



# CHELTENHAM

## BOROUGH COUNCIL

### Notice of a meeting of Council

**Thursday, 25 February 2016**  
**6.00 pm**  
**Council Chamber - Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Duncan Smith (Chairman), 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

<b>1.</b>	<b>APOLOGIES</b>	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>	<b>MINUTES OF THE LAST MEETING</b> Minutes of the meeting held on 12 February 2016	(Pages 3 - 22)
<b>4.</b>	<b>COMMUNICATIONS BY THE MAYOR</b>	
<b>5.</b>	<b>COMMUNICATIONS BY THE LEADER OF THE COUNCIL</b>	
<b>6.</b>	<b>PUBLIC QUESTIONS</b> The deadline for public questions has now passed.	
<b>7.</b>	<b>MEMBER QUESTIONS</b>	
<b>8.</b>	<b>COUNCIL TAX RESOLUTION 2016/17</b> Report of the Cabinet Member Finance	(Pages 23 - 30)
<b>9.</b>	<b>CHELTENHAM TRANSPORT PLAN - RELEASE OF RESERVE FUNDS</b> Report of the Cabinet Member Development and Safety	(Pages 31 - 36)
<b>10.</b>	<b>APPOINTMENT OF THE HEAD OF PAID SERVICE</b>	(Pages

	Report of the Chief Executive	37 - 44)
<b>11.</b>	<b>REVISION TO CONTRACT RULES</b> Report of the Chairman of the Constitution Working Group	(Pages 45 - 48)
<b>12.</b>	<b>NOTICES OF MOTION</b>	
<b>13.</b>	<b>TO RECEIVE PETITIONS</b>	
<b>14.</b>	<b>ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION</b>	

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**Andrew North**  
**Chief Executive**

### Council

**Friday, 12th February, 2016**

**2.30 - 6.25 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Duncan Smith (Chairman), Chris Ryder (Vice-Chair), Matt Babbage, Flo Clucas, Adam Lillywhite, 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, Peter Jeffries, Steve Jordan, Helena McCloskey, Andrew McKinlay, 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

### Minutes

**1. APOLOGIES**

Apologies were received from Councillors Holliday, Mason and Prince.

**2. DECLARATIONS OF INTEREST**

Councillors Smith and Williams declared an interest in agenda item 12 as Directors of Cheltenham Borough Homes and announced their intention to leave the chamber for this item.

**3. MINUTES OF THE LAST MEETING**

The minutes of the last meeting held on 14 December 2015 were approved as a correct record.

**4. COMMUNICATIONS BY THE MAYOR**

The Mayor announced that the Civic Dinner which had been due to take place at the Daffodil, would not take place at Princess Elizabeth Hall at Cheltenham Ladies College. Tickets were still available so Members were urged to contact the Mayor's office by Monday if any were required.

A recital by Wells Cathedral Virtuoso would be held at the Pump Room in aid of the Mayor's Charities on 3 March. Tickets cost £10 and were available through the Town Hall box office or online.

Further to the urgent decision taken at Council at its December 2015 meeting with regard to HCA funding and the YMCA the Mayor was pleased to report that the work on due diligence had been completed and documented on 16 December. The decision was very much appreciated by the YMCA. Contracts for the project had been signed in the last week and claims submitted to the

HCA to permit a start on site in June 2016. The HCA had confirmed that it had now approved the claims and will be paying 75% of the total HCA grant of £1.054 M before the end of this month. The estimated date for project completion is July 2017. As previously reported grant funding from Cheltenham Borough Council to support these developments totals £496,000 and this will be paid from commuted sums received pursuant to section 106 agreement in relation to the 'Thirlestaine' site.

**5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL**

The Leader advised Council that the bid to support Neighbourhood Plans had received £40 000 of government support.

The launch of the BID took place on Tuesday 9 February and had been well supported. The vote on the BID was expected in March/April.

The first meeting of the 2020 partnership Joint Committee had taken place that morning (12 February) at which CBC was represented by Councillors Flynn and Walklett. At its meeting on 9 February the Cabinet approved the business cases for Customer Services and Revenues and Benefits to join the 2020 Vision Partnership which would formally commence on 1 April 2016.

**6. PUBLIC QUESTIONS**

<b>1.</b>	<b>Question from Mrs Jenny Kirkwood to the Cabinet Member Corporate Services, Councillor Jon Walklett</b>
	What are Cheltenham Borough Council doing to increase the number of women and younger people to become actively involved in terms of becoming Councillors?
	<b>Response from Cabinet Member</b>
	<p>I thank Mrs Kirkwood for her question and have provided the following background relevant information as part of my answer.</p> <p>Firstly I need to point out that the responsibility for the recruitment of suitable borough (and county) council candidates lies firmly with either established political parties or in the case of independents with local groups.</p> <p>The second point relates to how the profile of CBC Councillors compares by age and sex over time and against the national picture. Taking age first the most recent Local Government Association survey (dated 2013) published the average age of a sitting local Councillor at 60.2 years. The comparative figures for Cheltenham - 63 years in 2012 and 57 years in 2016 tends to demonstrate a reduction in age both in relation to four years ago and set against a national average. Interestingly whilst c.20 per cent serving CBC Councillors are aged 45 or less this also compares favourably with the 12.5 per cent recorded nationally.</p> <p>Moving on, the proportion of female members currently serving on CBC is slightly down on the national average, 27.5 against 32.7 per cent.</p>

	<p>Cheltenham Borough Council makes every attempt to involve and engage residents in our local democratic process. We encourage young teenagers in school groups and from school councils to visit the Municipal Offices and in recent times the Mayor has chaired debates on matters such as climate change and fostered encouragement with youth to participate. Local branches of the national parties also involve their younger members in political campaigning, action days and fighting for local causes. Similarly contact with local faculties providing tertiary education and training have been encouraged. Further information for those individuals wishing to become involved locally can be found on the Cheltenham Borough Council website under the "Councillors" heading which in turn will take you to the excellent Local Government Association page entitled "Be a Councillor".</p> <p>In a supplementary question Mrs Kirkwood commented that it was very difficult for school or working Mums to attend a 2:30 p.m. Council meeting and asked whether the council was reviewing the start time of its meetings to allow a wider range of people to attend or stand as a Councillor?</p> <p>The Cabinet Member advised that the council had tried to move to evening meetings, Planning Committee was an example, to try and accommodate those Councillors who are working during the day and the council does offer a childcare allowance which would be available to working mothers. He acknowledged that there was always more that the council could do and he would welcome any suggestions from the questioner.</p>
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**7. MEMBER QUESTIONS**

<b>1.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>The Borough Council has previously written to Lettings agents concerning a code of practice on the display of Lettings boards particularly in the Conservation Area but there are limited resources available for enforcement.</p> <p>Will the Cabinet Member agree to convene a meeting with Officers, myself and a concerned resident in my ward to discuss a practical solution?</p>
	<b>Response from Cabinet Member Development and Safety</b>
	<p>The Built Environment Local Enforcement Plan (planning) was approved in January 2014 following extensive member consultation. This document sets out the priorities for action for an enforcement team which is stretched in terms of demand on its services. The priorities laid down in the Plan enable planning enforcement to be done in an equitable, <i>transparent</i> and consistent way. The Council has had some success in tackling this issue, but it remains a low priority in terms of the range of planning enforcement work carried out, much of which has a more direct</p>

	<p>impact on local amenity and public health.</p> <p>A meeting can be convened with Cllr Harman's constituent to discuss these issues in more detail.</p>
<b>2.</b>	<b>Question from Councillor Anne Regan to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>
	<p>Will the Cabinet Member please inform this Council on the number of brown waste bins still held unsold at the Depot and the value of this stock?</p>
	<b>Response from Cabinet Member Clean and Green Environment</b>
	<p>Cheltenham Borough Council has seen a year on year increase in the number of subscribers to the garden waste service which has resulted in the brown bins stock continuing to reduce.</p> <p>In addition, we have been able to sell 1,000 of the brown bins each year for the last 3 years to Tewkesbury Borough Council at cost, which means that as of 27th January 2016 there were 1,764 bins in storage.</p> <p>The average cost of a new 240 litre bin is at present around £23. At the current cost we have £40,572 worth of stock. It is important to note that because the bins were ordered in bulk at the outset the cost per unit was £15.45. At the original cost, the stock is worth £27,254.</p> <p>As noted, there has been a year on year increase on the number of subscribers. The figures are as follows:</p> <p>March 2012 - 11,205          March 2013 - 12,781          March 2014 - 13,699          March 2015 - 14,703</p> <p>The number of subscribers has risen by nearly 1,000 again in 2015/16 and there are currently approximately 15,600 bins in use.</p> <p>Given the successful campaigns that we have run to increase the number of subscribers, it is reasonable for us to hold stock at around the levels they presently are.</p> <p>I am encouraged by the early indications that a significant number of customers have already taken the opportunity to renew early. By doing so they benefit from an "early bird" discount. We are also seeing new customers signing up to the service and they too will benefit from a discounted price if they apply between 1st February and 31st May.</p>
<b>3.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Will the Cabinet Member advise the number and value of parking fines issued in council car parks between 6pm and 8pm over the past 12 months?</p>
	<b>Response from Cabinet Member Development and Safety</b>

