

Cabinet

**Tuesday, 8th November, 2016
6.00 - 6.50 pm**

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)

Minutes

- 1. APOLOGIES**
Councillor Peter Jeffries
- 2. DECLARATIONS OF INTEREST**
There were none.
- 3. MINUTES OF THE LAST MEETING**
The minutes of the meeting held on 11 October were approved and signed as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**
There were none.
- 5. TOWNSCAPE - CAPITAL AND LARGE SCALE WORKS PROGRAMME**
The Cabinet Member Development and Safety introduced the report, the purpose of which was to present to Cabinet the programme of capital and large scale works for functions which were the responsibility of the Townscape team. This covered public realm, flood alleviation and public art and the report clarified the programme and regularised authority for all areas of the programme. He explained that capital sums have been previously approved and allocated for this use at budget setting.

RESOLVED THAT

The programme of Townscape work at Appendix 2 be approved.

- 6. SOCIAL SUSTAINABILITY - A LOCAL APPROACH TO BUILDING NEW COMMUNITIES**
The Leader introduced the report which sought endorsement of “a local model for building socially sustainable communities”. This was an approach developed through the partnership of Cheltenham Borough Homes, Bromford, Sovereign and Barnwood Trust to influence community outcomes and governance arising from new development. If endorsed officers would use the model in the

negotiation of master planning, community infrastructure and approaches to governance on appropriate development sites and with development partners and affordable housing providers.

The Leader highlighted that the council was committed to its existing communities and building new ones which was essential for the town as a whole. When building new communities it was essential that new areas were taken into consideration as infrastructure and accessibility was key. This would form a framework which any developer would be expected to take on board. Support for the model had been received from the Cheltenham partnerships as well as from Tewkesbury colleagues due to cross boundary issues.

Members supported the model and recognised that actively involving communities was key.

Finally the Leader wished to put on record his thanks to Cheltenham Borough Homes and other partners for their work in putting this model together.

RESOLVED THAT

The model for social sustainability as an approach in master planning key sites across the Borough be endorsed.

7. BUDGET MONITORING REPORT TO 30 SEPTEMBER 2016

The Cabinet Member Finance introduced the report and explained that the purpose of the budget monitoring report was to notify members of any known significant variations and to highlight key issues. She was pleased to report that there were no significant issues but wished to highlight the following :

Net revenue- Ubico was incurring additional costs of £50 k due to a number of reasons, one of which was a growth in property numbers. The service redesign in 2017 would include a forecast of increased property numbers and this was laid down in paragraphs 2.11 and 2.12 of the report.

Car Parking income was overachieving its target by £200 k although some achievement targets were under by £39k.

Investment property and treasury management have both done well overall and the projected underspend for the year was £106 500.

The Cabinet Member Finance said that an area of careful monitoring was the REST programme. The £124k from staff savings that was agreed for virement to support this has become more pressured and will be further reviewed in December.

The Cabinet Member Finance said that the next monitoring report would be presented to Cabinet in January 2017. She highlighted the concerns which remained regarding the impact of Government funding cuts and the undecided arrangements with regard to business rates and the future of new homes bonus.

Members noted the report and highlighted the importance of receiving three monthly reports back to Cabinet and that in the interim Members should be alerted to any problems under the relevant budget headings.

RESOLVED THAT

- 1. the contents of this report including the key projected variances to the 2016/17 budget and the expected delivery of services within budget be noted.**
- 2. the reduction in the use of the Car Parking Equalisation Reserve, approved in accordance with B11.4 of Financial Rules where the Section 151 Officer has delegated authority to approve in year transfers to and from earmarked reserves to support the activities of the council be noted.**

8. HOUSING REVENUE ACCOUNT NEW BUILD- GARAGE SITE REDEVELOPMENTS AND THE USE OF RIGHT TO BUY RECEIPTS

In the absence of the Cabinet Member Housing the Leader introduced the report and explained that in March 2015 Cabinet resolved that the authority sought bids from contractors to build new homes across Cheltenham on a number of garage sites. This report sought approval to enter into a JCT Design and Build Contract with J Harper and Sons with Total Scheme Costs not to exceed £1, 772, 000. The scheme would deliver up to twelve new homes on three HRA garage sites.

