



CHELtenham

BOROUGH COUNCIL

Notice of a meeting of Cabinet

**Tuesday, 9 October 2018
6.00 pm**

Municipal Offices, Promenade, Cheltenham, GL50 9SA

Membership	
Councillors:	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Alex Hegenbarth, Peter Jeffries and Andrew McKinlay

Agenda

SECTION 1 : PROCEDURAL MATTERS			
1.		APOLOGIES	
2.		DECLARATIONS OF INTEREST	
3.		MINUTES OF THE LAST MEETING Minutes of the meetings held on 4 and 11 September	(Pages 5 - 12)
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 <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
		SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
		SECTION 4 : OTHER COMMITTEES <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
		SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS	
5.		COMMUNITY PRIDE GRANTS Report of the Leader	(Pages 13 - 30)
6.		DISPOSAL OF PUBLIC OPEN SPACE - SURPLUS LAND	(Pages

	AT KING GEORGE V PLAYING FIELD Report of the Cabinet Member Finance	31 - 38)
7.	CHELTENHAM SPA BOWLS CLUB-AUTHORITY TO DISPOSE OF PUBLIC OPEN SPACE Report of the Cabinet Member Finance	(Pages 39 - 46)
8.	RENOVATION OF CORNISH TYPE PROPERTIES- APPOINTMENT OF CURTINS CONSULTING Report of the Cabinet Member Finance	(Pages 47 - 58)
9.	UPDATE REGARDING BUSINESS CONTINUITY ISSUES AT CHELTENHAM CREMATORIUM Report of the Cabinet Member Clean and Green Environment	(Pages 59 - 66)
	SECTION 6 : BRIEFING SESSION • Leader and Cabinet Members	
10.	BRIEFING FROM CABINET MEMBERS	
	SECTION 7 : DECISIONS OF CABINET MEMBERS Member decisions taken since the last Cabinet meeting	
	SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION	
	SECTION 9 : LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS	
11.	LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS The Cabinet is recommended to approve the following resolution:- “That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely: Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)	
12.	EXEMPT MINUTES Exempt minutes of the meeting held on 4 September 2018	(Pages 67 - 68)
13.	PROPERTY INVESTMENT ACQUISITION - INDUSTRIAL PREMISES Report of the Cabinet Member Finance – TO FOLLOW	

Contact Officer: Rosalind Reeves, Democratic Services Manager, 01242 264129
Email: democratic.services@cheltenham.gov.uk

Cabinet

**Tuesday, 4th September, 2018
6.00 - 6.15 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), Alex Hegenbarth (Cabinet Member Corporate Services), Peter Jeffries (Cabinet Member Housing) and Andrew McKinlay (Cabinet Member Development and Safety)
Also in attendance:	Councillor Dilys Barrell, Councillor Nigel Britter, Councillor Jonny Brownsteen, Councillor Mike Collins, Councillor Iain Dobie, Councillor Bernard Fisher, Councillor Dennis Parsons, Councillor Roger Whyborn and Councillor Suzanne Williams

Minutes

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting would be considered by Cabinet on 11 September 2018.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were none.

5. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Development and Safety reported the following :

Contract waiver – Specialist property advice

In line with Section 6 of the contract rules in the Council's Constitution, a decision had been taken by the budget holder, the Managing Director of Place and Growth in consultation with the s151 officer and the Council's Solicitor regarding a contract waiver for a contract that was less than £100K (Rule 6.2.1).

The contract related to the appointment of a specialist agent, Savills, to advise and act on behalf of the Council regarding the West Cheltenham program. The matter was urgent in order to meet the critical timelines for the project and is commercially sensitive and a waiver report has been completed.

Contract waiver – CBH

In line with Section 6.2.1 of the contract rules in the Council's Constitution, an urgent decision had been taken by the Head of Paid Service in consultation with the Leader regarding a contract waiver for a contract that exceeded £100K.

