

# Notice of a Special meeting of Cabinet

## Tuesday, 29 March 2016 5.00 pm Pittville Room - Municipal Offices

| Membership   |  |  |  |  |  |
|--------------|--|--|--|--|--|
| Councillors: | Steve Jordan, John Rawson, Rowena Hay, Peter Jeffries, |  |  |  |  |
|              | Andrew McKinlay, Jon Walklett and Chris Coleman        |  |  |  |  |

# Agenda

|    | SECTION 1 : PROCEDURAL MATTERS  |                    |
|----|---|--------------------|
| 1. | APOLOGIES   |                    |
| 2. | DECLARATIONS OF INTEREST  |                    |
| 3. | MINUTES OF THE LAST MEETING<br>Minutes of the meeting held on 8 March 2016.   | (Pages<br>3 - 10)  |
| 4. | PUBLIC AND MEMBER QUESTIONS AND PETITIONS           These must be received no later than 12 noon on the fourth working day before the date of the meeting |                    |
|    | SECTION 2 :THE COUNCIL<br>There are no matters referred to the Cabinet by the Council<br>on this occasion   |                    |
|    | SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE<br>There are no matters referred to the Cabinet by the<br>Overview and Scrutiny Committee on this occasion    |                    |
|    | SECTION 4 : OTHER COMMITTEES<br>There are no matters referred to the Cabinet by other<br>Committees on this occasion                                      |                    |
|    | SECTION 5 : REPORTS FROM CABINET MEMBERS<br>AND/OR OFFICERS   |                    |
| 5. | ASSET MANAGEMENT PLAN 2016/17 - 2020/21<br>Report of the Cabinet Member Finance   | (Pages<br>11 - 48) |
|    |   |                    |

|    | SECTION 6 : BRIEFING SESSION     Leader and Cabinet Members   |  |
|----|---|--|
| 6. | BRIEFING FROM CABINET MEMBERS   |  |
|    | SECTION 7 : DECISIONS OF CABINET MEMBERS<br>Member decisions taken since the last Cabinet meeting   |  |
|    | SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER<br>DETERMINES TO BE URGENT AND REQUIRES A<br>DECISION |  |

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

# Agenda Item 3

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## Cabinet

## Tuesday, 8th March, 2016 6.00 - 6.45 pm

| Attendees           |  |  |  |  |
|---------------------|--|--|--|--|
| Councillors:        | , Steve Jordan (Leader of the Council), John Rawson (Cabinet<br>Member Finance), Rowena Hay (Cabinet Member Healthy<br>Lifestyles), Peter Jeffries (Cabinet Member Housing),<br>Andrew McKinlay (Cabinet Member Development and Safety),<br>Jon Walklett (Cabinet Member Corporate Services) and<br>Chris Coleman (Cabinet Member Clean and Green Environment) |  |  |  |
| Also in attendance: | Councillor Matt Babbage  |  |  |  |

## Minutes

- 1. APOLOGIES None.
- 2. DECLARATIONS OF INTEREST None.
- MINUTES OF THE LAST MEETING The minutes of the meeting held on 9 February 2016 were approved and signed as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS There were none.

#### 5. HOUSING REVENUE ACCOUNT NEW BUILD- GARAGE SITE REDEVELOPMENT

The Cabinet Member Housing introduced the report which sought approval to enter into a JCT Design and Build Contract with J Harper and Sons with Total Scheme Costs not to exceed £1,405,150. The scheme would deliver up to 8 new homes on three HRA garage sites. The scheme would provide 5 x 3 bed dwellings; 2 x 2 bed dwellings and 1 x 4 bed dwelling.

The Cabinet Member Housing reported that over the last five years more than 100 new council houses had been built providing much needed affordable homes in the town for which there was an expanding waiting list. This was a significant achievement.

The Cabinet Member Finance added that maximising the use of Right to Buy receipts was facilitating new build in the town by ensuring there was a positive impact on the HRA as quickly as possible.

Members noted the fact that the number of new social housing being built represented the highest level of provision in a generation which was a major achievement in the current economic and political circumstances. They commended the excellent consultation CBH had undertaken during the process of this particular scheme which was appreciated by ward councillors and residents. CBH and CBC officers as well as the Cabinet Member Finance were congratulated on their achievement of providing much needed housing in the town.

In summing up the Cabinet Member Housing thanked the Joint Programme Group which comprised CBC and CBH officers for its work.

The Leader noted that the report would be submitted to Council to approve the financial elements of the scheme.

#### **RESOLVED THAT**

- 1. Subject to subsequent Council approval, the Authority be authorised to accept the tender received from J Harper and Sons enter into a JCT Design and Build Contract for the construction of up to eight new dwellings with Total Scheme Costs not to exceed £1,405,150.
- 2. Authority be delegated to the Head of Property and Asset Management, in consultation with the Borough Solicitor to:

2.1. Conclude the JCT Design and Build contract with J Harper and Sons.

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

3. the Authority be authorised to charge Affordable Rents to the 2 and 3 bed properties at 80% of Market Rents and at 70% of Market Rents for the 4 bed dwelling.

Council be recommended to :

- 4. Authorise the allocation of up to £1,405,150 for the construction of eight new dwellings.
- 5. Note that the Total Scheme Costs of £1,405,150 (broken down in further detail in exempt appendix 3) will be funded by circa £420k of RTB receipts with the balance funded by the most appropriate combination of the other funding streams noted within the report this decision being delegated to the Section 151 Officer in accordance with Financial Rules B7 and B8.
- 6. Approves the Authority sourcing loan finance of up to £1.0m from the Public Works Loan Board to be used for the construction of eight new dwellings.

#### 6. CREATING A NEW STRATEGIC APPROACH TO TOURISM

The Cabinet Member Healthy Lifestyles introduced the report and explained that Creative Tourist Consults had been commissioned by the council to develop a new strategic approach to tourism for the town. The key deliverable for the project was an outcomes proposition for Cheltenham's tourism offer behind which all key stakeholders could align, that would boost the tourism economy and provide clarity on how the council delivers the proposition and how the council will measure success and the impact on public value in its widest sense.

The Cabinet Member reported that consultation formed a large part of the evidence gathering and had included 1-2-1 interviews with a wide range of stakeholders. Workshops were held with the Cheltenham Tourism Partnership and Cabinet Member working group. She reported that Overview and Scrutiny had also considered the draft report and endorsed its recommendations and they had also received a presentation from Creative Tourist Consults.

The Cabinet Member Healthy Lifestyles explained that the outcomes proposition included an action plan with a large number of measures within which the consultants were recommending some priority actions. These were as set out in paragraph 4.1 of the report. She highlighted that the stakeholders on the Cheltenham Tourism Partnership were key to the delivery of the action plan and their priorities moving forward were laid down in 4.3 of the report.

In conclusion the Cabinet Member welcomed the new and clear strategic evidence based approach which recognised the importance of tourism in its broadest sense to Cheltenham's economy and residents. It was imperative that in moving forward links were made to the corporate plan, the Athey report and the BID to ensure the council's activity was complementary and cohesive. She explained over the coming months the Managing Director Place and Economic Development would use these recommendations and action plan to work up a more detailed work plan with timescales and performance indicators that would be brought back to scrutiny and Cabinet for monitoring and review in October 2016.

Finally, the Cabinet Member gave thanks to all those who had contributed to the document, members, stakeholders, the commissioning group, Creative Tourist Consults and Gill Morris, Client Officer.

Members believed the strategy provided a focused message and a programme of marketing to target the right offers to the right people. It was a good basis to go forward and linked tourism with retail.

The Leader highlighted that in his Cabinet economic development role he had worked together with The Cabinet Member Healthy Lifestyles on the strategy and it was important that a strong base was built. Alongside the strategy ran the BID which would generate more investment in the town. He added that the LEP had agreed to look at the strategy in more detail going forward and would feedback in due course.

#### **RESOLVED THAT**

- 1. the consultant's report be accepted
- 2. authority be delegated to the Managing Director, Place & Economic Development to further consider the delivery plan and the proposed delivery mechanism in consultation with the Cabinet Member Healthy Lifestyles
- 3. authority be delegated to the Managing Director, Place & Economic Development to consider, in consultation with the Cabinet Member Healthy Lifestyles, how the £50,000 funding set aside to support strategic tourism should be allocated

#### 7. CORPORATE STRATEGY 2016-17

The Leader introduced the draft corporate strategy which was due to be considered by Council on 4 April 2016. He reminded Members that the strategy was developed in parallel with the budget. He wished to thank both officers and Members for their input including the Overview and Scrutiny committee which had considered the report at its last meeting and whose suggestions had been fully incorporated into the draft strategy.

The Leader commented that consideration was always given as to whether there was adequate resource to undertake what was identified in the strategy. He highlighted the following :

- It was hoped that the JCS would be completed this year.
- The Business Improvement District process had been very positive; the council had supported this in terms of supporting the voting process
- The council was also driving the economic development and tourism strategy.
- New tranche of affordable housing.
- The Pittville Play area project was a positive enhancement of the town.

The Leader emphasised that this could not be achieved without the positive hard work of officers.

Members noted that key to the success of the strategy was working in partnership and the examples of the housing and homelessness strategy and the safeguarding strategy were given.

#### **RESOLVED THAT**

The draft corporate strategy 2016-17 be endorsed ahead of it going to full council for final approval.

## 8. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Clean and Green Environment informed Members of the following :

Draft minutes to be approved at the next meeting on Tuesday, 29 March 2016

- 1. Cemetery and Crematorium-work was continuing on this project and members of the cabinet member working group and officers had visited the cemetery and crematorium in Milton Keynes recently. He wished to put on record his thanks to the staff at Milton Keynes for their welcome.
- 2. Clean for the Queen initiative-activities had already commenced and he was grateful for the enthusiasm from community groups. Cheltenham had registered the weekend of 18-21 March for this initiative for which there would be press coverage.
- 3. Food Waste- at the last meeting of the Joint Waste Committee it was announced that Cheltenham had seen a 20% increase in take-up of the service following the targeted promotions in the 3<sup>rd</sup> quarter.

The Cabinet Member Housing announced that within the new build programme

there would be provision for veterans accommodation which was welcome

news.

The Leader noted that this was the last Cabinet meeting of Andrew North, Chief

Executive. On behalf of the Cabinet he thanked him for his support to him as

Leader and to the Cabinet as a whole over the last ten years.

# 9. CABINET MEMBER DECISIONS TAKEN SINCE THE LAST MEETING OF CABINET

The following decisions were reported to Cabinet :

| Cabinet Member     | Name of decision  |
|--------------------|---|
| Cabinet Member     | Public Art Budget                                       |
| Healthy Lifestyles | a) To release £6, 000 from the Public Art Budget to     |
|                    | commission a public art strategy                        |
|                    | b) To release £5,000 from the Public Art Budget to      |
|                    | establish a public art maintenance fund                 |
| Cabinet Member     | Acquisition of Land at 49 Clyde Crescent                |
| Finance            |   |
| Cabinet Member     | To appoint Nationwide Windows and Masterdor as          |
| Finance            | contractors to deliver a borough wide programme for the |
|                    | replacement of dwelling entrance doors                  |
| Cabinet Member     | To appoint Nationwide Windows and Wrekin Windows as     |
| Finance            | contractors to deliver a borough wide programme for the |
|                    | replacement of PVC-u windows and PVC-u doors where      |
|                    | required  |

#### **10. VIREMENT OF FUNDS TO PITTVILLE PARK PLAY AREA PROJECT**

In introducing this as an urgent item on the agenda the Leader explained that any delay to making the decision on the virement of funds to the Pittville Park Play Area Project would be likely to expose the council to financial loss and would prejudice the public interest in cost effective delivery of the scheme. To that end the Chair of Overview and Scrutiny had agreed that on this occasion call-in be disapplied in view of urgency. The Leader thanked the Chair of O&S for waiving this.

The Cabinet Member Clean and Green Environment introduced the report and explained that the Pittville Park Play Area Project was a major, ambitious scheme for the Council which would be more accessible for people of all ages and for those children with disabilities.