	<p>The Council does not collate and report specific details relating to the value of fines issued with particular time slots. This is because the issuing of Penalty Charge Notices (PCNs) is not for the purpose of income generation, but is one of the tools available to encourage compliance with parking charges. The authority does not and should not set out to make a profit from this activity.</p> <p>In a supplementary question Councillor Babbage asked whether Council enforcement officers had been sent out specifically between the hours of 6 p.m. and 8 p.m.?</p> <p>The Cabinet Member confirmed that the council had a floating team of officers who move around the car parks between 8 a.m. and 8 p.m.</p>
<b>4.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	Will the Cabinet Member advise the total income generated from council car parks between 6pm and 8pm over the past 12 months?
	<b>Response from Cabinet Member Development and Safety</b>
	<p>An officer assessment suggests that income between 6pm and 8pm is in the order of £122,000 per annum.</p> <p>Whilst the 'Parkfolio' system used in three of our car parks does provide good data on ticketing, this is not the case in all car parks. As a result, it is not currently possible to accurately state the income collected for specific hourly periods.</p> <p>There are some uncertainties regarding how removing charges between 6pm and 8pm will impact on customer behaviour, which could result in a reduction in visits to car parks in the pre-6pm period. This will therefore be closely monitored during the first 12 months of the new arrangements.</p> <p>The Car Parking Working Group is currently considering wider issues around the Council's parking strategy and how this relates to and supports the local economy. This will help to inform the future charging strategy across all of our off- street car parks.</p>
<b>5.</b>	<b>Question from Councillor Nelson to Cabinet Member Corporate Services, Councillor Jon Walklett</b>
	What Council organised or supported events are planned for Cheltenham to celebrate Armed Forces Day on Saturday 25 June this year?
	<b>Response from Cabinet Member Corporate Services</b>
	<p>As I am sure you are aware Armed Forces Day is a component part of the nationally celebrated Armed Forces Week which this year commences on Monday 20th June.</p> <p>Cheltenham Borough Council in parallel with many other local authorities follows the guidance of Bruno Peek the Pageantmaster in arranging to fly the armed forces flag for a period of one week - from Monday through to</p>

	<p>the following Monday.</p> <p>The Mayor also hosts a memorial service with invitees representing veterans, officers and elected Councillors at the Promenade war memorial.</p> <p>In a supplementary question Councillor Nelson considered that the council could do more, particularly with the close proximity to the tri-service base at Innsworth and asked whether the Cabinet Member was aware that £10,000 of funding was available to support community inspired events?</p> <p>The Cabinet Member said he was not aware of this funding but he was happy to pursue the options of using it in the future. He considered that the council was following guidelines and was doing more than just flying the flag. The council was also proactive in liaising with other organisations and the Armed Forces when organising such events.</p>
6.	<p><b>Question from Councillor Chard to the Cabinet Member Finance, Councillor John Rawson</b></p>
	<p>Could the Cabinet Member advise us of the latest plans which the administration has to move this Council out of the Municipal Buildings and into Delta House which this Council purchased last year and when he anticipates that this move will have been completed?</p>
	<p><b>Response from Cabinet Member Finance</b></p>
	<p>We treasure the Municipal Offices as part of our heritage and therefore there is no question of moving out of it until we have a joint venture partner ready to move in with a suitable redevelopment scheme that will enhance the Promenade.</p> <p>We have had significant informal interest. However, before we can even go as far as marketing the Municipal Offices, we need to know whether we are confined to our existing footprint. The development brief approved by full Council envisages redevelopment of both the Municipal Offices and the wider Royal Well. Potential partners have told us they need to have clarity about the extent of the developable site. In order to determine this, we have established a dialogue with Heritage England to establish their view about the extent of any development. This also requires some certainty about whether the Boots Corner section of the Cheltenham Transport Plan will go ahead after the trial scheduled for spring 2017.</p> <p>Once the property is on the market and it is possible to predict when redevelopment is likely to begin, we will seek to secure space at Delta Place to relocate the council headquarters. This is likely to be as a sub-tenant in the short term, as the head lease is due to continue until 2023. In order to progress this, officers have undertaken considerable work in refining our space needs which continue to reduce as we change the nature of the way we deliver services.</p> <p>It is important to recognise that Delta Place has already delivered on part of the objective of the accommodation strategy. Delta Place was always seen as partly a new home for the Council and partly a source of rental</p>



<p>income from sub-letting surplus space. Currently Delta Place is already helping to close our medium term funding gap by delivering an income to the Council of £100,000 a year, over and above the cost of acquisition. Furthermore, the fact that it is now fully occupied is a strong indication that it is likely to prove a very effective income generator for the Council in the future.</p> <p>In a supplementary question Councillor Chard commented that part of the rationale for purchasing Delta Place was the huge saving in maintenance cost on the Municipal Offices. How was that cost going to affect the council's budget going forward if the council was not to vacate this building until 2023?</p> <p>The Cabinet Member advised that his response did not state that the council would not be vacating the offices until 2023. Currently a small amount was being spent on maintaining the public areas but this did not apply to the non-public areas. He was not keen for the council to vacate this building and leave it empty so plans for the development must be in place first. This was difficult to synchronise but in his view the people of Cheltenham wanted the council to continue to treat this building with the respect that it merits.</p>
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**8. GAMBLING ACT 2005 STATEMENT OF PRINCIPLES**

The Cabinet Member Development and Safety, Councillor McKinlay, introduced the report. The report explained that the Gambling Act 2005 requires that the council produce, consult on and publish a statement of the principles that they propose to apply when exercising their functions under the Act. The Act also requires that the Statement of Principles should be kept under review and must be re-published at least every three years. Cheltenham Borough Council published its existing Statement of Principles in October 2012 and the Statement is now due to be reviewed and a new Statement of Principles will need to be published to take effect no later than January 2016.

The Cabinet Member reported that there were 20 licensed gambling premises in Cheltenham. These included one track licence at the racecourse, one adult gaming centre and 18 licensed betting premises.

The statutory consultation had resulted in three responses and there were no proposed changes as a result of the feedback.

A Member suggested that the BID should be on the list of consultees and the Cabinet Member agreed to add them.

Another Member commented that the number of betting establishments in Cheltenham was already high enough. Another Member suggested that there was a saturation level which could be incorporated into the policy.

The Cabinet Member acknowledged the Member's concern but with the changes in government legislation, the council was only responsible for monitoring the proper running of the establishments. He was not aware of the option of a saturation limit but would ask officers to investigate this. The policy

had to be revised every three years but could come back to Council at any point.

**RESOLVED THAT (unanimously)**

- 1. The proposed changes to the Statement of Principles be noted;**
- 2. The consultation feedback be noted; and**
- 3. The Statement of Principles be adopted.**

**9. REVISED STREET TRADING POLICY**

The Cabinet Member Development and Safety introduced the report and explained that the council's current street trading policy was approved by Council on 22 February 2013 and came into effect on 1 April 2013. Consultation on proposed changes to the policy has been undertaken and in November 2015 Cabinet approved the draft policy and made a recommendation for Council to adopt the revised policy.

The Cabinet Member explained that the proposed changes to the policy would make it more prescriptive and enable it to deal with a number of issues in the town.

It was important to note that this policy did not fetter the council's discretion and applications for street trading consent for locations not approved can still be made and must still be determined. In these cases officers would refer applications to the Licensing Committee in accordance with the scheme of delegation. He drew particular attention to the concerns raised by the Licensing Committee and the officer responses to these set out in the appendix.

**RESOLVED THAT (unanimously)**

**The amendments to the current policy be noted**

- 1. The consultation feedback and officer comments be noted**
- 2. The revised policy be adopted.**

**10. APPOINTMENT OF MAYOR ELECT AND DEPUTY MAYOR ELECT 2016-17**

The Chief Executive introduced the report which explained that Councillor Chris Ryder had served as Deputy Mayor since last year's Annual Council Meeting and Members would be asked to elect her as Mayor at this year's Annual Meeting. In accordance with the Order of Precedence in Appendix 2, Members had been approached to ascertain if they were willing and able to have their name put forward for appointment as Deputy Mayor for 2016-17.

In the course of this process, some members had highlighted that their decision on whether to put themselves forward for the role may depend on the results of the Borough elections in May 2016. Therefore it had been proposed that no

nomination was put forward for Deputy Mayor elect at this stage and the nomination for Deputy Mayor was put to Annual Council in May following the elections. He had taken this proposal to the Group Leaders meeting and after discussion they had agreed to the recommendations as set out in the report.

As Deputy Mayor, Councillor Ryder, was concerned that she should have been asked for her view out of courtesy. Her opinion was that it was an honour for any Councillor to be put forward as Deputy Mayor when they became eligible and the lack of willingness to make a commitment at this stage demonstrated a lack of commitment to the role. The Mayor also highlighted that the appointment of the Deputy Mayor at Annual Council was only two days before the inauguration ceremony at the Town Hall and therefore could cause difficulties in finalising the details for the programme.

A number of members spoke in support of the recommendation to defer the nomination. They agreed that it was a great honour to be Mayor/Deputy Mayor but it was a personal and not a political decision and it had to be the right decision for the right person at the right time.

A separate vote was requested on recommendation 3. Recommendations 1 and 2 were unanimous and recommendation 3 was CARRIED.

**RESOLVED THAT**

- 1. The Order of Precedence in Appendix 2 be noted,**
- 2. Councillor Chris Ryder will be put to the Annual Council Meeting for election as Mayor for the Municipal year 2016 - 2017.**
- 3. The nomination for Deputy Mayor for the Municipal year 2016 – 2017 will be put to the Annual Council Meeting.**

**11. GENERAL FUND REVENUE AND CAPITAL - REVISED BUDGET 2015/16, AND FINAL BUDGET PROPOSALS 2016/17**

The Mayor invited the Cabinet Member Finance to introduce the budget which would then be followed by a statement from the Chief Finance Officer, Paul Jones, as the Council's Section 151 officer. To facilitate the presentation of the Budget, the Mayor proposed suspension of certain rules of debate, namely:-

That the time limit on speeches is relaxed with regard to the following speeches;

- Cabinet Member Finance when moving the motion to adopt the budget being proposed by the Cabinet.
- Group leaders or Group spokesperson when making budget statements on behalf of their group.

The Cabinet Member Finance and Group Leaders could also speak more than once in the debate (in addition to any rights of reply etc.) for the purpose of putting and answering questions.