The contract related to the renewal of old communal wiring and the installation of emergency lighting within 66 communal stairwells within general needs blocks of flats managed by CBH. The contract was awarded to Vision Accendo Limited but on 27th March 2018 the company entered administration having only completed part of the work. The recommendation from the Asset and Investment Manager, CBH was that a waiver be issued to permit the novation of the contract with Vision Accendo Limited to NKS Contracts (Central) Limited to ensure the work was completed in required timescales. This was an urgent decision which could not wait until a Cabinet meeting could be called. A waiver report was completed.

6. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS RESOLVED THAT

“In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

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

7. A PROPERTY ACQUISITION

The Cabinet Member Finance introduced the report and explained that the original basis of the commercial strategy was to establish a £10 million fund mainly financed through borrowing to purchase investment properties with the aim of generating a net yield in excess of 5%. However, this acquisition fell outside the parameters previously set by Council and would require a further budget allocation to fund the acquisition and associated costs.

She emphasised the key role in facilitating the long term regeneration and economic growth of their local areas. Cheltenham was uniquely placed to grow and sustaining and growing the town's economic and cultural vitality was one of the key outcomes as set out in the Cheltenham Vision and Corporate Strategy. The property investment strategy aimed to support this by focussing on acquisition opportunities within or in close proximity to the Borough which would help secure existing or increased business rates income.

Finally, the Cabinet Member Finance explained that the purchase of commercial property acquisitions was recommended to provide additional income for the Council, fulfil the intentions as set out in the Investment Property Portfolio report previously agreed by Council and work towards meeting the challenges identified in the Medium Term Financial Strategy. She highlighted that in adhering to the revised guidance, the acquisition of commercial property was

focused to ensure that the asset made a contribution towards service delivery and/or place-making, for example economic benefit, business rates growth/retention, or responding to market failure.

She wished to put on record her thanks to the Executive Director Finance and Assets and the Property team, in particular Simon Hodges as well as the finance team. The ultimate decision would be made by Council on 11 September.

RESOLVED THAT

The recommendations as outlined in the report be approved.

Chairman

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Cabinet

**Tuesday, 11th September, 2018
4.30 - 4.50 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) and Alex Hegenbarth (Cabinet Member Corporate Services)

Minutes

1. APOLOGIES

Apologies were received from Councillors Jeffries and McKinlay.

2. DECLARATIONS OF INTEREST

There were none.

3. MINUTES OF THE LAST MEETING

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

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were none.

5. DISCRETIONARY BUSINESS RATE RELIEFS

The Cabinet Member Finance introduced the report and explained that the Local Revaluation Support Scheme for 2017/18 was approved by Cabinet on the 12th September 2017 and amended in February this year.

She reported that the funding available for 2017/18 was £271,000. The relief level was set at 50% of the increase in rates payable. As only £140,000 has been spent it was increased from 50% to 85% of the increase. She informed Members that relief amounting to £236,000 had been awarded to over 300 businesses, leaving a small balance of £35,000.

The Cabinet Member Finance stated that when the funds were allocated councils were advised that any unspent balances should be returned to the ministry for housing communities and local government for 2017/18. Since then however a number of press enquiries were made to Government and this council, and MHCLG have subsequently confirmed that this authority has until the 30th September this year to utilize the 17/18 fund and make final awards. Therefore to enable as much as possible of the remaining £35k to be awarded, she sought Cabinet support to authorise the Executive Director Finance and Assets, in consultation with herself to determine a revised percentage relief for the local revaluation support for 2017/18 as set out in section 2.4 of this report.

Finally she said she would like to ensure that as local businesses are supported as far as possible.

The Leader paid tribute to the hard work of officers to date and welcomed the support for the local economy.

RESOLVED THAT

The Executive Director Finance and Assets, in consultation with the Cabinet Member for Finance, be authorised to determine a revised percentage relief level for the Local Revaluation Support in 2017/18 as detailed in section 2.4 of this report.