The Cabinet Member explained that there were two phases to the project with the council contributing up to £350 000 for Phase 1 with Phase 2 increasing the project value to £535 500. He said that visible progress was being made on site and public support for the project had been unprecedented throughout the process. The council was keen to progress the project which had received huge support from the Friends of Pittville in terms of fundraising and successful grant applications. He gave particular thanks to Adam Reynolds, Green Space Development Manager and his team for their significant contributions to date. As they were now approaching the second phase of works it was important that the contractors remained on site to complete the project within the desired timescales as a further closure of the park would not be desirable. In order to progress £99 500 comprising £37 500 from the council's play enhancement and green space operational budgets and £62 000 from Section 106 contributions required authorisation to be vired into the Pittville Project before a contract variance could be issued.

The Cabinet Member wished to put on record his thanks to the council's supplier EIBE. He had every confidence that they would deliver right from the outset. He also thanked the Green Space Development Manager and his team who had provided great leadership throughout the project.

Members supported the proposals and welcomed the unprecedented amount of public support for the scheme. They recognised that completing the works in full would be more cost effective as it would provide economies of scale and would enable the public to enjoy the new play area at the first possible opportunity. In terms of tourism they believed it would represent a destination in its own right and "fitted the bill" for families.

#### **RESOLVED THAT**

the virement of funds from Section 106 contributions (£62,000) and Parks & Gardens operational revenue budgets (£37,500) into the Pittville Play Area budget be approved and the variation to the contract with our supplier EIBE be approved.

Chairman

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# Agenda Item 5

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# Cheltenham Borough Council Cabinet – 29<sup>th</sup> March 2016 Council - 4<sup>th</sup> April 2016 Asset Management Plan 2016/17 – 2020/21

| Accountable member          | Cllr John Rawson, Cabinet Member for Finance  |  |  |  |  |
|-----------------------------|---|--|--|--|--|
| Accountable officer         | Mark Sheldon, Director of Resources   |  |  |  |  |
| Ward(s) affected            | All   |  |  |  |  |
| Key/Significant<br>Decision | Yes   |  |  |  |  |
| Executive summary           | The Council's current Asset Management Plan was due to expire in 2015.  |  |  |  |  |
|                             | The Council invited the Chartered Institute of Public Finance and<br>Accountancy (CIPFA) to review our approach to asset management in 2015<br>which resulted in a deferral of the production and approval of the<br>replacement Asset Management Plan so that we could pick up on CIPFA's<br>advice and suggestions. Instead the Council, at its meeting 31 <sup>st</sup> March<br>2015, approved an updated Asset Management Policy and revised terms of<br>reference for the Asset Management Working Group. |  |  |  |  |
|                             | Since then, the Council has been working on updating the Asset<br>Management Plan, responding to the observations and suggestions made<br>by CIPFA. The review has helped shape our approach to asset<br>management including the potential to grow the Council's property<br>investment portfolio to support the Medium Term Financial Strategy.   |  |  |  |  |
|                             | Accordingly, the updated Asset Management Plan and supporting appendices provide a policy framework and operational parameters for management of the Council's assets for the period 2016/17 to 2020/21.  |  |  |  |  |
| Recommendations             | Cabinet resolves to:  |  |  |  |  |
|                             | 1. Approve the Asset Management Plan and supporting<br>appendices A to K.   |  |  |  |  |
|                             | Cabinet recommends that Council:  |  |  |  |  |
|                             | 2. Approve the policies set out in the Asset Management Plan.   |  |  |  |  |
| Financial implications      | As outlined in the report and appendices. Delivery of the work plan will support the delivery of the savings and income targets in the Medium Term Financial Strategy.  |  |  |  |  |

| Legal implications   | It is essential to have a clear and robust Asset Management Plan in place,<br>in order for decision makers to have regard to such plan when exercising<br>decision making powers. Reference to such plan would be made in the<br>event that a decision by the Authority is challenged.   |  |  |  |  |  |
|--|--|--|--|--|--|--|
|  | The Council has a general duty to act prudently in managing its property<br>portfolio, and must bear in mind the fact that property values may drop,<br>ageing properties will require increasing maintenance, and that financial<br>downturns may result in untenanted properties which still require upkeep.<br>As landlords (whether residential or commercial) it will have duties towards<br>its tenants and visitors to the properties to ensure that the properties are in<br>a safe condition (whether or not the tenants contribute towards the upkeep<br>of the properties). |  |  |  |  |  |
|  | Although it is unlikely that any subsidy to a Third Sector tenant would<br>exceed EU threshholds, the Council must also be alert to the possibility<br>that attempting to influence the third sector organisation's service provision<br>by making the subsidy subject to detailed conditions in respect of such<br>provision, could lead to the interpretation in procurement terms that the<br>third sector is, in fact, providing that service on behalf of the Council.  |  |  |  |  |  |
|  | Contact officer: Rose Gemmell , rose.gemmell@tewkesbury.gov.uk, 01684 272014   |  |  |  |  |  |
| HR implications<br>(including learning and<br>organisational<br>development) | The HR implications of the AMP have yet to be determined. The resourcing implications are assessed by project managers for individual projects which are considered by SLT quarterly and taken on board in developing the Council's annual corporate plan. There may be a need for additional resource to support the delivery of the AMP and work plan over it's lifetime which will be assessed over the next few months and considered as part of the financial outturn in July 2016.   |  |  |  |  |  |
|  | Contact officer: Julie McCarthy, julie.mccarthy<br>@cheltenham.gov.uk, 01242 264355  |  |  |  |  |  |
| Key risks  | See Appendix 1   |  |  |  |  |  |
| Corporate and<br>community plan<br>Implications                              | The capital investment proposals for investment will be assessed against the outcomes in the corporate plan.   |  |  |  |  |  |
| Environmental and<br>climate change<br>implications                          | The environmental and climate change implications of the potential capital investment proposals for investment will be assessed in considering options.  |  |  |  |  |  |
| Property/Asset<br>Implications   | As outlined in the report and appendices.  |  |  |  |  |  |
|  | Contact officer: David Roberts, david.roberts @cheltenham.gov.uk   |  |  |  |  |  |
|  | 01242 264151   |  |  |  |  |  |
|  |  |  |  |  |  |  |

## 1. Background

- **1.1** The Council's current Asset Management Plan (AMP) was last amended in 2010 and therefore requires updating.
- **1.2** The Council invited the Chartered Institute of Public Finance and Accountancy (CIPFA) to review our approach to asset management in 2015 which resulted in a deferral of the production and approval of the replacement Asset Management Plan in 2015. Instead the Council, at its meeting 31st March 2015, approved an updated Asset Management Policy and revised terms of reference for the Asset Management Working Group (AMWG).
- **1.3** Since then, the Council has been working on updating the AMP responding to the observations and suggestions made by CIPFA. The review has helped shape our approach to asset management and also endorses officers' recommendations to grow the Council's investment property portfolio to support the Medium Term Financial Strategy (MTFS).
- **1.4** As a result, the AMP is now a higher level strategy document and much of the detail, required to support officers in undertaking their respective roles, has now been transferred into a Property Management Toolkit which will be published on the Council's intranet. This will be used to support a new Building Managers Liaison Group which will bring together officers from across the Council and its partner organisations e.g. Ubico and the Cheltenham Trust where, as leaseholders, they have day to day responsibilities for the management of certain council properties. The toolkit includes information on the role of property as Corporate Landlord; the building manager's role and responsibilities and Property Services delivery standards.

## 2. CIPFA Review

- 2.1 One of the key recommendations of the review was that the Council, rather than adopting a 'traditional' AMP, should consider approving an Asset Management Policy that sets out broad policies and principles, supplemented by an Asset Management Strategy or Work Plan that sets out the overall strategic direction for the property portfolio and provides 'more life, direction and purpose'.
- 2.2 CIPFA noted the engagement of members in the AMWG in considering property issues. They suggested this group could do more to challenge the portfolio and its performance and make recommendations in respect of strategic direction for the management of the Council's assets. This was a helpful steer and consequently the terms of reference for the AMWG were revised to reflect this suggestion and agreed by the Council in March 2015. The terms of reference have now been revised to reflect the consideration of investment property proposals as outlined in section 5 below.
- **2.3** The CIPFA report will be considered by the AMWG who will monitor the actions arising from the review.

## 3. Capital Programme

- **3.1** As part of the budget setting process, the Council annually approves a Capital Programme.
- **3.2** The Council received £7.8m from the sale of North Place and Portland Street car parks in January 2014 and, with further capital receipts, had a total of circa £8m available to finance capital investment. This is a 'once in a lifetime' opportunity to deliver some significant projects for Cheltenham which make a contribution to the local economy and the Council's MTFS.
- **3.3** In July 2014, as part of the financial outturn report, the Council published a list of potential projects which could be funded / part funded from the North Place/Portland Street receipt. The total value of these projects significantly exceeded the funding available. Following consultation,

the Council agreed the allocation of this receipt at its meeting on 30<sup>th</sup> March 2015.

**3.4** A number of the projects approved in March 2015 are now progressing. However, in some cases the allocation of the money may require further review including the development of business cases. In these cases the funding may not be required for a number of years, which provides an opportunity in the meantime to use the capital receipt to achieve the Council's corporate objectives in other ways, e.g. through internal borrowing.

## 4. Asset Management Plan – Work Plan

**4.1** In updating the AMP, a Work Plan has been developed which indicates the areas of activity which will be progressed over the life of the AMP. CIPFA suggested the use of logic maps which essentially map how asset management activity meets corporate outcomes. This approach has been adopted in the production of the Work Plan.

## 5. Investment Property Portfolio

- **5.1** The Council currently holds a number of properties for investment purpose i.e. where the income from leases provides a valuable income stream which supports the revenue budget and MTFS. For example, the lease on Regent Arcade which generates £575k per annum.
- **5.2** Recent major property acquisitions have been made at least partially with a view to generating income for the Council. Delta Place was acquired as an income-generating investment as well as a potential new home for the Council. The former Shopfitters site in St George's Place was acquired for its medium to long term development potential. There may be other opportunities of a similar kind in the years ahead.
- **5.3** One of the key observations in the CIPFA review was that 'In response to cuts in core government funding an increasing number of local authorities are strategically expanding and/or developing a property investment portfolio that will provide an ongoing income stream independent of government funding'.
- **5.4** During 2015, officers visited Eastleigh Borough Council which has actively been increasing the size of its investment property portfolio. This is now very substantial and making a massive contribution to their annual budget. This provided a helpful steer in considering investment property acquisitions.
- **5.5** Officers have discussed this issue with the Council's auditors, Grant Thornton, who shared examples of investment property activity from councils across the country. They have also provided the following advice on the powers which the Council can use to make decisions to acquire investment properties and some guidance to support decision making.

**Legislative powers** – The main acts empowering local authorities to commercialise to generate an income for public service are the **Local Government Act 2003** and the **Localism Act 2011**, in terms of a General Power of Competence (GPC). The DCLG has previously set out guidance in this regard, in terms of <u>security / liquidity / yield</u>, in that order.

**Guidance** - The LGA too has issued <u>guidance</u> and developed a <u>microsite</u> setting out current and good practice, with case studies showcasing a variety of funding options and routes to market which may or may not require borrowing. Furthermore, the **Public Services (Social Value) Act 2012** also affords councils the power, and indeed responsibility, to consider wider public value aspects as a commissioner of products and services (e.g. living wage, local SME supplier and apprenticeships, environmental protection, etc.).

**Social value -** The Cabinet Office has also shared current and good practice with respect to social value, with case studies demonstrating why and how councils are striving to secure

<u>multiple outcomes</u> for the same spend through responsible procurement. Councils' interpretation and implementation of these powers differ however, according to their particular local constitution, socio-economic factors, size and strength of balance sheet, risk appetite, capacity and previous experience of Alternative Delivery Models (ADMs). This in turn will impact on the specific legal, regulatory, tax and procurement ramifications for a council's asset management and commercialisation plans (e.g. VAT, OJEU, and State Aid).

**5.6** In response to this guidance, the Cabinet Member for Finance and officers are proposing that the Council actively seeks to increase the size of its investment property portfolio to support the MTFS, using the process for decision making and parameters as set out in Appendix G of the AMP. This proposal is recommended for both Cabinet and Council approval.