This was agreed unanimously by Council.

The Mayor reminded Members that a recorded vote must be held on any significant decision relating to the budget or council tax (including any amendments) as set out in Part 4A – Council Procedures Rule 14.5 as required by the 'Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014'. This will apply to agenda items 11 and 12.

The Cabinet Member Finance introduced the 2016/17 budget proposals with a detailed speech (please see Appendix 1).

The Cabinet Member Finance moved acceptance of the 2016/17 budget as set out in the report. The motion was seconded by Councillor Jordan who reserved his right to speak.

The Chief Finance Officer referred Members to his Section 25 report that had been circulated with the budget proposals. He highlighted his representation made on the interim finance settlement which given the severity of the front-loaded cuts had run to seven pages. There had been four main asks:

- A request to remove council tax from the calculation in determining percentage cuts from the settlement core funding assessment. DCLG themselves refer to council tax as “an important source of funding which is used to meet the difference between the amount a local authority wishes to spend and the amount it receives from other sources such as government grants”. It was therefore wrong in his opinion to use the level of council tax raised, which had been subjected to twenty five annual council meetings to determine the level of government funded support. As a consequence of this new methodology, the council’s average government funded spending power per head of population was projected to be £8 less than the average shire district urban authority by 2019/20. Unfortunately there was no change in the methodology set.
- A fundamental review of New Homes Bonus allocations. In his opinion Cheltenham had much less capacity for increasing the number of homes, compared to their rural counterparties given the tightly drawn boundaries. There was a separate consultation on NHB which the Council will respond to by the deadline of 10th March.
- A major review of the front loading of the 2016/17 reduction in RSG. As referred to earlier given the council’s taxbase, Cheltenham was due to receive a much sharper decline in its RSG in the first 2 years than the average council. He was pleased that the Government had recognised this and awarded this council a transitional grant of £74k for the next 2 years – this was a direct response to a specific ask.

- The ability for all councils to raise Council Tax by £5 or 2% (whichever the greater) without requiring a referendum. Once again a direct response to a specific ask had been delivered in that all Shire Districts would be given the flexibility to raise council tax by the maximum of £5 or 2%. According to DCLG numbers, this was an additional £39.2 million in council tax by 2019/20 if all Shire Districts use this flexibility every year of the four year period and this is assumed to be taken in the proposed 4 year settlement agreement.

He concluded that it was reassuring that for the first time in many years there had been significant improvements between the provisional and final settlement. He believed this was the result of direct responses to Government from across this Chamber and he wished to put on record his thanks to all those who helped in getting this improved settlement for Cheltenham.

The Mayor invited Members to ask questions of the Cabinet Member.

- Was the additional increase in council tax legitimate as it had not been part of the public consultation?
  - Although it was not ideal to change council tax at this stage, the late changes from government forced the changes. He was satisfied that there was an awareness in the budget consultation that after a freeze of council tax for five years services were under strain and an increase was not unreasonable.
- The government appeared to be cutting £20,000 a week from the council's RSG but this was not balanced by a transitional grant and a proposed increase in council tax of £5 per year. Were these figures correct and how would this impinge on other budgets?
  - He confirmed that the figures were correct and the Transition Grant was a small amount compared with the reduction in the settlement.
- In view of the delay in securing car park income from North Place where does the council stand legally in securing compensation from the contract? How much has the delay to North Place cost the council?
  - The reserve had been created to cover an assumed loss of income but in practice there had been a displacement of car parking income from North Place to other council car parks so it was not as much as might have been anticipated?
- How much funding for the Pittville Park Play Scheme is the council providing? Is the figure still £300,000?
  - The council had allocated £300,000 from the capital reserve but some additional funding had been made available from the planned maintenance budget. It was still the intention that the balance of the cost would come from fundraising. Later in the debate the Cabinet Member Clean and Green Environment added that the Asset Management Working Group had supported further funding from the planned maintenance budget for the aviary but overall the project was still £140,000 short of funding. A huge amount of work was being done, particularly by the

Friends of Pittville Park, to raise this amount and the council was also submitting additional grant applications.

- What action is the council taking with regard to the New Homes Bonus allocated to Tewkesbury Borough Council for housing development on the borders of Cheltenham which will largely use Cheltenham's infrastructure and facilities?
  - Later in the debate the Leader advised that there were ongoing discussions with Tewkesbury BC as part of the JCS work but they had not agreed to pass over any of their New Homes Bonus as yet.
- Could the £600 reserve for Keep Cheltenham Tidy be reallocated to the Wombles Voluntary organisation who would welcome the contribution to their ongoing work to clean up the hotspots in Cheltenham?
  - This was a sensible suggestion which the Cabinet Member would consider? It may be appropriate to consider whether other voluntary groups with similar aims should also receive a share.
- What work was being done on the tourism strategy?
  - The draft strategy was due to come to Cabinet and O&S in February and it was important that some money was allocated in the budget to action the strategy once agreed.
- What was the anticipated cost of introducing the free parking after 6 p.m.?
  - The Cabinet Member Built Environment had estimated this to be in the order of £122,000 but it was unknown territory.
- Has the council approached government to request a four-year funding settlement.
  - The council was considering this but there were some difficulties which need to be considered. The Chief Finance Officer added that further clarification was needed on the detail and there would also be a requirement from government for the council to have an efficiency plan in place. Over the period of the medium-term financial strategy there was a £4 million budget shortfall and all but £43,000 worth of savings had already been identified. This would put the council in a good position to make a decision on any request by October 2016.

Councillor Harman as leader of the Conservative Party gave his response to the budget. He thanked the finance officers and Councillor Rawson for the tremendous job they had done. He said that the chamber would miss Councillor Rawson's intellect, his sense of humour and work ethic and this was echoed by many other Members during the meeting.

His party supported many aspects of the budget and in particular the funding allocated to clean up the town, the 2020 programme and he was pleased that work could now commence on the Bath Road car park. He acknowledged the financial challenges and he was pleased that the lobbying to the Secretary of State by this council and other Gloucestershire MPs had resulted in some improvements to the budget situation. He indicated that the Conservatives would have introduced all-out elections this year with a resulting saving in excess of £100,000 and they would aim to reintroduce this at the first possible opportunity. There had been a significant windfall from the sale of North Place and they would have chosen alternative ways to spend the money rather than the purchase of an office block.

Councillor Malcolm Stennett gave his response to the budget as the Leader of the PAB. He too thanked Councillor Rawson and the Chief Executive for all their hard work on behalf of the council. He acknowledged the difficulties that the late changes in government grants had caused and he commended their achievements in balancing the budget. As a result his party had no amendments.

Councillor Harman proposed the following amendment which was seconded by Councillor Seacome.

*i) Amend recommendation 8.*

*The Councillors Allowances be frozen for 2016/17 and 2017/18 with resulting savings of £3,200 each year being utilised to increase the budget for Urban Gull egg treatment.*

*ii) Additional recommendation*

*In welcoming the proposal to stop charging in Car Parks after 6pm we would support a more radical approach. In the short term we ask Council to instruct officers to examine reduced charges in any under utilised car parks on Sundays or possibly the abolition of Sunday charging. The assessment to include the impact on car parking income and to draw on the experience of other councils.*

In proposing the amendment, Councillor Harman said that he could not support giving members a pay rise when council taxes were being increased. He advocated a freeze for two years and indicated that members of this group would donate any increase to charity if this amendment was lost. The transfer of funds to the urban gull initiative would ensure the base budget for tackling the problem was increased to £12,000.

Regarding the second part of the amendment, he said it was important to give people a clear understanding of the different options hence the request for further evaluation.

A Member supporting the amendment, felt that councillors were well remunerated for what was effectively a public service rather than a job. The 1% increase would not make a material difference to their allowances but forgoing the increase would be a symbolic message to the public and demonstrate that they were not out of touch with the electorate.

Members speaking against a freeze in members allowances, felt that a increase was appropriate after a five-year freeze. It was important that Council took note of and respected the recommendations of the independent panel who had actually recommended a 1.5% increase. The members allowance was designed to compensate people for loss of income whilst carrying out council duties. In order to maintain diversity amongst councillors it was important that potential candidates were not discouraged or felt they could not afford to take up the position. A member highlighted that the basic allowance was already reduced by 33% to take account of the public service element. A member also pointed out that councillors too would be paying the increases in council tax and that

every councillor could make a personal choice about whether they wished to take any increase.

In terms of diverting the funds to support the oiling of the eggs of urban gulls, several members highlighted that money was not the only issue and indeed the budget from last year had not been fully spent. There were also resourcing issues and difficulties in accessing properties. A member suggested that the funding could be better spent on improving disabled toilet facilities in the town.

Regarding the second amendment, a number of members suggested that this proposal should be put to the Car Parking Member Working Group and it was not appropriate to bring it as a late amendment to the budget. The working group could fully consider the matter and then a decision could be made on the basis on a full knowledge of the implications. The Cabinet Member Built Environment gave his commitment that he would ask the working group to look at this issue regardless of the outcome of the vote on the amendment.

Other members suggested that the recommendation in the budget regarding free car parking after 6 p.m. should also have been brought to the member working group prior to being a recommendation in the budget.

Councillor Seacome as seconder of the amendment, suggested that the saving from allowances could be spent persuading owners of tall buildings in the town to put up netting. He also highlighted that Sunday was taking over from Saturday as the major shopping day.

Councillor Rawson in responding to the amendment highlighted that £8,000 had been given to the urban Gull focus group and there had been no approach for further funding this year.

A recorded vote was required upon the amendment i) and this was LOST

### Voting

For 10: Councillors Babbage, Chard, Fletcher, Harman, Nelson, Regan, Ryder, Savage, Seacome and Smith.