6. HOUSING INVESTMENT PLAN

In the absence of the Cabinet Member Housing the Leader introduced the report. He reported that there had been a considerable amount of work between CBH and CBC resuming building of council houses, whilst the sites and numbers have been modest both parties were keen to scale this up. The next stage was to source loan finance of up to £100million to be used for onward lending to CBH to finance the capital cost of delivering over 500 homes across the full range of tenures. He explained that there were two elements to the plan, firstly for Council to approve a grant of £300k to CBH to enable it to fund the costs set out in section 3.2 of the report to support the development of the initiative and secondly for Council to source loan finance of up to £100m to finance the capital costs of delivery. Council would be considering the report at its October meeting.

Members supported the proposal, acknowledging the desperate need for housing in the borough and recognising that house building would create jobs and skills in the county.

Finally, the Leader thanked all officers from CBH and CBC in bringing this proposal forward.

RESOLVED THAT

1) Council be recommended to:

a) approve a grant of £300,000 to Cheltenham Borough Homes Limited ('CBH') to enable it to fund the costs set out in section 3.2 of the report to support the development of this initiative.

b) subject to tax and treasury management advice being provided to the satisfaction of the Executive Director Finance and Assets (Section 151 officer), to approve the council entering into an appropriate credit / loan agreement with CBH for up to £100 million to finance the capital costs of delivery of the new housing by CBH.

c) delegate authority to the Executive Director Finance and Assets to, in consultation with the Borough Solicitor and Cabinet Member Housing, agree the use of commuted sums paid to the council in lieu of affordable housing to enable the provision of 'additionality' as detailed in section 2.5 of the report.

d) approve the council sourcing loan finance of up to £100 million to be used for onward lending to CBH to finance the capital costs of it delivering the housing as set out in this report.

2) Authority be delegated to the Executive Director Finance and Assets to, in consultation with the Managing Director Place and Growth and Cabinet Member Housing and Cabinet Member Finance, sign off viability assessments received from CBH

3) Authority be delegated to the Executive Director Finance and Assets to, in consultation with the Cabinet Member Housing and Cabinet Member Finance, approve the drawdown of funds by CBH

4) Authority be delegated to the Executive Director Finance and Assets to, in consultation with the Managing Director Place and Growth and Cabinet Member Housing and the Borough Solicitor, prepare and conclude the required agreements between the council and CBH.

7. PROPERTY LEASEHOLD DISPOSAL - PART OF THE MARY GODWIN UNDER FIVES PAVILION, WYMAN'S LANE, CHELTENHAM

The Cabinet Member Finance introduced the report and explained that the Mary Godwin playgroup was located in part of the pavilion at Wymans Lane and catered for around 15 preschool age children. The purposes of the proposal was to formalise the current arrangement by the granting of a formal lease of 10 years which would provide certainty for both parties. As set out in the recommendations an annual rent of £2,150 was proposed, excluding business rates, service charge and insurance. She reported that the proposed disposal had been advertised for two consecutive weeks and no public objections had been received.

Members supported the proposal.

RESOLVED THAT

- 1. the disposal of part of the pavilion shown edged red on the attached plan (currently in occupation by the prospective tenant) be approved by way of a new lease for a term of 10 years (contracted out of the Landlord and Tenant Act 1954), subject to any objections received.**
- 2. a rent of £2,150 per annum be charged exclusive of business rates, service charge, utilities and insurance and upon such other terms as the Head of Property and Asset Management may direct.**

8. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Healthy Lifestyles reported that Cheltenham Borough Council and Cheltenham Borough Homes had agreed to commission some specific youth work with a working budget of £10,000 each for Hesters

Way/Springbank and Oakley. She also informed Members that the Council had been asked to make a financial contribution to the Cheltenham Paint Festival taking place on the weekend of 8th and 9th of September 2018.

The Leader informed Members of the HRA debt cap bid to a Government fund of £1billion to address housing affordability issues. He reported that Cllr Mason, as Chair of Overview and Scrutiny, had waived the right to call-in of the Leader decision but the Government had now extended the deadline to 30 September.