#### 6. Reasons for recommendations

**6.1** The Council needs to agree an Asset Management Plan in order to ensure that property decisions support the delivery of the Council's corporate objectives and the allocation of resources.

#### 7. Alternative options considered.

7.1 No alternatives considered.

## 8. Consultation and feedback

8.1 The Asset Management Working Group has been consulted.

#### 9. Performance management – monitoring and review

**9.1** The AMWG will be used to monitor performance of the property portfolio.

| Report author          | Contact officer: Mark Sheldon, mark.sheldon<br>@cheltenham.gov.uk,                   |  |  |  |  |  |  |  |
|------------------------|--|--|--|--|--|--|--|--|
| 01242 264123           |  |  |  |  |  |  |  |  |
| Appendices             | <ol> <li>Risk Assessment</li> <li>Asset Management Plan 2016/17 – 2020/21</li> </ol> |  |  |  |  |  |  |  |
| Background information | 1. Asset Management Plan update – Council 31 <sup>st</sup> March 2015                |  |  |  |  |  |  |  |

# Risk Assessment

| The risk   |  |  | Original risk score<br>(impact x likelihood)  |   | Managing risk  |   |  |   |   |  |
|--|--|--|---|---|--|---|--|---|---|--|
| Risk description   | Risk<br>Owner  | Date raised  | Impact<br>1-5   | Likeli-<br>hood<br>1-6  | Score  | Control   | Action   | Deadline  | Responsible<br>officer  | Transferred to<br>risk register  |
| If the Council does not<br>agree an AMP, then it<br>may not direct resources<br>to deliver its corporate<br>objectives.  | Mark<br>Sheldon  | 8/3/16   | 4   | 3   | 12   |   | Approve the AMP and<br>allocate staffing<br>resources to support its<br>implementation.  | 31/3/2021   | David<br>Roberts  |  |
| If the Council does not<br>increase the size of its<br>investment property<br>portfolio, it may lose the<br>opportunity to make a<br>financial contribution<br>towards the MTFS. | Mark<br>Sheldon  | 8/3/16   | 4   | 3   | 12   |   | Approve the proposals<br>and parameters for<br>investment property<br>decisions.   | 31/3/2021   | David<br>Roberts  |  |
| If there is a recession<br>then there is a risk that<br>the rate of return and or<br>income flow could be<br>affected  | Mark<br>Sheldon  | 8/3/16   | 4   | 3   | 12   |   | Manage the risk by<br>being selective in the<br>type and nature of the<br>proposed acquisition.  | 31/3/2021   | David<br>Roberts  |  |
|  | Risk description<br>If the Council does not<br>agree an AMP, then it<br>may not direct resources<br>to deliver its corporate<br>objectives.<br>If the Council does not<br>increase the size of its<br>investment property<br>portfolio, it may lose the<br>opportunity to make a<br>financial contribution<br>towards the MTFS.<br>If there is a recession<br>then there is a risk that<br>the rate of return and or<br>income flow could be | Risk descriptionRisk<br>OwnerIf the Council does not<br>agree an AMP, then it<br>may not direct resources<br>to deliver its corporate<br>objectives.Mark<br>SheldonIf the Council does not<br>increase the size of its<br>investment property<br>portfolio, it may lose the<br>opportunity to make a<br>financial contribution<br>towards the MTFS.Mark<br>SheldonIf there is a recession<br>then there is a risk that<br>the rate of return and or<br>income flow could beMark<br>Sheldon | Risk descriptionRisk<br>OwnerDate raisedIf the Council does not<br>agree an AMP, then 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# ASSET MANAGEMENT PLAN

2016/17 to 2020/21

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## 1. Introduction to the Asset Management Plan

- 1.1 The Council, at its meeting on 30<sup>th</sup> March 2015, received an update on the development of its Asset Management Plan (AMP) which had been subject to an external review by the Chartered Institute of Public Finance and Accountancy (CIPFA). During the course of the past year, the CIPFA report has been finalised and officers, in consultation with the Cabinet Member for Finance, have responded to it by developing this AMP.
- 1.2 The Council owns a diverse range of land and property assets. The AMP sets out the Council's approach to the management of its asset portfolio over the next 5 year period (2016/17 2020/21). It outlines how it will use these assets to deliver services to the public, outcomes for the community and support the objectives in the corporate plan.
- 1.3 The AMP outlines the strategic aims and objectives for the portfolio, the intended actions to achieve the objectives and how performance is to be measured, and how, through selective investment, will aim to grow the portfolio to support operational aims and objectives.
- 1.4 The Council's strategic commissioning approach to public service delivery impacts on management of the property portfolio. The result of creating alternative delivery models is that the Council needs to work in partnership with organisations such as Ubico and the Cheltenham Trust in managing its assets as in many other aspects of its work.
- 1.5 The quality, condition, suitability and sustainability of the Council's operational assets have a direct bearing on the quality and deliverability of front line services. It is therefore important that these assets are fit for purpose, safe to work in and visit and managed in a proactive and efficient way in response to the changing requirements of our customers, staff and legislation. The AMP outlines the approach to planned maintenance and investment in the property portfolio.

#### 2. The Medium Term Financial Strategy

- 2.1 The Council is facing a challenging financial outlook as a result of the reducing government grant support and a shift towards rewarding councils for business and housing growth. The Medium Term Financial Strategy (MTFS) projects the Council's financial position over the period 2016/17 to 2019/20 currently estimates a funding gap of £4m. This, if the current budget strategy work streams are delivered, leaves an unresolved budget gap of £233k. However, much of the strategy for bridging the gap is built on target for growth.
- 2.2 In developing the AMP, the Council is seeking to improve the links to the MTFS. A key driver in developing the AMP is to ensure that the Council's assets make a positive contribution to the MTFS. Accordingly, various work steams are aimed at either reducing the cost of or increasing income from the asset portfolio.

#### 3. Other Current Challenges

- 3.1 There are a number of global, national and local challenges which influence the development of the AMP.
- 3.2 There is the need to improve the infrastructure and built environment, which has in some areas, become outdated, tired and worn, where investment would enhance council services and boost the local economy.
- 3.3 Technology continues to rapidly evolve, profoundly affecting many parts of our lives, especially the changing way we and our customers communicate access and transfer information. Investment in

technology will enable us to provide some services more efficiently and effectively, facilitate flexible working, support commissioning thereby deliver operational cost savings.

- 3.4 Energy is an increasingly scarce commodity and will become ever more expensive. This is linked to the wider concerns regarding climate change, to which our buildings are major contributors. There is an ongoing need to mitigate and adapt to climate change through careful investment aimed at reducing energy consumption.
- 3.5 Changing customer demand needs to be borne in mind in the AMP as the public's expectations of the quality and delivery of services evolve and demographic change resulting from an ageing and growing population drives up the overall demand for services.

## 4. The Corporate Business Plan

- 4.1 This important strategic document sets out the Council's key aims and objectives. The plan for 2016/17, to be approved by Council on 4<sup>th</sup> April 2016, identifies the following council wide objectives:
  - Environmental quality and heritage are protected, maintained and enhanced
  - Sustain and grow economic and cultural vitality
  - People live in strong, safe and healthy communities
  - Transform our Council so it can continue to enable delivery of our outcomes for Cheltenham and its residents.
- 4.2 The primary aim of the AMP is to align asset management with the delivery of the objectives in the corporate strategy.
- 4.3 The AMP needs to be considered in the context of other key documents, strategies and work streams, namely:
  - Capital Programme
  - Cheltenham's Sustainable Community Strategy
  - MTFS / Budget Strategy / Shared Services / Vision 2020 programme
  - Cheltenham Development Task Force Business Plan
  - Accommodation Strategy
  - Parking Strategy (in development)
  - ICT infrastructure upgrade strategy

#### 5. Asset Management Policy

5.1 The Council, at its meeting on 30<sup>th</sup> March 2015, approved an updated Asset Management Policy which supported our corporate plan objectives. This is an overarching statement which sets out the overall vision and policy objectives of the Council's property portfolio and is attached at Appendix A.

#### 6. Current Asset Base

6.1 The Council owns land, property, plant and equipment within the following asset categories and valuations as at 31st March 2015, as reported in the Annual Statement of Accounts 2014/15.

|                           | £000    |
|---------------------------|---------|
| Council dwellings         | 152,295 |
| Other land & buildings    | 122,302 |
| Infrastructure assets     | 11,146  |
| Community assets          | 226     |
| Surplus Assets            | 367     |
| Assets under construction | 484     |
| Total                     | 286,820 |

#### 6.2 General Fund Properties

General Fund properties include all those assets which are used to delivery council services supported by the General Fund i.e. government grant and council tax. These include:

**Community Assets -** those that are held for the benefit of the community that the Council intends to hold in perpetuity and has a determinable useful life e.g. Montpellier Gardens, Long Gardens Promenade, Pittville Park, Sandford Park etc.

**Infrastructure Assets** - property which will not be sold, transferred or assigned to another owner and includes properties such as Honeybourne Line, bridges and highway verges.

**Operational -** occupied by the Council to support the delivery and provision of services e.g. Municipal Buildings.

**The Cheltenham Trust Properties -** these support the delivery and provision of services now being delivered for the Council but by the Cheltenham Trust e.g. Town Hall and The Wilson

**Non Operational Properties -** properties in which the Council has legitimate ownership either freehold or leasehold and are not being used to meet or provide service needs (operational purposes). Such non-operational assets will include investment properties that are let to third parties to generate income and properties that are vacant and surplus to requirements e.g. Berkeley Mews (commercial) and Enterprise Way (industrial).

#### 6.3 Housing Revenue Account (HRA) Properties

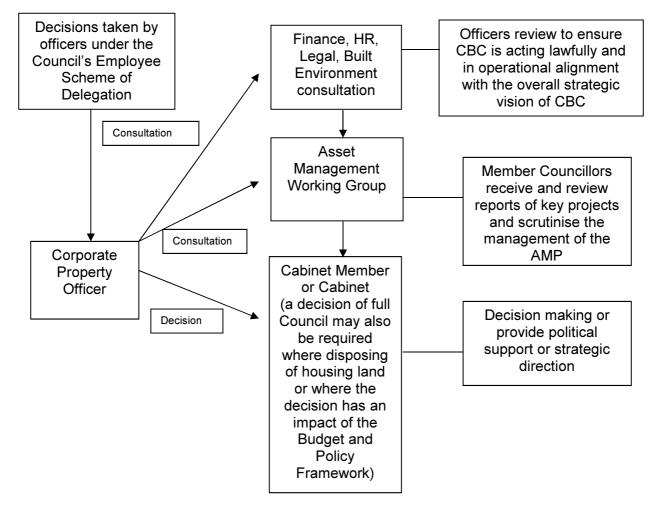
These are properties partly managed by the Council e.g. sub-let commercial properties beneath residential accommodation; and the housing stock managed by Cheltenham Borough Homes (arm's length management organisation) financed through the ring fenced Housing Revenue Account.

#### 7. Corporate Approach to Asset Management

#### **Strategic Management**

- 7.1 Councillors have a key role in ensuring local services meet the needs of their constituents. The AMP is approved by Council and sets out the policy and framework within which the Cabinet make decisions and officers manage assets.
- 7.2 The Head of Property and Asset Management fulfils the role of Corporate Property Officer (CPO) providing strategic advice on property related issues.
- 7.3 The decision process is set out in the constitution and the related delegated powers, where essentially:

- Decisions for property values up to £250,000 are delegated to the Cabinet Member for Finance
- Decisions for property values over £250,000 are delegated to the Cabinet
- Decisions where disposing of housing land or where the decision has an impact on the Budget and Policy Framework may be required from Full Council.
- 7.4 The Council's property assets are under continual review to ensure that they continue to support the corporate plan and objectives. A diagrammatical representation of the strategic asset management review process is contained at Appendix B.
- 7.5 Officers have developed an Asset Management Plan Work Plan which sets out the specific programme of activity which will deliver the overarching AMP. This is attached at Appendix C.
- 7.6 Asset Management Working Group (AMWG) serves to provide Council Member consultation and engagement prior to decision making. The terms of reference for the AMWG, which were revised by the Council in March 2015 in response to the CIPFA review report, are set out in Appendix D. They have now been further revised to reflect recent council restructuring and to widen the remit to consider property investment proposals.
- 7.7 The following flow chart documents the decision making process for considering asset management issues.