Against 22: Councillors Barnes, Baker, Britter, Clucas, Coleman, Fisher, Flynn, R Hay, C Hay, Jeffries, Jordan, McCloskey, McKinlay, Murch, Rawson, Reid, Thornton, Walklett, Wheeler, Whyborn, Wilkinson and Williams.

Abstain 4: , Lillywhite, Payne, Stennett and Sudbury,.

The substantive motion then became the recommendations as listed in the report

The debate then moved to the substantive motion.

Councillor Jordan, as Leader, highlighted that the government settlement had fundamentally changed local government finances and the government policy which had encouraged councils to freeze council tax seemed now to be encouraging them to put it up to the maximum allowed. Given that the government assumption was that the council would be increasing council tax to the maximum allowed, it seemed to make sense to do so. He highlighted the work that the council was doing to support economic growth in the town, the



scope of the Cheltenham Development Task Force had been extended to the whole borough and the council was also supporting the Cheltenham Business Partnership in the BID. Tourism also formed an essential part of the town's economic development as well as the JCS. In conclusion he felt the budget supported economic growth and was built on strong bases in difficult financial circumstances.

A Member encouraged other members to recognize the very positive developments taking place to attract people to the town.

A Member felt it was time to take a serious look at tourism as very little had been done for some years. They requested an update on the railway station bridge where the Charlie Chaplin figures were in serious need of repainting and had not been progressed despite numerous requests. The Cabinet Member Clean and Green Environment, Councillor Coleman, advised that approaches had been made to the artist and Network Rail and officers were doing their best to resolve the problem. He also referred to a point that had been previously raised and confirmed that he was committed to working hard to improve the toilet facilities for disabled people in the town.

A Member acknowledged that the government had given the council a big problem by reducing its funding but the Cabinet Member appeared to have solved this problem by taking another £500,000 from the council reserves.

In his summing up, Councillor Rawson said the budget was concerned with big ideas and a big vision. The council had done an amazing job in maintaining its leisure and cultural facilities in such difficult financial circumstances whilst at the same investing in property and supporting economic growth. Regarding the last challenge, he referred members to the recent budget monitoring report which set out the position regarding reserves. £308,000 underspends had been transferred to reserves but the budget was not touching any earmarked reserves or General Fund balances and he was confident that the budget maintained reserves in a healthy state. He felt it was a sound budget in financial terms but at the same time was doing plenty for Cheltenham and its residents and commended it to Members.

In accordance with the legislation a recorded vote was required and a member requested a separate vote on recommendation 8 regarding Members allowances.

Recommendations excluding recommendation 8 were passed unanimously.

Voting For 35: Councillors Babbage, Barnes, Britter, Chard, Clucas, Coleman, Fisher, Fletcher, Flynn, Harman, R Hay, C Hay, Jeffries, Jordan, Lillywhite, McCloskey, McKinlay, Murch, Nelson, Payne, Rawson, Regan, Reid, Ryder, Savage, Seacome, Smith, Stennett, Sudbury, Thornton, Walklett, Wheeler, Whyborn, Wilkinson and Williams.

Voting on Recommendation 8.

Against 10: Councillors Babbage, Chard, Fletcher, Harman, Nelson, Regan, Ryder, Savage, Seacome and Smith.

For 22: Councillors Barnes, Britter, Clucas, Coleman, Fisher, Flynn, R Hay, C Hay, Jeffries, Jordan, McCloskey, McKinlay, Murch, Sudbury, Rawson, Reid, Thornton, Walklett, Wheeler, Whyborn, Wilkinson and Williams.

Abstain 3: , Lillywhite, Payne and Stennett.

The substantive motion then became the recommendations as listed in the amended report

**RESOLVED THAT:**

- 1. The revised budget for 2015/16 be noted and the recommendation of the Section 151 Officer to transfer the identified saving of £307,900 to the budget strategy (support) reserve as detailed in Section 3.1 be approved.**
- 2. The budget assessment by the Section 151 Officer at Appendix 2 was considered in agreeing the following recommendations.**
- 3. The final budget proposals be approved including a proposed council tax for the services provided by Cheltenham Borough Council of £192.12 for the year 2016/17 (an increase of 2.67% or £5.00 a year for a Band D property).**
- 4. The growth proposals be approved, including one off initiatives at Appendix 4.**
- 5. The savings / additional income totalling £780,700 and the budget strategy at Appendix 5 be approved.**
- 6. The use of reserves and general balances be approved and the projected level of reserves, as detailed at Appendix 6, be noted.**
- 7. The proposal to abolish charges in council car parks after 6pm as detailed in Section 8 be approved.**
- 8. A 1% increase in all Member allowances be approved, in line with the proposed increase in staff pay, as detailed in Section 9.**
- 9. The local council tax support scheme for 2016/17 as outlined in Section 11 be approved which remains unchanged from 2015/16 other than the annual uprating for non-dependant deductions.**
- 10. The proposed capital programme at Appendix 7 be approved, as outlined in Section 13.**
- 11. The Pay Policy Statement for 2016/17 be approved, including the continued payment of a living wage supplement at Appendix 9.**
- 12. A level of supplementary estimate of £100,000 for 2016/17 as outlined in Section 18 be approved.**
- 13. It be noted that the Council will remain in the Gloucestershire business rates pool for 2016/17 (para 4.15).**
- 14. The award of Transition Grant in 2016/17 of £74,461 be noted, which when added to the additional £51,557 raised through council tax, results in a reduction in the contribution required from the budget support (strategy) earmarked reserve of £126,018.**

**12. HOUSING REVENUE ACCOUNT - REVISED FORECAST 2015/16 AND BUDGET PROPOSALS 2016/17**

The Cabinet Member Finance introduced the report which summarised the Housing Revenue Account (HRA) revised forecast for 2015/16 and the Cabinet's budget for 2016/17.

The Cabinet Member explained that in July 2015 the Chancellor had announced that rents in social housing would be reduced abruptly by 1% a year for four years (as opposed to a 1% rise each year for 10 years). Whilst this represented good news for tenants it invoked a great deal of uncertainty for CBH and the Council with an estimated loss of £6.7m to the HRA budget up until March 2020. CBH had subsequently worked closely with CBC officers to revise its budget and plans to ensure spending could be contained within the limits which were now necessary. He was pleased to report that as a result of this work the proposed budget was positive and would contain sufficient resources to maintain the decent homes standard, existing services, the long term viability of HRA reserves, delivery of the windows and doors improvement programme, delivery of the existing new build programme (schemes currently being progressed) and service improvements for vulnerable groups. He reported that the savings targets which had been identified included management costs savings and the reduced need for the management revenue contribution to fund the capital programme. In 2016/17 the overall cost of repairs and maintenance had reduced to £4.1m; £7.7 would be invested in property improvements and major works, £400 k would be invested in disabled adaptation and £4m would be invested in new build. Whilst there remained uncertainty with regard to Government policy post 2020 the Cabinet Member explained that positive action had been taken whilst maintaining a high level of financial prudence. The Cabinet Member Finance thanked officers and CBH colleagues for their efforts in bringing forward this positive budget in difficult circumstances.

The Finance Director, CBH was invited to address Council. He explained that it was important at the outset to ensure that the impact of the cut was offset and this was achieved via a £1.4m cut in the management fee, £1m in repairs and maintenance and £2.2 m in the use of reserves. He made reference to the discussions he had with the Budget Scrutiny Working Group where he had highlighted that the quality of the service provided by CBH would not be reduced in order to deliver savings but they would be achieved via a leaner staffing structure, more efficient processes and a reduction in work sub contracted out.

A recorded vote having been required the following resolutions were passed unanimously.

Voting For 32: Councillors Babbage, Barnes, Britter, Chard, Clucas, Coleman, Fisher, Fletcher, Harman, R Hay, C Hay, Jeffries, Jordan, Lillywhite, McCloskey, McKinlay, Murch, Nelson, Payne, Rawson, Regan, Reid, Ryder, Savage, Seacome, Stennett, Sudbury, Thornton, Walklett, Wheeler, Whyborn and Wilkinson.

**RESOLVED THAT**

1. **The revised HRA forecast for 2015/16 be noted.**
2. **HRA budget proposals for 2016/17 (Appendix 2) including a proposed rent decrease of 1% and changes to other rents and charges as detailed at Appendix 5 be approved.**
3. **The proposed HRA capital programme for 2016/17 as shown at Appendix 3 be approved.**

**13. TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2016/17**

The Cabinet Member Finance introduced the report which complied with the CIPFA Code of Practice on Treasury Management as it set out the Council's Treasury Management Strategy Statement for borrowing and prepared an Annual Investment Strategy for council approval prior to the start of a new financial year.

The Cabinet Member highlighted recommendation 1 which was crucial to the strategy, i.e. that the Council should invest prudently the surplus funds held on behalf of the community giving priority to security and liquidity in investments. He then made the following points :

- the council had stayed within the Prudential Indicators
- the S151 Officer had reported that the Capital Financing Requirement guideline had been complied with and no difficulties were envisaged in the future
- the council was currently maintaining an under-borrowed position. This meant that the capital borrowing need (the Capital Financing Requirement) had not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow had been used as a temporary measure. This was a prudent strategy in the current circumstances as investment returns were low and counterparty risk was relatively high.
- in terms of investment policy the Cabinet Member highlighted that the aim was to act cautiously due to the uncertain economic situation both nationally and internationally. He emphasised that the council did not solely rely on credit ratings but collected a range of intelligence. The council's treasury management advisers and officers were constantly monitoring the performance of investments with the counterparties. There was currently a strong bias towards investing at the short-end of the market with investments only made abroad where they have a minimum rating of AA- and only for durations of up to 1 year.
- The treasury management budget was cautious in its projection of investment income particularly as the base rate was unlikely to increase in the short term.

The Cabinet Member wished to put on record his thanks to those officers responsible for treasury management matters as well as the Treasury

Management Panel and its Chair Councillor Harman. They played an important role in monitoring, scrutinising and approving the report.