**9. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS
RESOLVED THAT**

In accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely:

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

Paragraph 5: information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

10. EXEMPT MINUTES

The exempt minutes of the meeting held on 10 July were approved and signed as a correct record.

Chairman

**Cheltenham Borough Council
Cabinet – 9 October 2018
Allocation of the Community Pride Fund 2018/19**

Accountable member	Cllr Steve Jordan, Leader of the Council
Accountable officer	Helen Down, Participation and Engagement Team Leader
Ward(s) affected	All
Key/Significant Decision	No
Executive summary	<p>£30,000 was set aside for the Community Pride Fund as part of the 2018/19 budget, agreed by Council in February 2018. A further £4000 from the community development budget was added to the total to create a community building grant fund.</p> <p>The funding has been made available to support community-owned projects that will build up community pride and enable local groups to be more influential in supporting their communities and improving their neighbourhoods in support of the place vision and ambitions for Cheltenham.</p> <p>The fund was open for applications for 7 weeks from 27 July until 14 September 2018 and was publicised through Gloucestershire Rural Community Council, media releases and information on the council's website.</p> <p>A panel comprising the Leader of the Council, Cabinet Member Healthy Lifestyles, Angela Gilbert from Gloucestershire Rural Community Council, Richard Gibson, Louise Forey and Helen Down from the Strategy and Engagement Team met on Thursday 19 September to assess the 19 Community Pride applications and 9 Community Building applications and to make recommendations to Cabinet.</p>
Recommendations	<p>Cabinet to approve the list of projects to be funded from the Community Pride Fund as set out in Appendix 2.</p> <p>To delegate to the Participation and Engagement Team Leader, in consultation with the Leader of the Council, how best to award any remaining funds.</p>

<p>Financial implications</p>	<p>Funding for the community pride scheme will come from the 2018/19 budget as agreed by Council. Funding for the community building grants will come from the community development 'small grants' budget.</p> <p>Contact officer: Jon Whitlock, Jon.Whitlock@publicagroup.uk</p> <p>01242 26 4354</p>
<p>Legal implications</p>	<p>Written agreements will be used to document these grants, as have been used in previous years, with necessary adaptations for the very small grants.</p> <p>The Council needs to ensure that it complies with the rules about state aid whenever giving financial assistance. Financial assistance will be state aid if it could be considered that the assistance would be likely to affect trade between the member states of the European Union. As the grants are to be given for local community activities, it is highly unlikely that the grants would be considered to be unlawful state aid.</p> <p>Contact officer: Donna Ruck, donna.ruck@tewkesbury.gov.uk, 01684 272696</p>
<p>HR implications (including learning and organisational development)</p>	<p>None identified.</p>
<p>Key risks</p>	<p>Fraudulent use of the funding by organisations.</p>
<p>Corporate and community plan Implications</p>	<p>The allocations proposed in Appendix 2 will enable the council to deliver on the following ambitions:</p> <ul style="list-style-type: none"> • Cheltenham enables business growth by being better connected; • Champions physical and mental wellbeing; • Cheltenham is internationally renowned for its culture, heritage, food and sport.
<p>Environmental and climate change implications</p>	<p>3 of the 13 community pride grants and 1 of the 9 community building grants being awarded will enable local organisations to make a positive difference in their local environment.</p>
<p>Property/Asset Implications</p>	<p>None identified</p>