#### Asset Management decision making flow chart

## 8. Roles and Responsibilities

8.1 Given the significant changes in the delivery models now used by the Council to deliver services, in updating the AMP, a new Property Management Toolkit has been developed which sets out roles and responsibilities (including services standards) for the management of assets. The following principles and approach apply throughout.

#### 8.2 Corporate landlord

Property Services act as the Corporate Landlord for the Council's operational space which places responsibility with the property department for the following:

- Strategic as well as day to day management of property portfolio including management / utilisation of special requirements
- Arranging repairs / maintenance/refurbishments and development opportunities
- All landlord and tenant related matters
- Renewing leases
- Carrying out rent reviews
- Responsibility for all property budgets
- Gathering and maintaining data on the portfolio
- Support for key capital projects.

This enables greater utilisation of the property assets, realising property management efficiencies and aids the delivery of more efficient services.

- 8.3 The property team aim to deliver the services in accordance to the service development charter set out in the Property Management Toolkit.
- 8.4 Property Services also provide the following professional services for CBH, which manages the Council's residential dwellings.
  - Right to buy valuations
  - Cyclical valuation of residential portfolio
  - Property advice where common interest and projects
  - CBC client for new build proposals.

#### **Operational Management (internally managed assets)**

- 8.5 In the corporate landlord model, service departments effectively become corporate tenants who will liaise with property services with regard to their spatial needs justified by a business case where necessary.
- 8.6 The operational building manager's role is:
  - Day to day security of building
  - Ensure health and safety of building is maintained and remains operational
  - Act as local liaison for property services.
- 8.7 The Council's building operational management policy and the building/ operational managers' specific responsibilities are set out in Property Management Toolkit.

## 9. Third Party Lettings Policy

- 9.1 The Council has a number of buildings / assets which are let commercially e.g. the Everyman Theatre, shops, business premises. The property management and repairing responsibilities of the third party are set out in the respective leases.
- 9.2 In the case of The Cheltenham Trust, the Council's responsibilities are set out in the relevant Leases, Property Services Service Level Agreement including key performance indicators.
- 9.3 Other properties are let for voluntary / Third Sector purposes. The policy for assessing applications for rent reductions is currently being reviewed with the intention of reporting to Cabinet in late summer 2016. However the current policy is included at Appendix E.

#### 10. Disposals Policy

10.1 The policy applied in the disposal of assets is set out in Appendix F.

#### 11. Investment Property Portfolio

- 11.1 The Council has a portfolio which includes the Regent Arcade lease, business and industrial units. The CIPFA review commented that 'An increasing number of local authorities are exploring the opportunities that property investment (whether direct or indirect) could bring and some have already started to acquire such assets'.
- 11.2 Investing in assets for operational purposes can provide opportunities that support corporate objectives as well as a beneficial return to support the MTFS. It is vital to ensure that the right balance is achieved between sustainable investment management and other uses of the Council's assets.
- 11.3 If this can be achieved then the Council will deliver better outcomes, reduce/eradicate costly delivery failures, increase the effectiveness of staff and improve public satisfaction with its performance. The strategy for property investment decisions seeks to:
  - Identify opportunities for investment to support operational need
  - Identify regeneration opportunities for the town
  - Achieve a positive contribution to the MTFS through long term income growth and a competitive return on investment
  - Ensure investment is coordinated and meets prudential borrowing criteria or can be afforded with council resources
  - Ensure that the intended benefits are realised through sound and effective monitoring.

The policy, parameters and decision making process for developing the investment property portfolio is set out in Appendix G

#### 12. Capital Programme

12.1 The Capital Programme is agreed by the Council annually as part of its budget setting process. The aim of the Capital Programme is to direct and link investment decisions to the delivery of the objectives as set out in the AMP which is linked to the Corporate Strategy.

- 12.2 This programme sets out how the Council will allocate and manage capital investment into public realm works, civic buildings and sustainable energy activity.
- 12.3 Despite the challenging financial climate, there is a need to commit to investment to meet the Council's aspirations and the town's long-term requirements. Substantial investment in the town has now been made possible through the receipts realised through disposals like that of North Place and Portland Street car parks and other surplus assets, supported where necessary by affordable prudential borrowing.
- 12.4 The primary objective of the Capital Programme is to identify priorities for investment and outline how the Council will manage, finance and allocate the necessary resources.
- 12.6 The Capital Programme sets out how investment is funded from the following sources:-
  - Capital receipts: Selective disposals of surplus land and buildings to be reinvested into the capital programme.
  - Prudential Borrowing: Use of prudential borrowing within strict limits and linked to revenue savings where there is a sound business case which results in a positive contribution to the MTFS.
  - External fundraising: Leverage of inward investment from private and public sources e.g. pump priming to facilitate external fundraising by The Cheltenham Trust.
  - Alternative Sources: Bidding or applying for funding from government and other agencies.
  - New Homes Bonus: Potential use of this funding stream to support one off capital investment.
  - Section 106 Planning Contributions: Use of private sector developers contributions to fund essential infrastructure.
  - Joint ventures: Levering in of private sector investment for redevelopment / investment using council assets in order to secure a future income stream or net increase in capital value.

#### 13. Capital Investment Decision-Making Process and Assessment Criteria

- 13.1 Annually service managers bid for funds using a Project Assessment Tool (PAT) process which will outline individual business cases and funding proposals.
- 13.2 Given the scarcity of resources, funding needs to be allocated to highest priority projects for which there is a sound business case based on the following principles:
  - The investment is necessary to deliver the corporate objectives
  - The project has been justified as the best way of delivering corporate priorities, where necessary following an option appraisal
  - There is no alternative funding source available
- 13.3 The scoring criteria and assessment process is outlined in Appendix H. The bids for funding are scored according to the criteria and the results are provided to the Cabinet to support the decision-making process.

#### 14. Planned Maintenance Programme

14.1 The Council's 10 year maintenance programme is funded from the Planned Maintenance Reserve and is used to fulfil the following overarching policy outcome:

'Maintain the property portfolio to a good standard and to invest in key public buildings in order to improve the customer access and experience'.

- 14.2 The planned maintenance policy is at Appendix I
- 14.3 The programme includes key cyclical investment required to repair, maintain or replace existing infrastructure including replacing cremators, boilers, electrical and mechanical updating, catering equipment replacement, re-surfacing and lighting replacement in the car parks. A review of the programme is undertaken annually as part of the budget setting process.
- 14.4 The programme includes the following types of expenditure:
  - Planned cyclical, programmed maintenance work for buildings based on regular condition surveys
  - Routine includes electrical and mechanical installation service contracts for the maintenance of infrastructure e.g. security/fire alarms and lifts
  - Reactive emergency/ adhoc / unplanned expenditure

#### 15. Monitoring the AMP

- 15.1 The property team has developed a monitoring process to measure the delivery of outcomes (financial and performance) against property objectives / outcomes. The performance indicators and targets they have adopted are contained in Appendix J.
- 15.2 Information about the property portfolio will be published in order to address the Government's drive for greater transparency, as outlined in Appendix K.

#### 16. Cheltenham Borough Homes (CBH)

- 16.1 Cheltenham Borough Homes is an ALMO (Arms Length Management Organisation), a wholly owned subsidiary of Cheltenham Borough Council. Its principal objectives are to manage, maintain, improve and refurbish the housing stock owned by Cheltenham Borough Council. In addition CBH provides a range of services and advice to residents of the housing stock, particularly vulnerable residents.
- 16.2 Delivering new affordable housing through the provision of new build is a key strategic priority for the Council, and this is being delivered in partnership with Cheltenham Borough Homes. The strategic housing market assessment calculates the need for 136 new affordable homes to be provided each year over the plan of the Joint Core Strategy up to 2031.
- 16.3 The Council is currently increasing the provision of new affordable housing mainly through regeneration of a number of council-owned garage sites and other council-owned brownfield site opportunities, though in the future as council owned sites begin to diminish we will consider increasing our affordable housing provision by acquiring affordable housing from s.106 sites. We will also explore the potential for redevelopment of the non-traditional stock of affordable housing, where it is appropriate and financially viable to do so.

## Appendix A

## Cheltenham Borough Council - Asset Management Policy

Our vision for the Council's Asset Portfolio is:

#### 'A fit for purpose property portfolio which drives delivery of our corporate vision and outcomes'

## ASSET MANAGEMENT POLICY

Our specific asset management policy objectives are:

# 1. To use our assets to sustain and grow Cheltenham's economic and cultural vitality and make a positive contribution to people's lives.

- To invest in quality, public realm renewal (supported by the Cheltenham Development Task Force) in order to improve the street scene, attract business and remain economically competitive.
- To use our own investment programme to encourage and promote private sector infrastructure investment and lever in other funding in order to strengthen the local economy and the town's cultural offer.
- Wherever possible, to bring forward council owned sites for development to help businesses set up, invest and create employment in the town.

#### 2. To maintain a 'fit for purpose' property portfolio to support service delivery

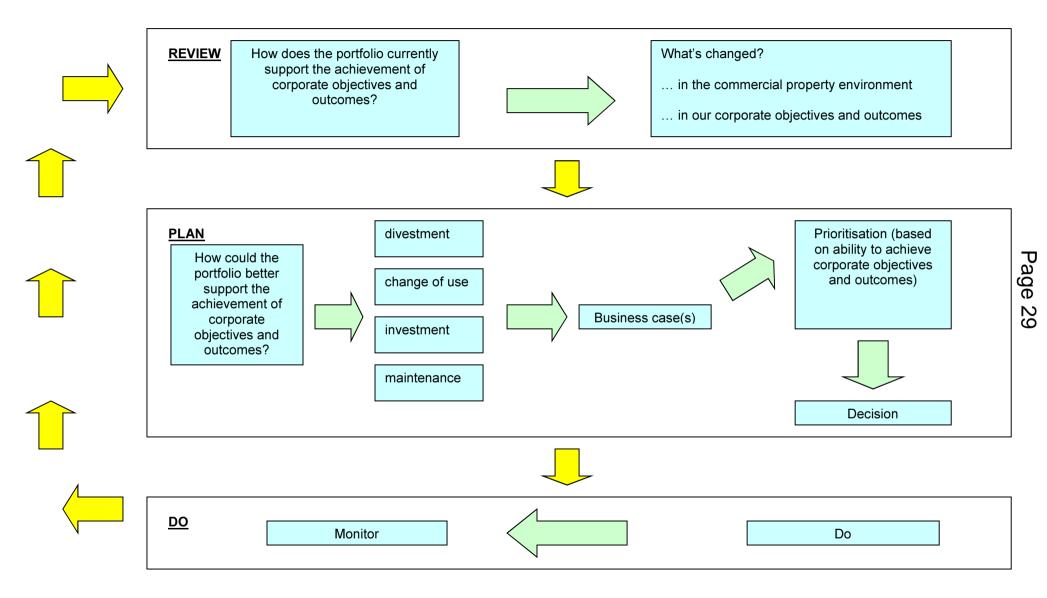
- To provide specialist property support and advice where appropriate to facilitate and improve service delivery, by implementing the corporate landlord model.
- To minimise the environmental impact of the portfolio, particularly water and energy use and the associated level of greenhouse gas emissions.
- To maintain the portfolio to a standard that complies with current legislation in particular, health and safety and to ensure that buildings are fit for purpose, sustainable and provide access for all members of the community, through our planned, routine and reactive maintenance programmes.

#### 3. To make a positive contribution to the Council's financial position.

- To optimise the utilisation and rationalisation of property assets, thereby minimising the level of void and surplus property and associated maintenance spend.
- To optimise growth and regeneration opportunities through the release of surplus sites.
- To realise capital receipts from disposal of surplus property, where option appraisals demonstrate that retention is unviable or less financially attractive than alternative options.
- To optimise the rental income of existing non-operational investment properties, while also seeking opportunities to grow rental income through selective property investment.