**RESOLVED (unanimously) THAT the Treasury Management Strategy Statement and Annual Investment Strategy for 2016/17 at Appendix 2 be approved including :**

- 1. The general policy objective ‘that Council should invest prudently the surplus funds held on behalf of the community giving priority to security and liquidity’.**
- 2. That the Prudential Indicators for 2016/17 including the authorised limit as the statutory affordable borrowing limit determined under Section 3 (1) Local Government Act 2003 be approved.**
- 3. Revisions to the Council’s lending list and parameters as shown in Appendix 3 are proposed in order to provide some further capacity. These proposals have been put forward after taking advice from the Council’s treasury management advisers Capita Asset Services and are prudent enough to ensure the credit quality of the Council’s investment portfolio remains high.**
- 4. For 2016/17 in calculating the Minimum Revenue Provision (MRP), the Council will apply Option 1 in respect of supported capital expenditure and Option 3 in respect of unsupported capital expenditure as per section 21 in Appendix 3.**

**14. NOTICES OF MOTION**

There were no notices of motion.

**15. TO RECEIVE PETITIONS**

None received.

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

There were no urgent items.

**17. LOCAL GOVERNMENT ACT 1972 -EXEMPT INFORMATION**

The Council approved the following resolution:-

“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to

them exempt information as defined in paragraphs 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

**18. EXEMPT MINUTES**

The exempt minutes of the meeting held on 14 December 2015 were agreed as a correct record.

Duncan Smith  
**Chairman**

## Cheltenham Borough Council Council – 25 February 2016

### Council Tax Resolution 2016/17

<b>Accountable member</b>	<b>Cabinet Member for Finance, Councillor John Rawson</b>
<b>Accountable officer</b>	<b>Paul Jones (Section 151 Officer)</b>
<b>Accountable scrutiny committee</b>	<b>Overview and Scrutiny committee</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	The purpose of this report is to enable the Council to set the Council Tax for 2016/17. The Council agreed its budget and level of Council Tax for 2016/17 at a meeting on 12 February 2016. The Council is required to formally approve the total Council Tax for residents of Cheltenham, including the Council Tax requirements of the precepting organisations Gloucestershire County Council (GCC) and Gloucestershire Police.
<b>Recommendations</b>	<b>Approve the formal Council Tax resolution at Appendix 2 (to follow) and note the commentary in respect of the increase in Council Tax at Paragraph 6 of Appendix 2.</b>

<b>Financial implications</b>	<p>Failure to agree the Council Tax resolution at this meeting would delay the preparation of council tax bills and the collection of the payments from residents. This may result in lost interest on income collected, which given the prevailing low interest rates, would be approximately £1-2k per month.</p> <p><b>Contact officer: Paul Jones</b> <b>paul.jones@cheltenham.gov.uk, 01242 775154</b></p>
<b>Legal implications</b>	<p>None specific; the legislative context is set out in the report. The council tax resolution must be by recorded vote - <i>Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014</i> effective 26/2/14.</p> <p><b>Contact officer: Peter Lewis, One Legal</b> <b>peter.lewis@teWKesbury.gov.uk, 01684 272012</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>None arising from this report.</p> <p><b>Contact officer: Julie McCarthy</b> <b>julie.mccarthy@cheltenham.gov.uk</b> <b>01242 264355</b></p>
<b>Key risks</b>	As outlined in the financial implications

<b>Corporate and community plan implications</b>	None arising from this report
<b>Environmental and climate change implications</b>	None arising from this report

## 1. Introduction

- 1.1 The Localism Act 2011 has made significant changes to the Local Government Finance Act 1992, and now requires the billing authority to calculate a Council Tax requirement for the year, not its budget requirement as previously.
- 1.2 The Council agreed the budget and level of Council Tax for 2016/17 at a meeting on 12 February 2016. The Council is required to formally approve the total Council Tax for residents of Cheltenham including the Council Tax requirements of the precepting organisations, Gloucestershire County Council (GCC) and Gloucestershire Police.
- 1.3 Gloucestershire County Council (GCC) and Gloucestershire Police will have met to set their Council Tax by 24 February 2016.
- 1.4 The total Council Tax to be paid by residents of Cheltenham in 2016/17 by council tax band, including the precepting authorities, is contained in Appendix 2 (to follow).

## 2. Reasons for recommendations

- 2.1 To enable the Council to set the Council Tax for 2016/17.

## 3. Alternative options considered

- 3.1 Not applicable

## 4. Consultation and feedback

- 4.1 Not applicable

## 5. Performance management – monitoring and review

- 5.1 Not applicable

<b>Report author</b>	<b>Contact officer: Paul Jones</b> <b>paul.jones@cheltenham.gov.uk</b> <b>01242 775154</b>
<b>Appendices</b>	1. Risk Assessment 2. Council Tax resolution (to follow)
<b>Background information</b>	1. Council Budget Report 12 <sup>th</sup> February 2016



The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
c.tax 1	Failure to agree the 2016/17 Council Tax resolution may result in lost interest on income.	Paul Jones	6/02/16	4	1	4	Accept	Councillors to agree precept at meeting	26/02/16	Paul Jones	

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**CHELTENHAM BOROUGH COUNCIL  
COUNCIL  
25<sup>th</sup> FEBRUARY 2016**

**COUNCIL TAX RESOLUTION 2016/2017**

1. It be noted that on 01 December 2015 the Council calculated the Council Tax Base for 2016/17 as follows:
  - (a) for the whole Council area as **40,395.3**  
[Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
  - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached **Table B** below.
  
2. Calculate that the Council Tax requirement for the Council's own purposes for 2016/17 (excluding Parish precepts) is £7,760,745
  
3. That the following amounts be calculated for the year 2016/17 in accordance with Sections 31 to 36 of the Act:
  - (a) £98,745,092 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
  - (b) £90,790,490 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
  - (c) £7,954,602 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
  - (d) £196.92 being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
  - (e) £193,857.47 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached **Table B** below).
  - (f) £192.12 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.

4. To note that Gloucestershire County Council and the Police and Crime Commissioner for Gloucestershire have issued precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area as indicated in **Table A** below.
5. To note that the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in **Table A** below as the amounts of Council Tax for 2016/17 for Cheltenham Borough Council, Gloucestershire County Council and the Police and Crime Commissioner for Gloucestershire, for each of the categories of dwellings.

**Table A**

Council Tax for 2016/17 for each of the categories of dwellings shown below :

<b>Band</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Cheltenham Borough Council</b>	128.08	149.43	170.77	<b>192.12</b>	234.81	277.51	320.20	384.24
<b>Gloucestershire County Council</b>	756.01	882.01	1,008.01	<b>1,134.01</b>	1,386.01	1,638.01	1,890.02	2,268.02
<b>The Police and Crime Commissioner for Gloucestershire</b>	140.21	163.57	186.94	<b>210.31</b>	257.05	303.78	350.52	420.62
<b>Aggregate Council Tax (Excluding Parishes)</b>	1,024.30	1,195.01	1,365.72	<b>1,536.44</b>	1,877.87	2,219.30	2,560.74	3,072.88

**Table B**

Parish amount of Council Tax for 2016/17 for each of the categories of dwellings shown below :

<b>Part of the Council's area</b>	<b>Valuation Bands</b>							
	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>	<b>G</b>	<b>H</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>Charlton Kings</b>	10.49	12.24	13.99	<b>15.74</b>	19.24	22.74	26.23	31.48
<b>Leckhampton with Warden Hill</b>	12.59	14.68	16.78	<b>18.88</b>	23.08	27.27	31.47	37.76
<b>Prestbury</b>	14.69	17.14	19.59	<b>22.04</b>	26.94	31.84	36.73	44.08
<b>Swindon</b>	10.88	12.69	14.51	<b>16.32</b>	19.95	23.57	27.20	32.64
<b>Up Hatherley</b>	6.67	7.79	8.90	<b>10.01</b>	12.23	14.46	16.68	20.02

Table C

Aggregate of amounts of Council Tax for the year 2016/17 for the Borough of Cheltenham and each Parish, for each of the categories of dwellings shown below :

Part of the Council's area	Valuation Bands							
	A	B	C	D	E	F	G	H
Band	£	£	£	£	£	£	£	£
Charlton Kings	138.57	161.67	184.76	<b>207.86</b>	254.05	300.25	346.43	415.72
Leckhampton with Warden Hill	140.67	164.11	187.55	<b>211.00</b>	257.89	304.78	351.67	422.00
Prestbury	142.77	166.57	190.36	<b>214.16</b>	261.75	309.35	356.93	428.32
Swindon	138.96	162.12	185.28	<b>208.44</b>	254.76	301.08	347.40	416.88
Up Hatherley	134.75	157.22	179.67	<b>202.13</b>	247.04	291.97	336.88	404.26

Table D

Aggregate of amounts of Council Tax the year 2016/17, for Gloucestershire County Council, The Police and Crime Commissioner for Gloucestershire, the Borough of Cheltenham and each Parish, for each of the categories of dwellings shown below :

Part of the Council's area	Valuation Bands							
	A	B	C	D	E	F	G	H
Band	£	£	£	£	£	£	£	£
Charlton Kings	1,034.79	1,207.25	1,379.71	<b>1,552.18</b>	1,897.11	2,242.04	2,586.97	3,104.36
Leckhampton with Warden Hill	1,036.89	1,209.69	1,382.50	<b>1,555.32</b>	1,900.95	2,246.57	2,592.21	3,110.64
Prestbury	1,038.99	1,212.15	1,385.31	<b>1,558.48</b>	1,904.81	2,251.14	2,597.47	3,116.96
Swindon	1,035.18	1,207.70	1,380.23	<b>1,552.76</b>	1,897.82	2,242.87	2,587.94	3,105.52
Up Hatherley	1,030.97	1,202.80	1,374.62	<b>1,546.45</b>	1,890.10	2,233.76	2,577.42	3,092.90
All other parts of the Council's area	1,024.30	1,195.01	1,365.72	<b>1,536.44</b>	1,877.87	2,219.30	2,560.74	3,072.88