1. Background

- 1.1 The council's Community Pride Fund is now in its twelfth year of existence. This year, the fund is being used to support the place vision and ambitions for Cheltenham through community owned projects that build community pride and enable local groups to be more influential in supporting their communities and improving their neighbourhoods.
- 1.2 Up to £30,000 was made available for community pride grants to match fund the following, on a 50% basis, up to the value of £5000:
 - Community-led projects that enable local businesses and their workforces to thrive
 - Community-led projects that enable people and communities to thrive and that support physical and mental wellbeing
 - Community-led projects that enable culture and creativity to thrive in Cheltenham
- 1.3 Up to £4000 was also made available via community building grants of up to £300 to run small scale projects and events and activities to help groups support the well-being of their neighbourhood.
- 1.4 The fund was open for applications for 7 weeks from 27 July until 14 September 2018 and was publicised through Gloucestershire Rural Community Council, media releases and information on the council's website.
- 1.5 A panel comprising the Leader of the Council, Cabinet Member Healthy Lifestyles, Angela Gilbert from Gloucestershire Rural Community Council, Richard Gibson, Louise Forey and Helen Down from the Strategy and Engagement Team met on Thursday 19 September to assess the 19 Community Pride applications and 9 Community Building applications and to make recommendations to Cabinet.

2. Reasons for recommendations

- 2.1 The total amount requested this year from the 19 community pride applications was £80,474. The panel assessed them against this year's criteria for the community pride fund which were:
 - The project's contribution to our place vision and ambitions;
 - The project's value for money in terms of its community benefits versus the amount of grant requested;
 - That the project will meet an identifiable need or build on an opportunity;
 - What will the project achieve;
 - What the longer-term legacy of this project will be;
 - Accessibility at no cost to the general public;
 - Match funding of 50% of the project cost in place.
- 2.2 The panel identified 14 community pride projects that could definitely answer in the positive for the majority of the criteria and agreed that they should be recommended for approval. The total sum awarded through this process was £30,274.

- 2.3 Of this £30,274, £18,842 is being held pending satisfactory answers to questions which the panel had, or evidence of costings.
- 2.4 The assessment of the community pride projects is shown in **appendix 2**.
- 2.5 Regarding the £18,842 being held pending, if satisfactory answers to the panel’s questions or evidence of costings requested by the panel cannot be provided for any reason, then it is proposed that any remaining funds are rolled over to fund community pride related community projects and that this decision be delegated to the Participation and Engagement Team Leader, in consultation with the Leader of the Council.
- 2.6 In terms of the community building grants, 9 requests were received and it is recommended that all 9 projects are funded, plus one of the community pride fund applications from the Holocaust Memorial Day Act of Remembrance Committee, which gives a total allocation of £2,730.
- 2.7 The assessment of the community building projects is detailed in **appendix 3**.

3. Alternative options considered

3.1 None

4. Consultation and feedback

4.1 None

5. Performance management – monitoring and review

5.1 Once approved, the council will enter into written agreements with the successful applicants as in previous years. This specifies that the grant recipient will submit a project monitoring report, summarising the project achievements, outcomes and lessons learnt to the Participation and Engagement Team Leader on completion of the project.

Report author	Contact officer: Helen Down, helen.down@cheltenham.gov.uk, 01242 264272
Appendices	<ul style="list-style-type: none"> 1. Risk Assessment 2. Assessment of community pride applications 3. Assessment of community building applications
Background information	

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
CD.2	If division does not put proper controls in place for the management of small grants funds, then we run the risk of funds being used inappropriately or even fraudulently	Strategy and Engagement Manager	March 2010	3	2	6	Reduce	implement and monitor small grants protocol	ongoing	Strategy and Engagement Manager	Commissioning Division

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**Cabinet 09/10/18 – Allocation of the Community Pride Fund, Appendix 2
Recommendations**