- To minimise the management costs associated with holding property assets.
- To plan for the current and future spending on the portfolio.
- To demonstrate value for money in the management and maintenance of the portfolio, supported by effective procurement.
- To work with partners and other public bodies to ensure that the shared use of assets is explored and optimised wherever possible using a joined up approach to service delivery to improve outcomes for our customers and communities which will reduce property costs, generate income and better value for money.
- To explore opportunities to manage the portfolio differently where properties are performing poorly.
- To work closely with Cheltenham Borough Homes to refurbish properties, regenerate neighbourhoods and deliver new and affordable housing.
- To regularly review the Third Sector policy.

# STRATEGIC ASSET MANAGEMENT REVIEW CYCLE



#### ASSET MANAGEMENT PLAN – WORK PLAN

## Appendix C

|                             |   | Strategic Asset Management work plan   |  |   |   |   |
|-----------------------------|---|--|--|---|---|---|
| Property/Key<br>Commitments | Outcome   | Action   | Risks/ Other<br>Issues   | Time scale  | Responsible<br>Officers   | Impact  |
| Parks and Green<br>Space    | Protection of<br>Cheltenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.<br>Building fabric is<br>maintained in good<br>condition | Cheltenham has a long established green heritage, the town<br>parks, gardens and tree lined avenues being recognised<br>nationally as some of the best in the country.<br>The Council's stated vision for green space is ' working<br>together to ensure a comprehensive network of attractive,<br>valued and well used, locally distinct green spaces, that are<br>accessible, safe and welcoming, which meet the existing and<br>future needs of the community, enhance biodiversity and are<br>managed sustainably to reduce our impact on climate change'.<br>The protection and maintenance of the Boroughs historic<br>green spaces, sites of special scientific interest, ancient<br>woodlands, local nature reserves and other designated sites<br>will help support the delivery of Civic Pride.<br>There will be close liaison with the Green Environment Team<br>to support their objective of retaining and protecting the<br>Boroughs historic green spaces in addition to identifying and<br>reviewing other low quality/value spaces for potential upgrade,<br>redevelopment or disposal opportunities.<br>Continual review of 10 year planned maintenance programme.<br>Investment in the portfolio through the implementation of<br>works in accordance with the 10 year planned, reactive and<br>routine maintenance programmes. | Difficult to fund<br>maintenance and<br>presumption<br>against disposal<br>(1) Potential<br>impact on use and<br>damage to the<br>Council's<br>reputation if not<br>implemented.<br>(2) Pressures on   | Ongoing   | MD Economic<br>Development<br>& Place<br>Head of<br>Property  | <ol> <li>(1) On-going planned maintenance costs.</li> <li>(2) Potential future capital receipt, from<br/>disposal of low quality/value green space.</li> <li>(3) Meets corporate objective in maintaining<br/>and enhancing environmental quality and<br/>heritage</li> <li>(4) Potentially enables CBC to influence<br/>environs and place shape.</li> <li>(1) Funding via the property maintenance<br/>repairs and renewals reserve.</li> <li>(2) Minimal impact on service delivery</li> <li>(3) Maintains and enhances environmental<br/>quality and heritage</li> </ol>  |
| All property                |   |  | the annual budget<br>to fund the<br>programme hence<br>potential impact on<br>the MTFS.  |   |   | (4) More effective and efficient use of resource and finance.   |
| All property                | Environmental benefits.<br>Reduction in Carbon<br>Footprint.  | Continue to explore the investment and implementation of<br>energy efficiency measures leading to the reduction of carbon<br>emissions to Operational Space and seek to achieve lower<br>energy costs.   | Cost of<br>implementation  | Ongoing   | Head of<br>Property   | <ol> <li>Potential operational cost savings,<br/>thereby contributing to the MTFS.</li> <li>Need for capital investment to realise<br/>savings</li> <li>Potentially enables CBC to influence</li> </ol>   |
|                             | Commitments Parks and Green Space All property  | Commitments       Protection of<br>Cheltenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.         Parks and Green<br>Space       Building fabric is<br>maintained in good<br>condition         All property       Environmental benefits.<br>Reduction in Carbon<br>Footprint.  | Property/Key<br>Commitments         Outcome         Action           Protection of<br>Cheltenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.         Cheltenham has a long established green heritage, the town<br>parks, gardens and tree lined avenues being recognised<br>nationally as some of the best in the country.<br>The Council's stated vision for green space is 'working<br>together to ensure a comprehensive network of attractive,<br>valued and well used, locally distinct green spaces, that are<br>accessible, safe and welcoming, which meet the existing and<br>future needs of the community, enhance to ensure a comprehensive network of attractive,<br>valued and well used, locally distinct green spaces, that are<br>accessible, safe and welcoming, which meet the existing and<br>future needs of the comoughs historic<br>green spaces, sites of special scientific interest, ancient<br>woodlands, local nature reserves and other designated sites<br>will help support the delivery of Civic Pride.<br>There will be close liaison with the Green Environment Team<br>to support their objective of retaining and protecting the<br>Boroughs historic green spaces in addition to identifying and<br>redevelopment or disposal opportunities.<br>Continual review of 10 year planned maintenance programme.<br>Investment in the portfolio through the implementation of<br>works in accordance with the 10 year planned, reactive and<br>routine maintenance programmes.           All property         Environmental benefits.<br>Reduction in Carbon<br>Footprint.         Continue to explore the investment and implementation of<br>energy efficiency measures leading to the reduction of carbon<br>emissions to Operational Space and seek to achieve lower | Property/Key<br>Commitments         Outcome         Action         Risks/ Other<br>Issues           Protection of<br>Cheltenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.         Cheltenham has a long established green heritage, the town<br>Cheltenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.         Cheltenham has a long established green heritage, the town<br>council's stated vision for green spaces is 'working<br>together to ensure a comprehensive network of attractive,<br>valued and well used, locally distinct green spaces. That are<br>and future needs of the community, enhance biodiversity and are<br>managed sustainably to reduce our impact on climate change.<br>The protection and maintenance of the Boroughs historic<br>green spaces, sites of special scientific interest.<br>There will be close liaison with the Green Environment Team<br>to support their objective of retaining and protecting the<br>Boroughs historic green spaces in addition to identifying and<br>reviewing other low quality/value spaces for potential upgrade,<br>redevelopment or disposal opportunities.         (1) Potential<br>impact on use and<br>damage to the<br>Council's maintenance programme.           All property         Building fabric is<br>maintained in good<br>condition.         Continual review of 10 year planned, reactive and<br>routine maintenance programmes.         (2) Pressures on<br>the annual budget<br>to fund the<br>programme hence<br>potential impact on use and<br>energy efficiency measures leading to the reduction of carbon<br>Footprint.         Cost of<br>implementation of<br>condition in Carbon<br>Footprint. | Property/Key<br>Commitments         Outcome         Action         Risks/ Other<br>Issues         Time scale           Property/Key<br>Commitments         Protection of<br>Cheltenham's long<br>established green<br>heritage. Opportunity of<br>explore alternative uses<br>on low quality, low value<br>sites.         Cheltenham has a long established green heritage, the town<br>parks, gardens and tree lined avenues being recognised<br>nationally as some of the best in the country.<br>The Council's stated vision for green spaces is 'working<br>together to ensure a comprehensive network of attractive,<br>valued and well used, locally distinct green spaces, hat are<br>accessible, safe and welcoming, which meet the existing and<br>future needs of the community, enhance biodiversity and are<br>managed sustainably to reduce our impact on climate change'.<br>The protection and maintenance of the Boroughs historic<br>green spaces, sites of special scientific interest, ancient<br>woodlands, local nature reserves and other designated sites<br>will help support the dively of Civic Pride.         (1) Potential<br>minage to the<br>Boroughs historic green spaces in aduitor to identifying and<br>reviewing other low quality/value spaces for potential upgrade,<br>redevelopment or disposal opportunities.         (1) Potential<br>(1) Potential<br>minage to the<br>Council's<br>reputation if not<br>minipemented.<br>(2) Pressures on<br>the MTFS.         Ongoing<br>minipact on use and<br>damage to the<br>Council's<br>reputation if not<br>minipemented.<br>(2) Pressures on<br>the MTFS.         Ongoing<br>minipact on use and<br>damage to the<br>Council's<br>reputation if not<br>minipemented.<br>(2) Pressures on<br>the MTFS.         Ongoing<br>minipact on use and<br>damage to the<br>council's<br>reputation if not<br>minipemented. | Property/Key<br>Commitments         Outcome         Action         Risks/Other<br>Issues         Time scale         Responsible<br>Officers           Property/Key<br>Commitments         Protection of<br>Cheftenham's long<br>established green<br>heritage. Opportunity to<br>explore alternative uses<br>on low quality, low value<br>sites.         Cheftenham has a long established green heritage, the town<br>parks, gardens and tree lined avenues being recognised<br>nationally as some of the best in the country.<br>The Council's stated vision for green spaces is 'working<br>bageinst disposal         Difficult to fund<br>maintenance and<br>presumption<br>against disposal         Ongoing         MD Economic<br>Buevelopment<br>& Place           Parks and Green<br>Space         Building fabric is<br>maintaned of the computity, enhance biodiversity and are<br>future needs of the community, enhance biodiversity and<br>receives and offer designated sites<br>will help support the delivery of Cluce Pride.         (1) Potential<br>impact on use and<br>damage to the<br>Continual review of 10 year planned maintenance programme.<br>Investment in the portfolio through the implementation of<br>works in accordance with the Oyaer planned maintenance programme.<br>Investment in the portfolio through the implementation of<br>works in accordance with the 10 year planned, reactive and<br>routine maintenance programmes.         (1) Potential<br>impact on use and<br>damage to the<br>Council's reputation if not<br>implemented.<br>(2) Pressures on<br>the annual budget<br>to fund the<br>programme hence<br>potential impact on<br>the MTFS.         Ongoing<br>Head of<br>Property           All property         Environmental benefits.<br>Reduction in Cathon<br>Fooprint.         Continue to explore the investment and implementation of<br>contention of potential<br>programe hence<br>potentalimpact on<br>the MTFS.         Ongoing<br>Head of<br>Property </td |

| Corporate<br>Objective                                       | Property/Key<br>Commitments | Outcome  | Action   | Risks/ Other<br>Issues                          | Time scale | Responsible<br>Officers  | Impact   |
|--|-----------------------------|--|--|---|------------|--|--|
| Objective  | Development<br>Task Force   | <ul> <li>(1) Revitalise key streets<br/>and spaces for the benefit<br/>of the whole community.</li> <li>(2) Maintain and grow a<br/>varied competitive<br/>economic base.</li> <li>(3) Improve retail offering<br/>and ranking.</li> <li>(4) Growth in business<br/>rates income to support<br/>MTFS.</li> </ul> | Support the town's economic strength and sustainable<br>development by investing in revitalising key streets and<br>spaces for the benefit of the whole community whilst<br>recognising and supporting the need to maintain / grow a<br>varied competitive economic base.<br>Through proactive management of the property portfolio and<br>identified development sites, the Council intends to realise<br>much needed capital to help kick start important town centre<br>initiatives, which are underpinned by an Urban Design<br>Framework in the form of adopted supplementary planning<br>guidance.<br>Activities will include (1) Reviewing / rationalising car parking<br>consistent with the towns commercial and environmental<br>needs. (2) Promoting high quality physical linkages between<br>both existing / new development areas. (3) Seeking<br>opportunities to strengthen existing greenscape and<br>biodiversity. (4) Reusing key buildings sensitively and<br>redefining core assets e.g. High Street and Royal Well to<br>provide a distinct identity. (5) Promoting sustainable residential<br>and community housing provision against identified need. (6)<br>Promoting employment opportunities. | Value of Council<br>owned<br>development sites. | Ongoing    | MD<br>Development<br>Task Force.<br>MD Economic<br>Development<br>and Place<br>and Head of<br>Property | <ul> <li>(1) On capital reserve.</li> <li>(2) Should encourage further outside<br/>investment in the town and aid further<br/>economic growth</li> <li>(3) ) Potentially enables CBC to influence<br/>environs and place shape</li> </ul>  |
| Sustain and<br>grow<br>economic<br>and cultural<br>vitality. | Car Parks                   | Positive social,<br>economic/environmental<br>outcomes.  | Undertake a strategic review in conjunction with integrated<br>transport and investigate potential divestment, investment and<br>redevelopment opportunities, as part of the Development Task<br>Force initiative. e.g. Shopfitters and Chelt Walk for mixed<br>commercial/residential use   | Planning<br>restrictions                        | 2016/17    | MD Economic<br>Development<br>& Place.<br>MD<br>Development<br>Task Force<br>and Head of<br>Property   | <ul> <li>(1)Potential release of sites for development</li> <li>(1) Potential capital receipt,</li> <li>(2) Sale receipts, Capital reserves and or<br/>Prudential borrowing to fund development.</li> <li>(3) ) Potentially enables CBC to influence<br/>environs and place shape</li> </ul> |
|  |                             | Potential capital receipt  | Undertake an options appraisal on the partly developed   | Lack of demand                                  | 2017/18    | Head of  | (1) Potential revenue growth or capital  |
|  |                             | or income  | Enterprise Way   | Lack of demand<br>due to economic<br>climate    | 201//10    | Property   | <ul> <li>(1) Potential revenue growth or capital<br/>receipt.</li> <li>(2) Potentially enables CBC to influence<br/>environs and place shape</li> </ul>  |
|  | Industrial                  | Growth in new business and jobs.   | Identify Council owned properties suitable for starter/incubator<br>units for fledgling business   | Unavailability of<br>suitable property          | ongoing    | Head of<br>Property  | <ul><li>(1) Potential impact on capital reserve</li><li>(2iincome generation</li></ul>   |
|  |                             |  |  |   |            |  | (2) Place Shaping  |

