100	106	Partnership - 10 cafe - 40 Moors tidy-up - 12 Gas Green - 12 Newsletter - 5 Consultation activities - 27	G High is good

Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment

Improvement Action	Milestones	End Date	Lead		Progress
A&C 1 We will progress plans to invest in the Town Hall	A&C 01A - Progress the Town Hall Feasibility Study to RIBA Stage B	Tue-31-Mar-15	Gary Nejrup		Q4 Council has now agreed up to £400k to support the Town Hall feasibility study

Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.

Overall Summary

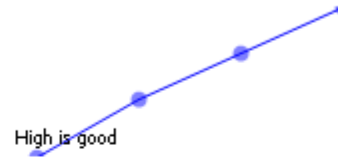

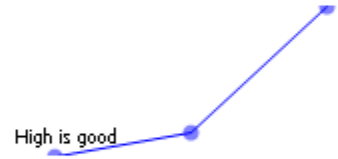
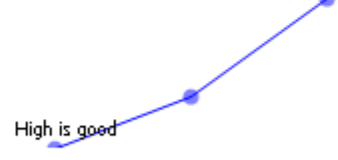

Serious concerns
Below Target but recoverable
On Target

G = On Target










A = Below target but recoverable










R = Serious concerns










Service Indicators

Indicator	Baseline	Target	Current	Comments	Status
Art Gallery and Museum footfall figures	39,067	115,000	143,375		G 
Town Hall/PPR hire income generated (quarterly & cumulative)	£350,000	368,000	364,013		A 
Town Hall/PPR website visits (quarterly & cumulative)	£120,0...	140,001	271,094		G 
Town Hall/PPR catering commission (quarterly & cumulative)	£106,700	112,100	153,541		G 
Town Hall/PPR ticket sales (quarterly & cumulative)	£68,000	76,799	186,419		G 

We will meet our 'Bridging the Gap' targets for cashable savings and increased income

Improvement Action	Milestones	Date	Lead	Progress	
VFM 01 We will undertake a commissioning review for our Revenues and benefits service	VFM 01A - Develop an options appraisal and business case to determine the future delivery vehicle for the revenues and benefits services	Thu-31-Jul-14	Mark Sheldon		Interim sharing of management has been explored and discounted since it has staffing implications further down the structure which would involve restructuring the teams. The focus of activity has shifted towards shaping the shared service across the partnership in preparation for a decision of progressing the 2020 vision model and determining the best employment model.
	VFM 01B - Implement an action plan to deliver the approved option for revenues and benefits services	Tue-31-Mar-15	Jayne Gilpin		Given the conclusion that collaborative working is unlikely to deliver short term savings or service benefits and create unnecessary complexity at this stage, discussions are now focused on working towards the delivery of a shared service in the 2020 vision programme.
VFM 02 We will develop a plan for how we provide customer services	VFM 02A - Develop and approve a roadmap outlining the future direction of customer services for retained and commissioned services	Mon-30-Jun-14	Mark Sheldon		CBC officers are now looking to develop a 'default to digital strategy' which set out the councils aspirations for digital access for customers including improved on line forms and potential for mobile apps to support a customer service strategy for consideration by our 2020 vision partner councils.
	VFM 02B - Implement first phase of customer services roadmap	Tue-31-Mar-15	Judy Hibbert		New garden waste system now fully implemented and working successfully. Now looking to develop a 'default to digital' strategy to inform the 2020 vision sharing arrangements.
VFM 03 We will review the way we currently provide legal services via the shared service with Tewkesbury.	VFM 03A - Review S101 agreement for provision of services from one legal	Tue-31-Mar-15	Mark Sheldon		At the November 2014 meeting, CBC Cabinet have agreed to continue with the one legal service to the end of the current Section 101 agreement to 2019. Gloucester City Council have now also agreed to join the shared service reducing costs to CBC by £10k annually.
VFM 04 We will look at options for the delivery of our property services function	VFM 04A - Explore the potential and develop the business case for a shared service for our property services function	Tue-30-Sep-14	Mark Sheldon		Discussions to explore shared arrangement with FOD ahead of 2020 vision have continued including the potential a surveyor post at FOD shared with CBH and provision of management support to FOD. A partnership wide shared service will be picked up as a workstream in the 2020 vision programme.
VFM 05 We will explore options for the two cremators at the Cemetery and Crematorium	VFM 05A - Explore cost effective options for resolving the cremator problems	Tue-31-Mar-15	Mike Redman		Bereavement Services transferred to the new Environmental and Regulatory Services division by 31st Oct 2014. A programme of works is on-going to maintain the cremators in a stable and operational condition, pending the completion of the appraisal of future options. Project team established with reporting through OPB to look at options for future crematorium provision. Consultation via Cabinet Member Working Group and O+S in June 2015
VFM 06 We will ensure our revenues and benefits service is able to respond to national and local policies	VFM 06A - Agree the local council tax support scheme for 2015/16 for consultation in the summer of 2014	Sun-30-Nov-14	Mark Sheldon		A report proposing 'no change' to the existing scheme for 2015/16 and 2016/17 was agreed by Cabinet on 16/9/14 and Council on 13/10/15.
	VFM 06B - Support the transition to the 'universal credit' benefits system for new claimants to be administered by DWP and to determine the impact on the residual benefit service.	Tue-31-Mar-15	Paul Aldridge		Cheltenham Jobcentre is due to go live on Universal credit for single people looking for work in June 2015. Anticipated numbers are around 100 per month with only 20 a month having housing costs. The council has supported this process. No dates for further expansion or the transfer of existing L.A. caseloads are expected until 2016.