**Table E**

Parish Council Precepts, Tax Base and Council Tax for 2015/16 and 2016/17

Parish	2016/17			2015/16			Council Tax Increase/ (decrease)
	Tax Base	Precept £	Council Tax Band D (£)	Tax Base	Precept £	Council Tax Band D (£)	
<b>Charlton Kings</b>	4,131.20	65,028.00	15.74	4,103.10	63,914.00	15.58	1.03%
<b>Leckhampton with Warden Hill</b>	1,791.10	33,813.23	18.88	1,779.30	29,412.23	16.53	14.22%
<b>Prestbury</b>	2,837.40	62,548.68	22.04	2,823.30	61,254.68	21.70	1.57%
<b>Swindon</b>	671.70	10,962.22	16.32	665.20	10,694.85	16.08	1.49%
<b>Up Hatherley</b>	2,147.70	21,505.34	10.01	2,128.30	21,505.34	10.10	(0.89%)
<b>TOTAL</b>		<b>193,857.47</b>			<b>186,781.10</b>		

6. To note that the relevant basic amount of council tax for the financial year 2016/17, which reflects a 2.67% increase, is not excessive in accordance with the principles approved by the Secretary of State under Section 52ZB of the Local Government Finance Act 1992 as amended and the Referendums Relating to Council Tax Increases (Principles) Report (England) 2016/17 and, therefore, the requirement to hold a referendum is not engaged.

**Cheltenham Borough Council  
Council – 25<sup>th</sup> February 2016**

**Cheltenham Transport Plan– Release of Reserve Funds**

<b>Accountable member</b>	<b>Andrew McKinlay</b>
<b>Accountable officer</b>	<b>Wilf Tomaney</b>
<b>Ward(s) affected</b>	<b>St Paul’s, College, Lansdown, All Saints</b>
<b>Key/Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	This report recommends the release of funds to implement temporary and mitigation works related to the Cheltenham Transport Plan, implementation of which is about to commence using a phased programme, which differs significantly from the single phase implementation previously envisaged.
<b>Recommendations</b>	<p><b>That in order to fund works in support of the Cheltenham Transport Plan during its implementation and trials, the Council resolves to:</b></p> <ol style="list-style-type: none"> <li><b>1. allocate £100,000 from unallocated capital receipts; and</b></li> <li><b>2. appropriate £50,000 from the Civic Pride reserve for mitigation work, associated with the implementation of the Cheltenham Transport Plan as approved at Council in November 2013.</b></li> <li><b>3. That decisions regarding the spend on individual elements of the project be undertaken by the Managing Director Place and Economic Development, in consultation with the Cabinet Member Development and Safety; and further discussion with the Managing Director of the Cheltenham Development Task Force.</b></li> </ol>
<b>Financial implications</b>	<p>The £100k capital budget can be funded from recycled unallocated capital receipts following consideration of existing public realm capital allocations as part of the Budget Monitoring Report to Cabinet on 9<sup>th</sup> February 2016.</p> <p>The Civic Pride Reserve holds the £50k mitigation fund which was previously approved as a one-off growth item by Council on 12<sup>th</sup> February 2015.</p> <p><b>Contact officer: Nina Philippidis, Business Partner Accountant, <a href="mailto:nina.philippidis@cheltenham.gcsx.gov.uk">nina.philippidis@cheltenham.gcsx.gov.uk</a> , 01242 264121</b></p>

<b>Legal implications</b>	No legal implications arising from the report recommendations.  <b>Contact officer: Peter Lewis, Head of Legal Services</b> <a href="mailto:peter.lewis@cheltenham.gcsx.gov.uk">peter.lewis@cheltenham.gcsx.gov.uk</a> , 01684 272012
<b>HR implications (including learning and organisational development)</b>	None.
<b>Key risks</b>	If funding is not available early to allow mitigation of traffic management elements of the project, there is risk of <ul style="list-style-type: none"> <li>• later phases not being implemented because of perceived shortcomings;</li> <li>• impacts not being addressed in a timely manner;</li> <li>• adverse impact on the vitality of the town's economy in the medium term.</li> </ul>
<b>Corporate and community plan Implications</b>	The Cheltenham Transport Plan is compatible with the following strategic objectives: <ul style="list-style-type: none"> <li>• Cheltenham's environmental quality and heritage is protected, maintained and enhanced.</li> <li>• Sustain and grow Cheltenham's economic and cultural vitality.</li> </ul>
<b>Environmental and climate change implications</b>	The Cheltenham Transport Plan is part of a co-ordinated series of projects, which has included personalised travel planning. It includes measures to enhance walking, cycling and bus travel. All will have beneficial environmental impacts. The Plan is a major contributor to the implementation of the Council's Air Quality Management Plan. It has been funded largely through the County Council and partners securing Local Sustainable Transport Plan Fund monies from the Department for Transport.
<b>Property/Asset Implications</b>	The implementation of the Cheltenham Transport Plan will have an impact on the marketability, delivery of the subsequent disposal and redevelopment of the Municipal Offices.  <b>Contact officer: Head of Property Services,</b> <a href="mailto:david.roberts@cheltenham.gov.uk">david.roberts@cheltenham.gov.uk</a> , 01242 264151

## 1. Background

1.1. The Cheltenham Transport Plan (CTP) Traffic Regulation Order (TRO) was approved by the County Council in July 2015, to be implemented in phases as follows:

- Phase 1 Albion Street (implementation March 2016)
- Phase 2 Oriel Road (July 2016)
- Phase 3 Royal Well (September 2016)
- Phase 4 Boots Corner (Spring 2017)

1.2. Introducing phased delivery demands a different approach to design and implementation from



the single-phase initially envisaged

- 1.3. The programme retains the trial period prior to substantive public realm works taking place. This is intended to allow the traffic management element to “bed-in” and to accommodate any adjustments. A trial stage was envisaged in the previous single-phase approach, but now trials and mitigation will run throughout the whole implementation programme. Furthermore, the Boots Corner phase has been approved as an experimental TRO, which gives an opportunity to trial various layouts and traffic management regimes in this central part of the project.
- 1.4. The Budget Monitoring Report to Cabinet on 9<sup>th</sup> February 2016 referred to an allocation of £100k set aside when North Place Car Park was closing - in case adjustments were needed to support coach parking in the town. The report flagged that due to a number of reasons this funding was no longer required and as such would be returned to the Council’s Capital Resources as unallocated capital receipts. It was also reported that as there is now clarity around the CTP’s elongated phased implementation and trial, and other resultant decisions such as the imminent arrival of the John Lewis store, a proposal for redeploying this funding to support works associated with these projects would be made to members.
- 1.5. The funding will be used to deliver works which are either temporary in form (moveable and reusable both during and on completion of the project) or permanent, where layouts have more certainty. It is recommended that Council allocate £100k to this scheme from unallocated capital receipts for public realm improvement for use throughout the various project implementation phases.
- 1.6. A £50,000 mitigation fund was approved as one-off item in the 2014/15 Budget. As it was not required during 2014/15, it was moved to the Civic Pride Reserve at year end. Now that plans are being formed to the use of this fund, it is requested that this money be appropriated from the Civic Pride Reserve for use in the current year and into 2016/17.
- 1.7. An allocation of £2million for the implementation of public realm works at Boots Corner has been made from the capital receipt arising from the North Place and Portland Street Car Parks disposal. This is earmarked until such time as the CTP has demonstrated to the satisfaction of the County Council that traffic flows can be successfully accommodated.
- 1.8. This report sets approval of spend on individual elements of the project to be taken by the Managing Director Place and Economic Development, in consultation with the Cabinet Member Development and Safety. To ensure consistency with the Cheltenham Development Task Force Business Plan, the Managing Director of the Cheltenham Development Task Force will be engaged in these consultations. This approval protocol will ensure that there is proper authorisation process for what could be a complex series of proposals.

## **2. Reasons for recommendations**

- 2.1. The release of the funds is required to ensure that the benefit of the CTP works is maximised from as early as possible in what is now a phased programme; and to ensure that the benefits of the project are evident in the early phases.

## **3. Alternative options considered**

- 3.1. The option of not releasing these funds until the end of Phase 4 (Boots Corner) was a consideration. However, introduction of four delivery phases with an experimental TRO at Boots Corner, introduces a significantly longer implementation stage than initially envisaged. It also means that trials are running throughout all implementation phases, and the experimental TRO work. It was not considered that the unrelieved impacts of some of the proposed traffic management changes could be justified over this extended period and that funds should be released as now being suggested for the benefit of the town’s vitality and the residents’ quality of

life.

**4. Consultation and feedback**

- 4.1. The Civic Pride-Task Force-CTP project has been through numerous consultations over the period of a decade. Latterly extensive consultation was undertaken jointly by the County and Borough Councils as part of the TRO process. This culminated in a public examination and a series of positive recommendations and decisions by the TRO Committee, the Borough Council and ultimately the County Council.
- 4.2. Consultation on the detail of proposals is taking place with cycling, disabled and pedestrian groups and through the Gloucestershire Design Review Panel. Major areas of intervention – notably Boots Corner public realm, following completion of the traffic trial – will be subject to wider public consultation as appropriate.

**5. Performance management –monitoring and review**

- 5.1. The quality and detail of the designs will be reviewed through the commitment to trial the work as described.
- 5.2. The Task Force regularly reviews its projects and reports on them through its quarterly meetings and Business Plan.