Organisation	Project	Description	cost of project	amount requested	Recommendation	amount agreed
The Rock	Children's Cooking Club	The Rock children's cooking club was piloted within the SPTM community cafe, starting January 2018. It has proved increasingly popular with more children attending each week. Once cooked the food is either eaten, or taken home to the family. The project aims to enable primary school children from the area to learn to cook. Due to levels of deprivation within the area the club is run at low cost to users.	£8,781	£5,000	The panel was supportive of the project. The total bid was for more than 50% of the project cost. The panel recommended an award of £2500.	£2,500
Boccia Busters CIC	Boccia Busters -Let's Roll Cheltenham	Boccia Busters is Gloucestershire's only social enterprise dedicated to developing the sport of Boccia (wheelchair bowls). This new outreach project in Cheltenham aims to engage inactive disabled people in regular activity sessions. We will work with 4 targeted partner organisations to create sustainable and ongoing opportunities to enable participants to enjoy the sport for many years to come. The programme will provide coached sessions, expert mentoring, advice and support and capacity building for our partners.	£19,254	£4,843	The panel was supportive of the proposed project, but was unclear about future sustainability of it and what the role of the admin worker would be, as well as who would own the ramp. An award of £2000 was recommended, subject to understanding what could be achieved with this.	£2,000 Pending further details
Cheltenham Connect	Bath Road Utility Boxes Enhancements	In 2014 traders, council and community came together to brighten up Bath Road, with tree planting, planters, roundabout branding and artwork. We wanted to enhance its appeal for shopping and reinforce its identity. Decorating utility boxes was a key part of this scheme. 3 groups now plan to paint an additional 5 boxes	£4,385	£2,193	The panel was very supportive of this project, in an area outside the BID area and felt that the application was very well devised.	£2,193

		and restore, clean and redecorate the existing boxes. The same artists will be used and the newly painted boxes will be decorated in matching style, using a Victorian tile motif from a Bath Road butcher and other locally inspired designs.				
Cheltenham Whaddon Bowls Club	Installation of disabled toilet facilities	We wish to install disabled toilet facilities to the main building on the Whaddon Road site. Once this has been completed we wish to make further enhancements to the bowling surrounds which will then enable the club to make an improved offering of bowling opportunities to disabled people. The majority of our members are over 60 – and a disabled toilet facility would be of great benefit to our current able bodied members. Further enhancements to disabled accessibility is being deferred by the lack of disabled toilet facilities – of which there aren't any at present.	£5,000	£2,500	The panel was happy to support the project but subject to evidence of the costings.	£2,500 Pending further details
Holocaust Memorial Day Act of Remembrance Committee	Holocaust Memorial Day Act of Remembrance 2019	To organise an event in the Municipal Offices in conjunction with CBC, on the evening on 24/01/2019. The event will comprise an Act of Remembrance in the Council Chamber and an accompanying exhibition in the adjoining Pittville Room. The event is intended to raise awareness of the Nazi Holocaust, subsequent genocides and the dangers of present day prejudice in all its forms. The exhibition will remain for viewing until 31/01/19. Each year has a specific theme, which for 2019 is 'Torn from Home'	£410	£410	The panel recommended making a community building grant to this project of £300 - please see Appendix 3.	

Cheltenham West End Partnership	Lower High Street Festival	A street festival for the Lower High Street to celebrate the history and diversity of the area. An event with music and performance, market stalls and fun activities for children and adults. It will promote the most diverse part of Cheltenham and will involve local residents and businesses. To be held in the Spring so that University students are still in residence. A street festival in this area has long been requested by the residents and businesses and following a public sociology feasibility study and consultation working with University students we now believe it is achievable.	£4,535	£2,500	The panel supported the project but the bid was for more than 50% of the total project cost, so a grant of £2250 was recommended, subject to the match funding being obtained.	£2,250 Pending further details
Midsummer Fiesta	Midsummer Fiesta 2019	Midsummer Fiesta is the biggest free community event in Cheltenham, which showcases and celebrates the borough's diverse communities and talents, and offers a free day out for people of all ages in Montpellier Gardens. Running since 2010, the event draws thousands of people and involves dozens of local performers, small businesses, volunteers, charities and exhibitors.	£12,000	£2,500	The panel recognised the value of the Fiesta to the town and recommended funding it in full.	£2,500
Benhall Residents Association	Community Pride Planters and Seating	To provide a beautiful rest space for local residents, overlooking Benhall Park. The site we have in mind is on the edge of the park (nearly opposite the Sheepscombe Close turning) where there used to be a well-used park bench. This rotted away many years ago. Residents are proud of their green spaces and want to make more use of them. For older residents and families, a place to rest will be welcome and will encourage people outdoors.	£1,202	£600	The panel was very happy to support this very detailed application for a modest amount of funding.	£600