|                        |   | Outcome  | Action  | Risks/ Other  | Time scale | Responsible  | Impact  |
|------------------------|---|--|---|---|------------|--|---|
| Corporate<br>Objective | Property/Key<br>Commitments               |  |   | Issues  |            | Officers   |   |
|                        | Depot                                     | Better use of the existing site  | In conjunction with the occupiers to investigate the possibility<br>of improving the efficiency of the depot following the expansion<br>of Ubico. | Practical obstacles<br>to change. Finance<br>an issue in<br>effecting change  | 2016/17    | Head of<br>Property  | <ol> <li>(1) Capital investment required to<br/>undertake identified and agreed<br/>improvements</li> <li>(2) Potential loss of third party tenants</li> <li>(3) ) Potentially enables CBC to influence<br/>environs and place shape</li> <li>(4) Greater efficiencies and or income<br/>generation for Ubico</li> </ol>                |
|                        | Airport                                   | <ol> <li>Supports and<br/>maintains local jobs. (2)<br/>Potential revenue growth.</li> <li>Potential to attract<br/>regional HQ's</li> </ol>   | Working collaboratively with joint owner Gloucester City<br>Council, to facilitate the opportunity to expand commercial<br>operations             | Viability of the<br>airport if expansion<br>is not supported  | Ongoing    | Head of<br>Property  | <ul> <li>(1) Growth in Income/capital return for the<br/>Council (shareholders)</li> <li>(2) Benefit to Cheltenham and greater<br/>Gloucestershire economy</li> <li>(3) ) Potentially enables CBC to influence<br/>environs and place shape</li> </ul>  |
|                        | Local<br>Development<br>Framework         | <ol> <li>Deliver additional<br/>affordable housing.</li> <li>Growth in business<br/>rates income</li> </ol>  | Identification of sites with potential for increasing residential<br>and employment capacity.   | Planning and site<br>assembly   | Ongoing    | MD Economic<br>Development<br>& Place and<br>Head of<br>Property | <ul> <li>(1) Potential capital receipt</li> <li>(2) Positive economic benefits</li> <li>(3) ) Potentially enables CBC to influence<br/>environs and place shape</li> <li>(4) Meets provision of affordable housing</li> </ul>   |
|                        | The Wilson (Art<br>Gallery and<br>Museum) |  | Support and advise The Trust with any building related proposals  | Insufficient funding<br>will jeopardise<br>potential future<br>projects   | Ongoing    |  | corporate objectives  |
|                        | Town Hall                                 | Supports cultural<br>enhancement.<br>(1) Increase in visitor<br>numbers to Cheltenham<br>with associated economic<br>benefits. (2)Cultural<br>enhancement.<br>Sustainability benefit<br>(2) Peduation in | Development plans for improving performance/catering space  | Impact on quality<br>of service and<br>reputation.<br>Insufficient funding<br>will jeopardise<br>potential future<br>projects |            | Trustees of<br>the Trust and<br>Head of<br>Property              | <ol> <li>Potential increase in revenue which can<br/>be re invested to enhance service delivery.</li> <li>Capital investment will be primarily<br/>funded by funds raised by the Trust and<br/>supported by CBC</li> <li>Improve service delivery</li> <li>Potentially enables CBC to influence<br/>environs and place shape</li> </ol> |
|                        | Leisure@ POW                              | (3) Reduction in<br>management fee<br>supporting MTFS  | Development plans for improving performance/catering space  | Impact on quality<br>of service and<br>reputation.<br>Insufficient funding<br>will jeopardise<br>potential future<br>projects |            |  | (   |

| Corporate<br>Objective              | Property/Key<br>Commitments  | Outcome   | Action  | Risks/ Other<br>Issues   | Time scale | Responsible<br>Officers   | Financial Implications  |
|-------------------------------------|------------------------------|---|---|--|------------|---|---|
| Strengthening<br>our<br>Communities | CBC<br>Regeneration<br>sites | (1) Social and community<br>benefits. (2) Deliver new<br>and affordable housing.  | New affordable housing provision from the regeneration of<br>St Paul's, various garage sites, Cakebridge Place,<br>Swindon Road and other similar surplus underutilised<br>sites.<br>The proposed land swap with the football club supports<br>not only the new housing objectives but also provides the<br>club with the opportunity to expand their facilities.   | Legal issues<br>preventing or<br>impacting on the<br>proposed<br>development   | Ongoing    | CEO CBH and<br>Head of<br>Property  | <ul> <li>(1) HRA Prudential borrowing HCA funding<br/>and CBC funding.</li> <li>(2) Contribution to Increase in housing<br/>numbers</li> <li>(3) Potential improvement to the football<br/>club facilities will be funded through their<br/>own fund raising activities.</li> <li>(4) ) Potentially enables CBC to influence</li> </ul> |
|                                     | Community Assets             | Social and community benefits   | Continuing to support the Third Sector. Transfers of<br>ownership of Community Assets will need to be<br>considered carefully. The Council will weigh the potential<br>community benefit against the potential loss of future<br>capital receipts and revenue income  | Sustainability of<br>charity funding   | Ongoing    | Strategy and<br>Engagement<br>Manager<br>Head of<br>Property                                  | <ul> <li>environs and place shape</li> <li>(1) Potential reduced maintenance costs</li> <li>(2) Rent subsidy affects ability to grow third party income</li> <li>(3) Community benefits.</li> </ul>   |
| Value for<br>Money                  | Accommodation<br>Strategy    | More efficient use of<br>space will demonstrate a<br>commitment to the<br>Council's objectives of<br>sustainability and good<br>environmental<br>stewardship,<br>strengthening our<br>economy and<br>communities, partnership<br>working and providing<br>value for money services.<br>Other benefits will include<br>operational cost savings,<br>potential income/capital<br>receipt from the joint<br>venture redevelopment of<br>the Municipal Offices. | A review of Council occupied operational property has<br>been undertaken to determine its condition, suitability and<br>sufficiency. Also to establish current efficiency and use of<br>space a survey has been conducted to assess the future<br>impact on the Council's space requirement that initiatives<br>such as Go Shared Services, Flexible Working and<br>Commissioning and Vision 20:20 will have.<br>Feasibility studies will examine relocation or new build<br>options which will involve assessing the investment<br>required , potential rental income, the needs for a more<br>efficient flexible working environment, demands for new<br>space, whole-life costs, and the potential realisation of<br>any capital /long term income receipts.<br>Consideration will be given to look to co-locate with other<br>governmental bodies, statutory authorities, or other<br>partner organisations pursuant to the 'Total Place'<br>approach, which could lead to further operational savings<br>for the Council, as well as providing an income stream. | May be unable to<br>relocate to Delta<br>Place until 2023.<br>Other suitable<br>alternative<br>accommodation<br>may not be<br>secured.<br>Other interested<br>governmental<br>bodies, statutory<br>authorities or<br>partner<br>organisations may<br>decide not to co-<br>locate or take any<br>space. | 2016/19    | Head of<br>Property<br>and<br>MD<br>Development<br>Task Force<br>and Director<br>of Resources | <ul> <li>(1) Potential reduction in operational costs,</li> <li>(2) Potential income and capital receipt.</li> <li>(3) Shared operational costs through colocation</li> <li>(4) Redevelopment of the Municipal Offices will have a positive economic benefit to the town centre</li> <li>(5) Potential efficiency benefits</li> </ul>   |
|                                     |                              | Supports Medium Term<br>Financial Strategy and<br>Operational Strategy  | Seek to ensure commercial property voids are kept to a minimum.<br>Selective acquisitions that support corporate operational objectives   | Remains void due<br>to lack of demand,<br>therefore<br>reputational risk,<br>and ongoing<br>maintenance<br>liability   | Ongoing    | Head of<br>Property   | Maintains or increases rental income or<br>potential capital receipt.   |
|                                     | Investment                   | Retention of tenants  | Aim to improve income through new lettings and timely<br>implementation of rent reviews and lease renewals and<br>proactive estate management.  | (1) Fall in rental<br>values could see a<br>possible reduction<br>in income at lease<br>renewal. (2)<br>Tenants cease<br>trading due to<br>current economic<br>climate   | Ongoing    | Head of<br>Property   | Improvement in revenue stream.<br>Contributes towards MTFS  |

| Capital receipt<br>contribution to M                          | FS Investigate opportunities to dispose of both surplus an investment property. | nd Property is slow or<br>difficult to sell due<br>to lack of demand       | Ongoing | Head of<br>Property | <ul><li>(1) Potential capital receipt</li><li>(2) Operational costs savings.</li></ul>  |
|---|---|--|---------|---------------------|---|
| Provision of incor<br>opportunity of lon<br>income/capital gr | ger term commercial property acquisitions and transactions                      | Perceived growth<br>is not achieved.<br>Cost of managing<br>the properties | Ongoing | Head of<br>Property | <ul> <li>(3) Contribute towards MTFS.</li> <li>(4) .Income return will need to exceed cost of borrowing, to justify the transaction.</li> <li>(5) ) Potentially enables CBC to influence environs and place shape</li> <li>(6) Investment income</li> </ul> |