The Leader explained that whilst the council's preferred option was to build affordable homes on council owned land, the complex nature of some of these sites meant that it may not always be possible to spend Right to Buy Receipts in this way due to the government imposed time limits on the use of these receipts. It was therefore proposed that any Right to Buy Receipts that could not be used for building new affordable homes on council-owned land be used instead for purchasing dwellings, subject to appropriate parameters. To date three homes had been purchased this way, with a further four homes in the pipeline following Cabinet approvals in November 2015 and September 2016 to use Right to Buy receipts for this purpose. The Leader clarified that the report would be forwarded to Council for authorisation of the allocation of funding for the construction of the twelve dwellings and approval of sourcing loan finance from the Public Works Loan Board. He wished to put on record his thanks to all those who had been involved.

Members welcomed the report and were encouraged by the proposed development. It was agreed to amend the second recommendation to include consultation with the Cabinet Member Housing, which would be particularly relevant if the number of dwellings changed. A Member commented on the benefit the developments on garage sites had brought to those areas and praised CBH, the council and the contractors for their work with those communities. The care and attention paid to the neighbours during the construction phase had been much appreciated and hoped this approach would continue.

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 twelve new dwellings with Total Scheme Costs not to exceed £1,772,000.
2. authority be delegated to the Head of Property and Asset Management, in consultation with the Borough Solicitor and the Cabinet Member Housing 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.
 - 2.3 Agree the final number of dwellings that will be built, in the event that the council is unable to proceed with the development of all twelve new dwellings because of site complications (such as unresolved rights of way issues).
3. authority be delegated to the Head of Property and Asset Management, in consultation with the Section 151 Officer and Cabinet Member for Housing, to use the Right to Buy Receipts to purchase dwellings that are considered suitable for use as affordable housing (in accordance with the parameters set out within paragraph 5.4 of this report) PROVIDED THAT the Head of Property Services is satisfied it would not be possible to use these receipts to support the approved delivery of new affordable housing on council owned sites due to time restrictions on the use of these receipts and PROVIDED FURTHER that the expenditure remains within Council approved budgets for the use of delivering new affordable housing.
4. the Borough Solicitor be authorised to negotiate and complete such documents as she deems necessary or desirable to conclude the transactions negotiated by the Head of Property and Asset Management.
5. the Authority be authorised to charge Affordable Rents to all dwellings.

that Council be recommended to :

6. Authorise the allocation of up to £1,772,000 for the construction of up to twelve new dwellings.
7. Note that the Total Scheme Costs of £1,772,000(broken down in

further detail in exempt Appendix 3) will be funded by circa £531,000 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.

8. Approves the Authority sourcing loan finance of up to £1,200,000 from the Public Works Loan Board to be used for the construction of twelve new dwellings.

9. FUTURE PROVISION OF INTERNAL AUDIT SERVICES

The Cabinet Member Corporate Services introduced the report and explained that Internal Audit Services were currently provided by Audit Cotswolds to Cheltenham Borough Council, Cotswold District Council and West Oxfordshire District Council. Forest of Dean District Council received its Internal Audit Services from South West Audit Partnership (SWAP). As a result of a review in order to ensure effective and efficient working arrangements, it became clear that it would be preferable for one internal audit provider to be commissioned to provide internal audit services for the shared services, and/or all of the Council's services.

The report was considered by the Audit Committee on 21 September and agreed unanimously. In addition the 2020 Partnership Joint Committee considered a report at its meeting on 30 September. They recommended partner councils become members of SWAP, a company limited by guarantee, and also recommended to the partner councils to commission internal audit services from SWAP with effect from 1 April 2017.

RESOLVED THAT

1. It be agreed that the South West Audit Partnership (SWAP) provide the council's internal audit service from 1st April 2017.
2. The Authority becomes a member council of South West Audit Partnership Limited from 1st April, 2017.
3. The Section 151 Officer be authorised to finalise the arrangement referred to above in consultation with the relevant Cabinet Member(s) and the Borough Solicitor.
4. The chairman of the Audit Committee be appointed to the Members' Board and the Section 151 Officer to the Board of Directors.

10. TOURISM DEVELOPMENT PROJECT UPDATE

The Leader introduced the report and explained that in March 2016 Cabinet had delegated authority to the Managing Director, Place and Economic Development, in consultation with the relevant Cabinet Member, to consider how to allocate £50 000 funding set aside to support strategic tourism and to begin implementation of the report by Creative tourist "A Strategic Outcomes

Proposition for Cheltenham". It was agreed that the funding should be split between consultancy fees for the engagement of a tourism consultant, Kelly Ballard, and an operational budget to deliver some of the actions.

The Leader explained that the report outlined the key deliverables expected from this first phase of implementation together with a number of specific outputs from the project. It also provided an update on current activity, which included working with Gloucester, the Cotswolds Tourism Partnership, the Cheltenham BID and the Cheltenham Trust. He highlighted that whilst the Cheltenham Trust managed the tourism Information centre the council maintained the strategic overview of tourism and it was important to make best use of tourism for the town.