<b>Report author</b>	<b>Contact officer: Wilf Tomaney, Townscape Manager, wilf.tomaney@cheltenham.gov.uk, 01242 264145</b>
<b>Appendices</b>	1. Risk Assessment
<b>Background information</b>	N/A

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 initial works are not mitigated then they may impact on the ability of vulnerable groups to access the town centre satisfactorily	Wilf Tomaney	Jan 2016	4	3	12	Reduce	Continue working with the established Access group for the project	Autumn 2017	Howard Barber	Divisional
	If early phases are not delivered in a satisfactory manner, then the delivery of further phases is at risk – jeopardising the delivery of Air Quality Management plan and other environmental objectives.	Wilf Tomaney	Jan 2016	4	4	16	Reduce	Deliver each phase in a manner which optimises its impact on environmental and visual quality so that deliver of the whole is not jeopardised.	Autumn 2017	Wilf Tomaney	Divisional
	If the project is not delivered or delivered poorly, then there is a reputational risk to the Borough Council.	Jeremy Williamson	Jan 2016	4	4	16	Reduce	Deliver each phase in a manner which optimises opportunities for delivery of the whole.	Autumn 2017	Jeremy Williamson	Corporate
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – 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><b>Likelihood</b> – 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><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

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**Cheltenham Borough Council**  
**Council - 25 February 2016**  
**Appointment of the Head of Paid Service**

<b>Accountable member</b>	<b>Councillor Wendy Flynn as Chair of the Appointments and Remuneration Committee</b>
<b>Accountable officer</b>	<b>Andrew North, Chief Executive</b>
<b>Ward(s) affected</b>	<b>None</b>
<b>Significant Decision</b>	<b>Yes</b>
<b>Executive summary</b>	<p>The authority's current Chief Executive (who also undertakes the statutory role of Head of Paid Service) is due to leave the council on 27 March 2016 following the decision by Council in October 2015 to make his post redundant. The purpose of this report is to ask Members to consider the appointment of the council's current Deputy Chief Executive (Pat Pratley), to the new post of Head of Paid Service (HoPS) on an interim basis with effect from 28 March 2016. By appointing to the HoPS role on an interim basis the council is simply signalling its intention to carry out a further review of the senior structure during 2017 when it is hoped that a more detailed position of the impact of the 2020 Programme and the devolution agenda will be known.</p>
<b>Recommendations</b>	<p>The Appointments and Remuneration Committee recommend that Council:</p> <ol style="list-style-type: none"> <li>1. Approves the appointment of Pat Pratley to the role of Head of Paid Service and that the appointment will be from 28 March 2016</li> <li>2. Notes that the appointment incorporates the responsibility for the roles of: <ul style="list-style-type: none"> <li>• Returning Officer and Electoral Registration Officer from 23 May 2016.</li> </ul> </li> <li>3. Notes that a further review of the council's Senior Leadership Team structure will take place during 2017.</li> </ol>
<b>Financial implications</b>	<p>The HR Manager has reviewed the interim role against the role of the deputy CEO and CEO roles and recommends that the HoPS role attracts a salary higher than the current Deputy CEO salary. The additional salary of £8K per annum will be funded from part of the savings from the deletion of the CEO post.</p> <p><b>Contact officer: Nina Philippidis</b>  <b>nina.philippidis@cheltenham.gov.uk 01242 26 4121</b></p>

<b>Legal implications</b>	The Council has a <b>Page 38</b> to appoint a designated head of paid service under section 100 of the Local Government and Housing Act 1989 and it is intended that the new HoPS post undertakes the statutory role. The Appointment and Remuneration Committee agree who to appoint as head of paid service but the final decision on the appointment rests with Council. The Employment Rules must be complied with and this includes the need to consult with Cabinet before any offer of appointment is made.  <b>Contact officer: peter.lewis@teWKesbury.gov.uk, 01684 272012</b>
<b>HR implications (including learning and organisational development)</b>	As contained in the body of this report.  <b>Contact officer: Julie McCarthy HR Manager Julie.mccarthy@cheltenham.gov.uk, 01242 26 4355</b>
<b>Corporate and community plan Implications</b>	N/A
<b>Environmental and climate change implications</b>	N/A.
<b>Property/Asset Implications</b>	N/A.

## 1. Background

- 1.1 On 19 October 2015 Council resolved that the council's revised senior management structure, which included the deletion of the post of Chief Executive and consequential costs, be approved for consultation with affected staff and recognised trade unions with a proposed implementation date of 28 March 2016.
- 1.2 The Chief Executive was authorised to undertake all necessary processes for the introduction of the revised senior management structure and to make any changes to the structure arising from consultation provided that such changes fall within the budget and overall parameters of the structure (as referenced in the October Council report).
- 1.3 Council agreed also to internally recruit to the post of Head of Paid Service (who it anticipated will also become the Returning Officer/Electoral Registration Officer from 23 May 2016 subject to approval of Council) and noted that the appointment to the post would be undertaken by the Appointments and Remuneration Committee (A&R Committee) with final approval resting with Council.
- 1.4 The consultation with the senior leadership team (SLT) has now concluded. The role of Deputy Chief Executive (which also deputises in the Head of Paid Service role) is set to be deleted from the structure and this places the present post holder, Pat Pratley, at risk of redundancy. However, the newly created HoPS post is viewed as a suitable alternative role. As there is only one senior officer at risk of redundancy members are now being asked to agree that the ring fenced employee be appointed to the post of Head of Paid Service on an interim basis of up to 18 months. By appointing to the HoPS role on an interim basis the council is simply signalling its intention to carry out a further review of the senior structure during 2017.

## 2. Reasons for recommendations

- 2.1 The council is about to enter yet another significant period of change. It is not clear at this stage what impact the 2020 Partnership will have on the retained authority. With this in mind the Council

- 2.2** The formal consultation and review of the SLT has now taken place and the decision to delete Pat Pratley’s substantive post of Deputy Chief Executive has been approved. This places her at risk of redundancy. The Council has an obligation under its Redundancy Policy to minimise compulsory redundancies and looks to seek alternative employment options. The HoPS post is viewed by the HR Manager to be a suitable alternative role for her.
- 2.3** Organisational stability is important for any organisation especially during periods of significant change. Members are already familiar with the Pat Pratley’s knowledge, skills and expertise having worked closely with her in her role of Deputy Chief Executive/Deputy HoPS for a significant number of years. As a senior officer, Pat Pratley has played a key part in many of the major changes this authority has already gone through including the setting up of GO, her work to date with 2020, having her lead the organisation forward as the current CEO departs will be very important for the council, its employees and all the council’s stakeholders.
- 3. Alternative options**
- 3.1** The position of Head of Paid Service becomes vacant on 28 March 2016. The Appointment and Remuneration Committee discussed a number of alternative options. These are listed below:
- 3.1.1** Advertise externally and appoint an interim Head of Paid Service on a temporary contract whilst a recruitment campaign to appoint permanently takes place.
- 3.1.2** Go straight to advertising externally/internally and appoint to a permanent Head of Paid Service
- 3.1.3** Look to share the post of HoPS with one of the 2020 Partner Councils.
- 3.1.4** Look to share the post of HoPS with another neighbouring authority.
- 3.2** The interim arrangements outlined in the recommendation section above are considered to be the most appropriate for the Council at this time. The committee acknowledged that the alternative options of appointing to the HoPS post externally would not be appropriate bearing in the mind the stability the organisation required over the next 12 -18 months in terms of moving forward with 2020 Partner Councils and the uncertainty or what the exact requirements for the role would be in the future.

<b>Report author</b>	<b>Contact officer: Julie McCarthy</b> <b>01242 77 4972</b>
<b>Appendices</b>	Appendix 1 – HoPS JD
<b>Background information</b>	Council Report on 2020 Vision October 2015 Appointment & Remuneration Committee Report January 2016.

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<b>CHELTENHAM BOROUGH COUNCIL</b>
<b>Job Description</b>

<b>Job Title</b>	<b>Head of Paid Service</b>
<b>Date</b>	<b>February 2016</b>
<b>Grade</b>	<b>£99,975</b>
<b>Location</b>	<b>Municipal Offices or any such other location within the borough as the Council may determine from time to time</b>
<b>Responsible to</b>	<b>Leader and Council</b>
<b>Responsible for</b>	<b>All duties as delegated to the Head of Paid Service; Executive Board matters and Senior Leadership Team</b>

<b>Purpose of Job</b>
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As the Head of Paid Service

1. Lead the Executive Board and Senior Leadership Team and provide leadership and direction to all officers of the council, so that staff clearly understand the vision, values, objectives and priorities of the council and are able to effectively respond.
2. Position the council to meet its current and future challenges by promoting a customer focussed and performance driven culture which, enabling the organisation to deliver against its strategic objectives and respond to the priority needs of the community whilst balancing these requirements against available resources.
3. Understand the political and socio-economic context in which the council operates, anticipate and monitor trends and work with the Senior Leadership Team and with councillors to develop effective strategic responses.
4. Promote and maintain effective and productive relationships between officers and members so that members feel appropriately briefed, supported and updated and that any concerns raised are appropriately dealt with
5. Through a commissioning approach, and a robust assessment process, provide services either through direct delivery, collaborative partnership frameworks or other such sourcing solutions as may be appropriate so that the outcomes the council is looking for are delivered.
6. Discharge fully the responsibilities of the Head of Paid Service in accordance with the provisions of the Local Government and Housing Act 1989 and the Council's constitution.
7. Work with the organisation's members of the 2020 Joint Committee to ensure that they are appropriately briefed and advised in their role and that they receive support and guidance in arriving at the decisions they are required to make.
8. With regard to 2020 Partnership, work with the Partnership MD and the other heads of paid service (council directors) to develop the partnership, and be the officer

responsible for ensuring that the council's requirements are met and that independence and sovereignty of decision making is secured.