(1) Potential increase in revenue which can be re invested to enhance service delivery.(2) Capital investment will be primarily funded by funds raised by the Trust and supported by CBC

| Corporate<br>Objective | Property/Key<br>Commitments | Outcome   | Action  | Risks/ Other<br>Issues  | Time scale | Responsible<br>Officers                | Impact  |
|------------------------|-----------------------------|---|---|---|------------|--|---|
|                        |                             | Greater commerciality   | Challenging costs i.e. rates payable. Utility charges and maintenance works   | Challenges are<br>unsuccessful<br>therefore unable to<br>achieve any<br>savings.  | Ongoing    | Head of<br>Property                    | (1) Potential reduction in operational costs.<br>Benefits MTFS.   |
|                        |                             | Greater commerciality   | Estate Management Improvements.<br>By reducing rent arrears, collecting interest on late<br>payment and obtaining income for 3rd party work   | Increased<br>administration time<br>in chasing arrears<br>and interest<br>payments.   | Ongoing    | Head of<br>Property                    | <ul><li>(1) Improves income</li><li>(2) Contributes towards the Bridging the Gap initiative</li></ul>   |
|                        |                             | Operational efficiencies.<br>Improvement in service<br>quality. Potential to grow<br>the business and<br>Environmental benefits by<br>complying with the<br>Mercury Abatement Act.  | Cremators.<br>Options appraisal has been completed which considered<br>the following (1) the replacement of the cremators (2)<br>extending the existing facility (3) provision of a new<br>crematorium and chapel.<br>Option (3) is the option to be implemented. | Service disruption<br>and failure<br>therefore<br>reputational and<br>financial risk.   | 2016/18    | Head of<br>Property                    | <ol> <li>(1) Capital investment required,</li> <li>(2) Reduction in maintenance costs</li> <li>(3) Potential to grow income through better<br/>reliability of the equipment.</li> <li>(4) Potential reduction in rate income due to<br/>proposed location of new cremator</li> <li>(5) Improvement in service due to better<br/>reliability of new equipment</li> </ol> |
| Value for<br>Money     | Operational                 | Will assist and improve   | Data Base.  | (1) Risks of crucial  | Ongoing    | Head of                                |   |
|                        |                             | with the management of<br>the portfolio, performance<br>monitoring and production<br>of management<br>information.<br>Greater efficiencies by<br>reducing double handling<br>and making the process<br>less labour intensive. | Seek refinements and improvements to ' Uniform' IDox<br>and Agresso   | action dates being<br>missed. (2)<br>Production of<br>meaningful<br>management data<br>will be more labour<br>intensive. (3)<br>Missed<br>opportunities to<br>increase revenue.<br>(4) Unwillingness<br>to invest to drive<br>out the efficiencies. |            | Property                               | <ol> <li>Portfolio management efficiencies.</li> <li>Improved and more accurate reporting of data</li> <li>Improved budgetary forecasting</li> <li>Improve service delivery</li> </ol>  |
|                        |                             | Potential future disposals  | Arle Nursery.<br>Monitor and review other potential proposals.  | Planning<br>restrictions.<br>Alternative plant<br>provision will be<br>required, or<br>change to planting<br>regime.  | 2016/17    | MD Ubico<br>and<br>Head of<br>Property | <ol> <li>Potential capital receipt.</li> <li>Cost of alternative plant provision and<br/>loss of income,</li> <li>Operational cost savings.</li> <li>Potentially enables CBC to influence<br/>environs and place shape</li> </ol>   |
|                        |                             | Retention of 100% of disposal proceeds  | Surplus HRA Properties.<br>Disposal of properties that cannot be brought up to the<br>decent homes standard.  |   | Ongoing    | Head of<br>Property                    | <ul> <li>(1)Capital receipt can be used toward other<br/>HRA projects.</li> <li>(2) Potential re use of void property leading<br/>to social and community benefits.</li> </ul>  |

#### APPENDIX D

#### Terms of reference for the Asset Management Working Group (AMWG)

- To serve as a forum for consultation on property decisions to support the formal decision making process in line with the constitution.
- To support and make recommendations on the strategic direction of the management of the Council's assets.
- To consider proposals to increase the investment property portfolio
- To scrutinise and review the performance of the asset portfolio.
- To review and challenge the commercial property portfolio to ensure that assets are held which provide benefits and outcomes for the Council and the community and provide the most effective return, minimising cost and maximising return.
- To review the policy for property support to the third sector, voluntary and community groups and the financial implications for the council.
- The Working Group will have no delegated authority to make any decisions or commitments

#### Membership

- Cabinet Portfolio Member
- Other representative members of the political groups
- Director of Corporate Resources & Projects
- Head of Property
- Head of Legal (or Deputy)
- Section 151 Officer (or Deputy)
- Cabinet members and officers as appropriate.

#### Meetings

- Regular meetings will be scheduled in the council diary
- Additional meetings may be convened if urgent items need to be considered ahead of Cabinet / Council meetings.
- The Group will elect its own chairman, who will not necessarily be the Cabinet Member responsible.

#### Reporting Structure

- Briefing Notes will be prepared for Cabinet where the AMWG considers it appropriate
- Where items require a decision reports will be prepared and submitted either to the Cabinet Member, Cabinet or full Council under the appropriate procedure in the constitution.

# Policy for Property Lettings and Disposals to the Third Sector, Voluntary and Community Groups

#### **General Principles**

As a guiding principle, the Council seeks to maximise the return on its non-operational portfolio. However, where a property is occupied by a registered charity or community group which clearly supports the Council's priorities, the authority will consider a rent subsidy. The subsidy will be calculated against the total assessed rental value of the property on the open market and will be counted as grant aid.

#### Market Value

In future all lettings by the Council will start from the basis of a commercial or market rate clearly set out in the tenancy agreement and any subsidy, either in the form of a specific performance-related grant or reduction in the market rent will be explicitly identified.

The decision on whether a particular third sector organisation should be offered Council property at less than 'best consideration' needs to be related to the assessed benefits of the service it provides to the community. If the arrangement is subsidised in any way, it must avoid falling foul of European legal requirements relating to state aid. State Aid occurs when financial assistance is given by a public body which favours certain organisations and distorts, or threatens to distort, competition between Member States of the EU. In addition the use of the building must achieve or promote social, economic or environmental well-being and that it falls within the state aid exemption.

#### State Aid

State Aid occurs when financial assistance is given by a public body which favours certain organisations and distorts or threatens to distort competition between Member States of the EU.

The current position is that the letting at an undervalue to community organisations will not be State Aid if:

- The proposed tenant is a not for profit organisation;
- The use of the building will be for a community purpose; and
- The activities carried out by the organisation(s) are of local interest only.

#### **Rent Discount**

In this process it is the responsibility of the Asset Management Working Group, acting on the advice of the Head of Property and Asset Management, to determine the lease conditions and the market rent for the property.

It is the responsibility of the Cabinet, acting on advice from the Cabinet Member responsible for Community Development, in consultation with appropriate officers and Cabinet portfolio holders, to decide whether or not the organisation contributes sufficiently enough to the Council's Corporate Plan, or the Local Strategic Partnership's Community Plan, to merit a discount on the rent and what the level of discount should be. The total discount will be considered to be grant aid.

As a general rule, when leases are due to be renewed and at the Cabinets discretion, buildings that are operating primarily as social or sports clubs with a paying membership should be given the standard 20% discount against the full market rent, that applies to all charities hiring Council property.

Buildings being leased to organisations that are open to the community at large and are working to further the aims of the Council's Community Plan can be given up to 100% discount, subject to a

business plan outlining their activities, how they align with the corporate or community plan and how they intend to make their activities sustainable.

#### Disposals

This policy will not apply to public services which are commissioned or contracted out to third sector organisations and which have a clear monetary or commissioned value to the Council to i.e. Instances such as where a third sector group takes over the management or provision of a service on behalf of the Council should be dealt with separately. In these cases formal contracts or service level agreements would invariably be applicable.

#### **New lettings**

The proposed disposal must fall within a general disposal consent (see below).

The proposal must contribute towards meeting identified priorities in the current Community Plan and/or Corporate Business Plan;

A business plan must be submitted, clearly indicating the community benefits of the proposed operation and its financial viability over both the short and longer term;

If a planning consent will be required, there must be a reasonable prospect that this can be obtained in a timely fashion, as advised by the Council's Development Control Manager;

In the case of municipal shops, any related shopping facilities must not be adversely affected; The current state / condition of the premises and any proposed repairs by the incoming tenant will be taken into account in assessing the market rent.

#### **Existing leases**

The proposed disposal must fall within a general consent;

The proposal must contribute towards meeting identified priorities in the current Community Plan and/or Corporate Business Plan;

A business plan should be submitted, clearly indicating the community benefits of the proposed operation and how it will be viable in the longer term;

In the case of municipal shops, any related shopping facilities must not have been adversely affected by the existing tenancy.

#### **Temporary licences**

E.g. Access licences to cross Council land. These are not classed as a disposal and therefore the disposal strategy does not apply and neither does 'opportunity cost'.

Access must be necessary to allow the organisation to function;

The applicant must exempt from the State Aid rules as set out under Legal implications

An 80% discount will be applied in the case of temporary licences, to align with the discount given to charities on business rates.

#### Legal documentation

The unrestricted market value of any disposal should be noted in the legal documentation, so as not to risk undermining the value of other Council assets;

The unrestricted market value of the disposal should be noted in the financial accounts;

The Council should be able to request an annual progress report on the operation if it so chooses; The Council will include appropriate rent review periods and mutually acceptable break clauses in all new letting arrangements, to provide financial assurance for both the authority and its tenants; If the tenant or use changes, the Council will have the option to withdraw from the agreement; The disposal must comply with European legislation relating to state aid.

#### General disposal consent

Under S123(2) of the Local Government Act 1972 the consent of the Secretary of State is required to carry out a disposal at less than best consideration.

From time to time, the Secretary of State issues so-called 'General Consents' which apply to disposals meeting specified criteria. Where a general consent has been issued, a qualifying disposal can proceed without the need for referral to the Secretary of State. The General Disposal Consent (England) 2003 applies to disposals where:

The local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole of the whole or any part of its area, or of all or any persons resident or present in its area: the promotion or improvement of economic well-being;

the promotion or improvement of social well-being;

the promotion or improvement of environmental well-being; and

the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds)

**Disposals Policy** 

Appendix F

#### **General Principles**

The Asset Management Plan and property review activities are designed to identify areas of mismatch between existing asset provision and current and future requirements, thereby identifying property that can be declared surplus. One of the primary aims and subsequent benefits of the disposals strategy will be the reduction of property maintenance spending going forward, and providing the opportunity reinvest the proceeds in other projects.

Before a property is disposed of the Council will consider whether it could be reused by another service within the Council, or another public body. Consideration will also be given to encourage existing occupiers to relocate where it is mutually beneficial to do so, and particularly where it would result in the release of higher value asset.

All property categorised as surplus for the purposes of the asset register will be divided into three sections as below:

- Surplus property held for pure investment purposes, e.g. where the Council is achieving a good rate of return and the revenue stream is regarded as important. The returns from such properties will be carefully monitored each year. However, the Council should only consider the disposal of the investment properties where it is clearly demonstrated that the income generated from investing the capital receipt will be greater than the rental income by retaining the property and saving in annual maintenance costs.
- 2. Surplus property that is being deliberately retained for a community benefit or where a long term view is being taken. For example, property/land that is rented out and providing community support activities (e.g. scout huts) or agricultural land. It is accepted that this property will not necessarily achieve a good rate of return.
- 3. Surplus property where the intention is to sell will be placed in into short, medium and long term priority order.

The Disposals Programme does not rule out windfall disposal decisions, which can arise through tenant changes, lease expiry, special market conditions or an approach from a special purchaser. All capital receipts released from the sale of assets are returned to the corporate "pot" for council to determine how they will be allocated.

#### **Disposals process**

All surplus property will be the subject of an option appraisal / business cases to determine, analyse and subsequently recommend the preferred option that is in the best interests of the Council taking into consideration and in accordance with the requirements of the Corporate Plan and MTFS.

The property team in conjunction with the Head of Property will decide on the method of disposal e.g. private treaty sale, auction, formal or informal tender, through specialised agents or in house, and will dispose of property in accordance with the disposal strategy as set out in the constitution.

Ward members will be consulted on all disposals prior to any decision being taken and disposals will then referred to the Asset Management Working Group prior to any final decision. Consent to a disposal will be a matter for the Cabinet or in accordance with a scheme of delegation approved by the cabinet.

The policy on disposal of all surplus land or buildings will be to sell them on the open market, using the most appropriate method to achieve a satisfactory sale for the best price possible. The Local Government Act 1972 governs the disposal of non-housing land. Section 123 requires that disposals by way of freehold sale or the granting of a lease for a term of 7 years of more will be for the best consideration that can be reasonably obtained unless prior Secretary of State approval is granted.

From time to time, the Secretary of State issues so-called 'General Consents' which apply to disposals meeting specified criteria. Where a general consent has been issued, a qualifying disposal can proceed without the need for referral to the Secretary of State. The General Disposal Consent (England) 2003 applies to disposals where:

a) The local authority considers that the purpose for which the land is to be disposed is likely to contribute to the achievement of any one or more of the following objects in respect of the whole of the whole or any part of its area, or of all or any persons resident or present in its area:

- i) the promotion or improvement of economic well-being.
- ii) the promotion or improvement of social well-being.
- iii) the promotion or improvement of environmental well-being and

b) the difference between the unrestricted value of the land to be disposed of and the consideration for the disposal does not exceed £2,000,000 (two million pounds).