RESOLVED THAT

the progress and direction of travel of the tourism development project be noted.

11. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Development and Safety informed Members that he was representing the partnership comprising the Police, businesses and the voluntary sector that evening at the National Purple Flag awards ceremony. Cheltenham had a high quality night time economy and a safe town environment. Attending the awards was validation at the very successful way the night time economy was managed.

The Cabinet Member Clean and Green Environment said that to date 1900 responses had been received to the waste and recycling consultation which the council would give significant weight to. He wished to put on record his thanks to officers and the Echo for giving the consultation high priority.

The Leader made reference to the briefing he had circulated to Members with regard to the JCS. Collectively the three councils believed it was required although Tewkesbury could not support it as it currently stood due to concerns about the inclusion of Twigworth and the fact that the Ministry of Defence now intended to retain significant portions of the MoD Ashchurch Strategic Allocation. The Leader reported that the Leaders have jointly agreed that as both issues each raised potential soundness issues for the plan submitted to the three Councils in October, a report in respect of these matters would need to be brought to all three councils in January. He explained that there was concern with regard to the Cheltenham Plan which had been deferred as a result of these issues but hoped that this would be brought to Cabinet in December so it could be synchronised with the JCS.

12. CREMATORIUM DEVELOPMENT PROGRAMME UPDATE

The Leader of the Council explained that this item was being taken as urgent as there was concern with the existing cremators and the council could not afford to delay the programme to replace them. The option to take this as urgent had received the approval of the Chair of Overview and Scrutiny.

The Cabinet Member Clean and Green Environment introduced the report and firstly wished to put on record his thanks to the opposition for agreeing to this

report coming as an urgent item and for officers for their hard work hard in achieving this.

The Cabinet Member reminded Members that in September 2015 Cabinet approved the principle of building a new crematorium on council-owned land to the east of the current cemetery and in October 2015 Council approved a total budget of to £7 443 100 for the proposed development of which £6.5 million of this budget was allocated to design and build. He reported that the pre-construction phase was fast approaching and Wilmot Dixon had been appointed as principal contractor and Pick Everard as project managers. He explained that there were two main issues :

- 1) Site Access-the conclusions of the access options study were being considered by the programme team. The difficulty with the existing network of routes within the cemetery was recognised as was the necessity for a temporary haul route to the south of the cemetery to facilitate construction vehicles to avoid disruption.
- 2) It was important to future proof the new build which included car parking and landscaping and he wished to address the issue of a second new chapel which was currently outside the scope of the current programme. If a second new build chapel was built once the new facility was in operation this would be disruptive to the service (or even shut it down for a period of time). He was therefore proposing that a second chapel be included in the planning application for the new facility. He informed that the increase in costs of including the second chapel would be £460k which was substantially less than the original quote.

It was therefore proposed by the project board that the scope of the programme be varied to take account of the wish to fully explore the potential for delivering a second chapel within the new development and to ensure that increased estimates relating to potential access road options could be accommodated within the original budget. The Cabinet Member highlighted that the existing buildings would not be redundant but their use in the future was uncertain which was why the view was not to let the funds allocated for their refurbishment lie idle when the funding could be reallocated to allow the project to move forward.

The Cabinet Member said serious consideration should be given to the views of the local funeral directors who supported the proposal for a second chapel. In view of population expansion both within the borough and beyond there would in any case be increased demand for the service.

In terms of seeking approval for the preparation of a business case to determine whether a second chapel should be constructed he said there were options which could be considered for the existing listed building such as a café or a place to hold wakes. He also believed that any sale proceeds from the nursery site should be ringfenced to the service.

Members supported the proposal and believed that the proposal that additional financial support be diverted to the new build development from finance originally identified for refurbishing the existing chapel was sensible. They recognised and welcomed the fact that the new build chapel would have 150

seat capacity with an additional capacity of 60-75 seats should a second chapel be built.

RESOLVED THAT

- 1. the restructuring of the crematorium programme budget be approved and specifically that additional financial support be diverted to the new build development, from finance originally identified for refurbishing the existing chapels;**
- 2. the consequent change in scope of the programme as detailed in Section 2.7 be approved ;**
- 3. the preparation of a business case to determine whether a second new chapel should be constructed, as an integral component of the new crematorium development, as set out in Section 3 be approved;**
- 4. the assessed changes to the programme's risk profile, as set out in Section 5 and Appendix 1 be noted.**

Chairman