9. As the senior adviser to the council's member representatives on the 2020 Joint Committee, ensure that delegated policy formulation supports the needs of the council and that any adopted values frame work and culture will deliver the priorities and outcomes for the people of Cheltenham.
10. Through the creation of an effective commissioning function ensure that all services, direct delivery or commissioned, perform to their expected standards and performance levels and that appropriate systems and processes are in place to ensure that they are held to account for the performance delivered.
11. Position the council to meet the current and future challenges it faces, working collaboratively across the wider public sector to underpin the development of a shared commitment and capacity to achieve improved outcomes for Cheltenham.

### Key Result Areas

#### 1. Corporate and Service Strategies and Planning

Working with the Leader of the council and elected members, lead the development of corporate and service delivery and commissioning strategies; the development of policies and plans; ensure that these are communicated effectively and implemented to meet the stated objectives and core values.

Act as the principal policy adviser to the elected members of the Council to enable them to make informed choices and decisions concerning the development of policies, options for their delivery, the resource implications and the allocation and reprioritisation of resources.

Act as the lead commissioner for the council within the 2020 Partnership Venture Commissioning Group ensuring that the policies delegated to the Joint Committee meet the needs of the council and that partnership venture services deliver to the expected service and performance standards.

Lead the Senior Leadership Team in the development and implementation of corporate policy, strategies and plans to deliver the Council's objectives.

Ensure the creative and innovative management or commissioning of all Council resources to enhance the Council's capacity and ability to achieve its objectives whilst identifying and resolving financial and other risks.

#### 2. Leadership and Partnerships

Ensure the citizens of Cheltenham receive well co-ordinated and effective services through effective commissioning arrangements.

Work with the senior teams across the 2020 partnership and the joint committee to ensure efficient and successful achievement of the 2020 partnership objectives.

Work with the senior teams across the County on the devolution agenda and explore possible further alternative delivery models such as a Combined Authority.

Contribute to the leadership of the council by communicating the vision, objectives and values; encouraging and enabling managers to motivate and inspire their teams to deliver high performance;

Together with other members of the Executive Board represent the Council at local, regional and national forums and at an individual level develop and maintain effective networks with relevant governance agencies and local MPs to ensure the needs of Cheltenham are known and understood.

Develop and maintain a culture of collaborative and consultative working between direct and commissioned services, members and partners to maximise efficiency and effectiveness.

### **3. Communication and Customer Focus**

Ensure that strategies, policies and systems are in place to inform and receive feedback (including complaints and suggestions) from service users, partners, stakeholders and employees; and evaluate that feedback and take appropriate action for continuous improvement.

Where services are commissioned, including those delivered by the 2020 partnership venture, ensure that a key requirement of service specifications or other agreements include for effective monitoring of customer feedback and complaint management.

Ensure that strategies, policies and systems are in place to communicate with and consult about the activities and priorities of the Council externally with the public and key partners.

Ensure that the reputation of the council is managed with the public, key partners and employees through the implementation of appropriate strategies, policies and systems.

Represent the Council at civic functions and act as an ambassador for the authority

### **4. Financial and Performance Management**

Promote a culture of strong financial management and of seeking out new ways of designing and delivering services to provide improved outcomes and increased value for money

Promote and champion performance management and ensure the council is able to deliver the agreed outcomes and value for money.

Lead the Senior Leadership Team to ensure that the council has sufficient resources to deliver its outcomes

### **5. People Management**

Lead, inspire, manage, motivate and develop the Senior Leadership Team to ensure that the Council can attract, motivate, reward, retain and develop a high calibre workforce

Maximise the capacity of the team to manage people, performance, programmes and change. Sustain and enhance the outward facing community and customer facing focus for the council.

Build a culture of collaborative working across services regardless of whether they are directly provided or commissioned, to ensure that the council's outcomes are delivered and that service integration is achieved and efficiency maximised.

### **6. Governance and Risk Management**

Ensure the effective governance of the council and the legality, probity, integrity, proper public accountability and scrutiny of its decision making processes.

Lead the overall management of risk within the council, ensuring that lines of accountability are clear and well understood and systems are in place for monitoring, evaluating and managing risk to secure the reputation and physical, virtual and intellectual resources of the council.

Support the council's response to a major incident, in conjunction with statutory partners across the council and with partner organisations, to foster the effective management of change and improvement in the delivery of services.

### **7. Programme and Change Management**

Lead and ensure appropriate engagement with relevant programmes and projects across the council and with partner organisations, to foster the effective management of change and improvement in the delivery of services.

### **Partners**

This list provides an example of key partners for the role, but it is not considered exhaustive:

Local Members of Parliament  
Central Government  
Gloucestershire County Council  
District Councils  
Parish Councils  
University of Gloucestershire  
Leadership Gloucestershire  
Cheltenham Partnership  
Police and Crime Commissioner  
2020 Joint Committee  
Chamber of Commerce and Federation of Small Businesses  
Cheltenham Borough Homes  
Fire and Rescue Service  
Voluntary sector  
Gloucester Cathedral (Dean and Chapter)  
Trade Unions  
NHS – Clinical Commissioning Group, Acute Trusts, Mental Health Trust

## Cheltenham Borough Council Council – 25<sup>th</sup> February 2016 Revision to Contract Rules

<b>Accountable member</b>	<b>Councillor Colin Hay - Chairman Constitution Working Group</b>
<b>Accountable officer</b>	<b>Mark Sheldon</b>
<b>Ward(s) affected</b>	<b>None</b>
<b>Key/Significant Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>At its meeting on 14<sup>th</sup> December 2015, the council approved an updated set of contract rules which was common to all 2020 vision partner councils.</p> <p>The contract rules included the requirement for a bond or a parent company guarantee for contracts over £1,000,000.00.</p> <p>In practice, the need for a bond or guarantee can be negated by holding back retention sums and making staged payments i.e. only for actual work that has been undertaken. Also, the requirement for a bond can be difficult and costly to obtain and it is not always necessary to obtain a bond in order to protect the council. As such, it is proposed that there is a revision to the Contract Rules to provide a practical and workable solution to the awarding of high value contracts which provides flexibility in the use of bonds/guarantees. This revision will allow the section 151 Officer, in consultation with the council's Solicitor, to decide that a bond/guarantee is not appropriate in the circumstances of a particular contract.</p>
<b>Recommendations</b>	<b>1. Contract rule 19.1 to be amended as per paragraph 1.5.</b>

<b>Financial implications</b>	<p>As outlined in the report.</p> <p>The use of bonds is not always considered an appropriate mechanism to protect the council and is often an unnecessary (expense) because the risk is small/acceptable for the reasons outlined in the report.</p> <p><b>Contact officer: Paul Jones, <a href="mailto:paul.jones@cheltenham.gov.uk">paul.jones@cheltenham.gov.uk</a>, 01242 775154</b></p>
<b>Legal implications</b>	<p>As outlined in the report</p> <p><b>Contact officer: Peter Lewis, <a href="mailto:peter.lewis@tewkesbury.gov.uk">peter.lewis@tewkesbury.gov.uk</a>, 01242</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>All staff will need to be trained and briefed on the new processes.</p> <p><b>Contact officer: Julie McCarthy, <a href="mailto:julie.mccarthy@cheltenham.gov.uk">julie.mccarthy@cheltenham.gov.uk</a>, 01242 264355</b></p>

<b>Key risks</b>	<b>See risk assessment at Appendix 1.</b>
<b>Corporate and community plan Implications</b>	None
<b>Environmental and climate change implications</b>	None arising from this report
<b>Property/Asset Implications</b>	None arising from this report

## 1 Background

- 1.1 At its meeting on 14th December 2015, the council approved an updated set of contract rules which was common to all 2020 vision partner councils.
- 1.2 The contract rules included the requirement for a bond or a parent company guarantee for contracts over £1,000,000.00.
- 1.3 In practice, the need for a bond is negated by holding back retention sums and making staged payments i.e. only for actual work that has been undertaken.
- 1.4 Insurance companies often only deal with large performance bond portfolios as opposed to one off cases and, as such, it is often problematic obtaining a bond for council contracts. So, the requirement for a bond, which can be difficult and costly to obtain, is not always considered to be a valuable mechanism to protect the council. As such, it is proposed that there is a revision to the contract rules to provide a practical and workable solution to the awarding of high value contracts which provides flexibility in the use of bonds.
- 1.5 As such, it is proposed that the current contract rule 19.1 which is currently worded as:

***Bonds or Parent Company Guarantee will be required on all works contracts above £1,000,000 or for a contract of a lesser value if considered appropriate by the Section 151 Officer following consultation with the council's Solicitor.***

Be reworded as follows:

***A Bond or Parent Company Guarantee will be required on all works contracts above £1,000,000 unless considered inappropriate by the Section 151 Officer following consultation with the council's Solicitor"***

- 1.6 The current discretion for the s151 Officer to determine whether or not a bond/guarantee should be provided for a contract of £1,000,000 or less in value will be retained.

## 2 Reasons for recommendations

- 2.1 As outlined above.

## 3 Alternative options considered

- 3.1 As outlined above

**4 Consultation and feedback**

4.1 The council's constitutional working group have been consulted on the proposal.

**5 Performance management – monitoring and review**

5.1 The GOSS client officer Group will be alerted to any issues with the application of the contract rules.

<b>Report author</b>	<b>Contact officer: Mark Sheldon, mark.sheldon @cheltenham.gov.uk, 01242 264123</b>
<b>Appendices</b>	1. Risk Assessment
<b>Background information</b>	1. Contract rules December 2015.

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
CR1	If the removal of the requirement for a bond for all high value contract is not mitigated by other contract management measures, there may be an increased financial risk exposure to the council	Mark Sheldon	15/2/16	5	2	10	Reduce	Ensure that sound contact management principles are applied i.e. use of retention sums and payment on account for works completed only.	On going	Paul Jones S151 Officer	
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – 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><b>Likelihood</b> – 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><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											