VFM 07 We will implement the 'Bridging the Gap' programme and budget strategy for meeting the MTFS funding gap	VFM 07A - Develop the budget strategy, including an updated MTFS, for 2015/16 for approval by Cabinet	Fri-31-Oct-14	Mark Sheldon		A budget strategy was agreed by Cabinet on 15/10/14. It included an updated MTFS which identified a budget gap of £903k in 2015/16 and £3.388m for the period of the MTFS.
	VFM 07B - Identify further savings / income to close gap for 2015/16 and residual MTFS budget gap.	Sat-28-Feb-15	Mark Sheldon		A final budget for 2015/16 has been agreed by Council on 14/2/15 which included proposals for closing a £1.036m funding gap following public consultation, including a freeze of council tax and parking charges. Work continues to progress the 2020 vision project which would help to close the residual funding gap.
	VFM 07C - Support the management of the Gloucestershire business rates pool for 2014/15, determine whether to pool in 2015/16 and evaluate the impact on the MTFS of business rates retention.	Tue-30-Sep-14	Paul Jones		The pooling arrangement for 2013/14 delivered financial benefits to the county wide pooling partners in excess of targets, returning £114k to the council. In view of the success of the pooling arrangement to date, the Gloucestershire Chief Finance Officers have taken the decision to continue to pool in 2015/16.
	VFM 07D - Update the fees and charges policy with GO partners	Sun-30-Nov-14	Paul Jones		The GOSS client officer group considered the potential for a partnership wide review of fees and charges but concluded that this should be deferred until after the decision on 2020 vision.
VFM 08 We will agree an Asset Management Plan and Capital strategy	VFM 08A - Develop and approve an Asset Management Plan and funding strategy, including use of the North Place receipt, which captures the investment aspirations for the council's property portfolio.	Thu-31-Jul-14	Mark Sheldon		The council, at a meeting on 14/4/15, approved an asset management policy, the allocation of funding toward key capital projects using the receipt from the sale of North Place and Portland Street car parks.
VFM 09 We will continue to progress the Cheltenham Futures Programme	VFM 09A - Develop the cultural strand of the Cheltenham Futures Programme and seek advice on pay and reward models	Tue-30-Sep-14	Andrew North		Cheltenham Futures programme now complete: Activity on this strand included commissioning LGA to review Pay and Rewards. The findings from this were presented to employees at Employee Sessions 2014
	VFM 09B - Review of support to residual SLT	Fri-31-Oct-14	Mark Sheldon		An interim solution has been implemented and is working well. Benefits include improved support to SLT, savings in admin support for meetings, more resilience and reduction in printed papers for committees as a result of the use of ipads.
VFM 10 We will agree an Accommodation Strategy	VFM 10A - Review options for alternative office accommodation based on the revised brief agreed by Cabinet in March 2014 and develop and approve the business case for the preferred option.	Tue-31-Mar-15	Mark Sheldon		The Council, at a meeting on 14/4/15, considered 5 options for the council's accommodation including new build and agreed to progress with the acquisition of a town centre building, initially for investment purposes and to seek to find a joint development partner to progress the redevelopment of the Municipal Offices.
VFM 11 We will explore new ways of working with our partner councils via the transformation project	VFM 11A - Receive a report on whether there are further savings which might be delivered through the expansion of shared services and delivery models.	Tue-31-Mar-15	Jane Griffiths		Cabinet received and approved 2020 Vision report and recommendations at its December meeting. Strategic outline case endorsed. Partnership received notification of award of a further £2.9M from the Transformation Challenge Fund on 27 November. Programme Board 9 Jan allocated roles of interim lead commissioner and interim managing director.