The Council recognises the Duty to 'Involve' which became a statutory requirement in April 2009 and will involve and engage local people through meetings with the community not only on single issues but also through the Town & Parish Councils established network.

Where the Council wishes to dispose of housing land (other than to secure tenants exercising the right to buy), it can only so with Secretary of State consent. General Consents are issued from time to time by the Secretary of State, The Council has a general duty to act prudently in managing its property portfolio, and must bear in mind the fact that property values may drop, ageing properties will require increasing maintenance, and that financial downturns may result in untenanted properties which still require upkeep. As landlords (whether residential or commercial) it will have duties towards its tenants and visitors to the properties to ensure that the properties are in a safe condition (whether or not the tenants contribute towards the upkeep of the properties). which enable disposals meeting the criteria set out under the general consents to proceed without the need for express referral to the Secretary of State.

The Council recognises the Duty to 'Involve' which became a statutory requirement in April 2009 and will involve and engage local people through meetings with the community not only on single issues but also through the Town & Parish Councils established network.

The land will be sold at best price reasonably obtainable on the open market Special covenants may be appropriate to particular sites, especially where the Council has retained adjacent land.

#### Page 42 Investment Property Portfolio Policy and Decision-Making Process

#### Criteria for acquisition

- Must satisfy borrowing criteria powers, e.g. PWLB, prudential borrowing.
- Must satisfy legal powers of the council for property investment.
- Must make a positive contribution to the MTFS
- Acquisition cost must be in line with a commercially acceptable valuation.
- Must deliver the council's strategic objectives e.g. place shaping or value for money...
- May meet social value aspirations e.g. employment of apprentices, meet housing needs, positive regeneration or environmental improvement.

#### **Decision making process**

The Property Acquisition Assessment Group (PAAG) will consider proposals for acquiring investment properties.

#### Terms of Reference:

- To serve as a forum for consultation on investment property decisions to support the formal decision making process in line with the constitution.
- To scrutinise and review the performance of the investment property portfolio.
- The Group will have no delegated authority to make any decisions or commitments

#### Membership:

- Head of Paid Service
- Director of Resources and Projects
- MD of Place and Economic development
- MD of Cheltenham Development Task Force
- Head of Property
- Head of Legal (or Deputy)
- Section 151 Officer (or Deputy)
- Cabinet lead Member

#### Accountability:

- PAAG is not a decision making body
- It makes recommendations to the AMWG to consider prior to approval by Cabinet or Council as appropriate.

#### Working methods:

- PAAG meets as and when required, with ability to be convened at short notice should an
  opportunity arise that requires a quick decision.
- Each member of undertakes his/her appraisal and brings it to the meeting for discussion, having supplied the headline information to complete the PAAG appraisal form.
- Confidential meeting as information is commercially sensitive. The meeting will be minuted.
- PAAG will receive regular performance report on the Council's investment portfolio for consideration, to be reported to the AMWG and Cabinet as part of the quarterly budget monitoring report if appropriate.

#### **Reporting structure**

Page 43 Briefing Notes will be prepared where appropriate. ٠

Manufacturing Community use

Where items require a decision, reports will be prepared and submitted either to the Cabinet Member, Cabinet or full Council under the appropriate procedure in the constitution.

| PAAG Acquisition Evaluation Form  |   |  |  |  |  |  |
|---|---|--|--|--|--|--|
| Date:<br>Address  |   |  |  |  |  |  |
|   |   |  |  |  |  |  |
| Agent/Source  |   |  |  |  |  |  |
| Tenure  | Area Sq Ft (M <sup>2</sup> )  |  |  |  |  |  |
| Portfolio Sector  | Weighting (% of Sector to Portfolio)                                |  |  |  |  |  |
| Asking Price  | Valuation   |  |  |  |  |  |
| Potential Purchase Price  | Rental Income   |  |  |  |  |  |
| Internal Rate of Return based on Potential<br>Purchase Price                          | Projected Annual Revenue<br>Surplus YR 1 (based on asking<br>price) |  |  |  |  |  |
| Tenants/Covenant/Strength   |   |  |  |  |  |  |
| Capital works/repairs<br>Identified   | Non-recoverable items –<br>voids/improvements                       |  |  |  |  |  |
| Current Planning<br>Status  |   |  |  |  |  |  |
| Restrictive Covenants   |   |  |  |  |  |  |
| Strategic Objectives related to the Corporate F                                       | Plan  |  |  |  |  |  |
| Income Profile  |   |  |  |  |  |  |
| Risk  |   |  |  |  |  |  |
| Due Diligence including Funding Arrangement   | ts  |  |  |  |  |  |
| Comments including Social Value Objectives relating to (a) Employment (b) Housing (c) |   |  |  |  |  |  |
| Regeneration (d) Environmental together with other Operational Impacts or Factors     |   |  |  |  |  |  |
| PAAG<br>Becommendation  |   |  |  |  |  |  |
| Recommendation  |   |  |  |  |  |  |
| Portfolio Sector  |   |  |  |  |  |  |
| Residential   | Entertainment   |  |  |  |  |  |
| Retail (High Street)  | Hotel   |  |  |  |  |  |
| Office (single / multiple occupier)   | Food/Drink  |  |  |  |  |  |
| Mixed use   |   |  |  |  |  |  |
| Warehouse/Distribution  |   |  |  |  |  |  |

## **Capital Scheme Investment Decisions and Assessment Process**

Project Assessment Forms (PAT) forms will be completed for capital funding requests and captures the information which includes the following:-

- A description of the project, timescale, impact and alternatives
- Financial details, capital and income costs, funding including match funding.
- How it meets the corporate objectives

Bids will be assessed to determine how they meet the Council Corporate Strategy objectives using the following scoring criteria:

| Contribution Assessment | Score |
|-------------------------|-------|
| Significant             | 5     |
| Moderate                | 3     |
| Weak                    | 1     |
| None                    | 0     |
| Undermines              | -3    |

The Bridging the Gap programme board supported by the Head of Property will assess the bids. As such the assessment panel will include:

- Head of Paid Service
- Director of Corporate Resources and Projects
- Section 151 Officer (or representative)
- Managing Director of Place and Economic Development
- Head of Property and Asset Management
- Cabinet portfolio Member.

Recommendations with regard to investment will be referred to the Asset Management Working Group for consultation and subsequently onto Cabinet and Council for approval.

It is the responsibility of the Cabinet, acting on the advice from the Cabinet portfolio Member following consultation with relevant officers and Cabinet portfolio holders, to decide whether or not to support schemes.

#### **Planned Maintenance Policy**

**Policy outcome:** To ensure at least 95% of property is maintained to a satisfactory or good condition. A rolling programme of maintenance over the next 10 years has been produced based on initial condition surveys which will be reviewed cyclically every 5 years, buildings are categorised according to their condition A, B C or D with priority levels in accordance with the National Performance indicators.

The main emphasis of the surveys will be based on a hierarchy of needs as follows:-

- 1. health and safety
- 2. protection of the asset from the elements
- 3. satisfactory internal environmental conditions (heating lighting and ventilation)
- 4. impact on delivery of service
- 5. consequences of failure and serious decay
- 6. impact on users.

The current percentage breakdown of the properties into the various categories is as follows:-

| A (Good) | B (Satisfactory) | C(Poor) | D (Very Poor) |
|----------|------------------|---------|---------------|
| 10       | 87               | 3       | 0             |

The small number of properties graded C will be assessed for consideration as an improvement/refurbishment projector as surplus to requirements and subsequently disposed.

A primary aim will be to drive down property maintenance costs via proactive procurement, which will also be supported by the rationalisation of space and disposal of surplus assets.

## Performance Indicators and Targets

|   | Actual<br>14/15 | Target<br>15/16 | Target<br>16/17 | Target<br>17/18 | Target<br>18/19 | Target<br>19/20 | Target<br>20/21 |
|---|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|
| Maintenance   |                 |                 |                 |                 |                 |                 |                 |
| Repair and maintenance costs per m2<br>Gross Internal Area (£/m2)   | 9.55            | 9.83            | 8.28            | 8.28            | 8.28            | 8.28            | 8.28            |
| Total repair and maintenance spend (£)  | 1.500m          | 1.544m          | 1.300m          | 1.300m          | 1.300m          | 1.300m          | 1.300m          |
| % split between planned and responsive maintenance  | 90:10           | 90:10           | 90:10           | 90:10           | 90:10           | 90:10           | 90:10           |
| Environmental Property Issues   |                 |                 |                 |                 |                 |                 |                 |
| Water Consumption Ltrs  | 49.67k          | 48.68k          | 47.7k           | 46.75k          | 45.81k          | 44.89k          | 43.99k          |
| Gas Consumption KWH   | 12.6m           | 12.34m          | 12.09m          | 11.85m          | 11.61m          | 11.37m          | 11.14m          |
| Electricity Consumption KWH   | 3.1m            | 3.03m           | 2.97m           | 2.91m           | 2.85m           | 2.79m           | 2.73m           |
| Water Ltrs per m2 GIA (£/m2)  | 0.32            | 0.31            | 0.307           | 0.301           | 0.29            | 0.289           | 0.283           |
| Gas Consumption KWH per m2 GIA  | 80.50           | 78.62           | 77.00           | 75.50           | 73.97           | 72.44           | 70.98           |
| Electricity Consumption KWH m2 GIA  | 19.73           | 19.31           | 18.92           | 18.54           | 18.16           | 17.77           | 17.39           |
| % reduction in energy consumption<br>(using 201213 as baseline)<br>kWh 15,779,859   | 0%              | 2%              | 2%              | 2%              | 2%              | 2%              | 2%              |
| Estate Management Issues  |                 |                 |                 |                 |                 |                 |                 |
| Total net income General Fund (£)   | 991.6 k         | 2.0m            | 2.004m          | 2.005m          | 1.995m          | 2.016m          | 2.030m          |
| Total net income HRA (£)  | 258k            | 250k            | 251k            | 251k            | 251k            | 252k            | 257k            |
| Total net income Combined (£)   | 1.250m          | 2.250m          | 2.255m          | 2.256m          | 2.246m          | 2.268m          | 2.287m          |
| Rent arrears as a % of total combined income  | <4              | <4              | <4              | <4              | <4              | <4              | <4              |
| Statutory Issues  |                 |                 |                 |                 |                 |                 |                 |
| % of survey programme to be completed<br>on Asbestos, Legionella, Fire Risk<br>Assessments and DDA. To ensure<br>statutory issues are being addressed and | 400             | 100             | 400             | 100             | 400             | 100             | 400             |
| the risk to the Council minimised.  | 100             | 100             | 100             | 100             | 100             | 100             | 100             |

### Local Government Transparency Code 2014

The Local Government Transparency Code 2014 was issued in May 2014 in recognition of the Government's desire to further increase democratic accountability and make it easier for people to contribute to decision making in their local area. One of the requirements of the code is that on an annual basis, local authorities publish details of all land and building assets that they hold. Local authorities had to comply with this requirement by 02 February 2015. CBC published the first set of data at the end January 2015.

The Council is required to publish the following property information, together in one place, for each asset:

- Unique Property Reference Number (UPRN)
- Unique Asset ID (for each building or each user of a building)
- Name of the building/land or both
- Street number or numbers
- Street name
- Postal town
- Postal code
- Easting and Northing (geocoding in accordance with ISO 6709)
- Clarify whether the property is leasehold or freehold.

In addition to the above, the local authority must list all the characteristics that apply from the options given below:

#### For freehold assets:

- occupied by the local authority;
- ground leasehold; leasehold;
- licence;
- vacant.
- For leasehold assets:
- occupied by the local authority;
- ground leasehold;
- sub leasehold;
- licence.

For other assets a free text description is required to indicate whether the asset is a right of way for example and whether the asset is land only or land with a permanent building.

The information required to make the Council compliant with the Transparency Code 2014 in terms of its property portfolio will be provided from the UNIFORM system and work is underway to develop a robust reporting mechanism from this database to ensure publication of accurate data on an annual basis.

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