VFM 12 We will continue to invest in our ICT infrastructure	VFM 12A - Implement the next phase of the ICT infrastructure upgrade strategy and identify any opportunities for further rationalisation and alignment of CBC/FoD infrastructure.	Tue-31-Mar-15	Mark Sheldon		Developments include: • Upgrades to links connecting CBC sites, which will increase speed and capacity, have largely been completed with MO outstanding due to issues with asbestos in external providers ducting. • Further rollout of new desktops and migration from windows XP is almost complete with residual machines dependent upon upgrade of business systems.
	VFM 12B - Finalise development and testing of ICT business continuity arrangements	Tue-30-Sep-14	Bryan Parsons		A significant amount of work has been undertaken to the core ICT infrastructure including installing more robust networking, improved back up arrangements for GOSS, revised data storage routines and the installation of a generator in the FOD server room. A testing schedule has yet to be agreed. The CBC SWG, JMLG and the Audit committee will be reviewing progress with ICTSS an ICT Business Continuity Plan.
	VFM 12C - Achieve Public Services Network (PSN) accreditation including BPSS checks	Thu-31-Jul-14	Bryan Parsons		PSN accreditation for CBC was achieved in July 2014 which lasts for 12 months.
VFM 13 We will upgrade Agresso	VFM 13A - Rollout upgrade of Agresso to all clients	Wed-30-Sep-	Mark Sheldon		Agresso upgrade planning is progress for revised implementation date of July 2015.
VFM 14 We will invest time and effort in ensuring that our information and communication systems are secure and well managed	VFM 14A - Implement the action plan arising from the 2013 PSN process and achieve PSN compliance for 2014.	Mon-30-Jun-14	Bryan Parsons		This action is now complete and ICT shared services are responsible for the delivery of all future PSN applications
	VFM 14B - Agree a vision and roadmap for the rationalisation of information / data storage to support an office relocation based on reduced physical storage space and implement plan.	Tue-31-Mar-15	Bryan Parsons		This action is linked to the accommodation strategy; an audit of the council's physical storage areas has been undertaken by Property Services and staff are now being encouraged to reduce the amount space needed for storage. In terms of e-storage, ICT shared services are developing a new shared drive in conjunction with CBC info management group and when resources allow data will be migrated to the new storage drive.
VFM 15 We will explore more opportunities to raise income via sponsorship and advertising	VFM 15A - Develop and agree a policy for the sponsorship and advertising of council owned assets	Tue-30-Sep-14	Mark Sheldon		The policy was further reviewed and a revised policy has been approved by Cabinet in March 2015.
	VFM 15B - Procure a partner to work with the council to identify sponsorship and advertising opportunities	Tue-31-Mar-15	Mark Sheldon		Following the approval of a revised policy in March 2015, expressions of interest have been received for the revised contract for advertising on roundabouts, lamp posts and car parks which will be assessed in April 2015 resulting in the award of a new contract.
VFM 16 We will agree a car parking strategy	VFM 16A - Following sale of North Place car park, develop a car parking strategy to determine the where council investment in car parking should be directed.	Tue-30-Sep-14	Mike Redman		In light of on-going discussions around asset management strategy, economic strategy and site allocations required to meet the identified demand for housing and employment within the Cheltenham Plan (currently out to consultation), it was considered premature to take a parking strategy forward in isolation of these other considerations.

We will meet our 'Bridging the Gap' targets for cashable savings and increased income

Overall Summary

Serious concerns ■
 Below Target but recoverable ■
 On Target ■

G = On target

A = Below target but recoverable

R = Serious concerns

Service Indicators

Indicator	Baseline	Target	Current	Comments	Status
Number of Freedom of Information internal reviews	1	1	5	Out of 5 internal reviews, 2 were not upheld, 2 upheld and 1 partially upheld. All but one were complicated and not routine requests.	R
Percentage of staff appraisals completed	100%	100.00%	95.00%	Although the completion of the paperwork is outstanding for 19 appraisals because of the manager's absence, the L&OD team have spoken to the individual employees about their development and training requirements.	R
Number of stage 3 complaints	8	8	8		G
No. days lost due to sickness absence per FTE	8 days	7.50	7.46		G

This page is intentionally left blank