Cheltenham Christian Arts	Encounter, Cheltenham Christian Arts Festival 2019	We produce a diverse Arts Festival unifying Cheltenham Christian Churches (all denominations) to reach out to communities around them especially schools, non-churchgoers and other faiths. 70 events in 40 venues. The Festival offers a range of artistic expression including performance, music, comedy, with free arts workshops and exhibitions featuring local and national artists. Educational talks and competitions encourage participants to explore artistic expression in particular young people, the marginalised and those with disabilities, socially excluded or low income. The Festival is an invitation to all regardless of religion, ethnicity, gender, age or background supporting interfaith and other faith contributions.	£46,970	£5,000	The panel recommended funding the following aspects of the festival only: Venue hire for the Sober Parrot; Cool Constructions workshops; The Riverside Performing Art Company; the Open Mic competition at the Sober Parrot and the Action Sports Photography Workshop at the Rock.	£1,050
Boulders Ltd	Boulders Cheltenham Climbing Centre	Boulders currently runs an indoor climbing centre in Cardiff and proposes to bring its offering to Cheltenham by opening Cheltenham's first indoor climbing centre. The aim is to build a user base of over 1000 people aged 6-65 years and to get people who have fallen out of a regular activity routine back active by climbing. Boulders want to build strong links with local schools to offer children an alternative to team invasion games and start children on a development path that could lead to the Olympics. Boulders believes that communities can be healthier, happier and more active by participating in climbing, which is a fun, constantly evolving individual challenge that is highly social and inclusive.	£310,000	£30,000	The panel was unable to make an award to this project, due to the amount requested being the total amount available in the Community Pride Fund and the project being commercial with no offer to community groups.	£0

Gloucestershire Credit Union	Developing Glos Credit Union in Cheltenham	Gloucestershire Credit Union will provide the people of Cheltenham with a community based, mutually owned and democratically controlled financial service focussed on meeting their needs, not those of shareholders. We will encourage people to increase their financial resilience by saving regularly so they will have the means to meet unexpected expenses and have access to affordable short-term credit when they need it. Together we will build a community bank which will include the financially excluded.	£24,694	£3,392	The panel recognised the importance and value of this project and liked the ambition of involving people from all over Cheltenham. The panel was happy to fund the full amount, subject to assurance that this money will be spent in Cheltenham, and that it is still needed if all of the other funding is obtained as detailed.	£3,392 Pending further details
The Holst Birthplace Trust	Twinkle Twinkle - Early Years in St Pauls	Building on from the successful partnership with St Paul's for 2018's Community Pride funding, this time on an Early Years project. The aim is to build an audience for the museum in the local area. The project will consist of four workshops for pre-school children and their parents/carers, held at the Herrington Rooms, St Paul's and will be a combination of music and craft. The music workshops will be led by a practitioner supported by museum staff. The craft workshops will be led by St Paul's residents and museum staff. Family admission tickets to the museum will also be given to all participants.	£3,790	£1,895	The panel was supportive of the project, and happy to recommend funding it in full, subject to confirmation that room hire costs are needed. The panel suggested that the project could be run within existing groups rather than creating something new.	£1,895 Pending further details
St Pauls Residents Association	Artisans of St Pauls - Creative Christmas and Box Fresh	A programme of Creative Events in St Paul's that brings together the community and demonstrates and celebrates this diverse community by utilising local skills and talents to bring about public art. This will include large and small scale lanterns being paraded	£5,310	£1,805	The panel recommended supporting this project in full, subject to confirmation of the staff costs.	£1,805 Pending further details

		through the streets accompanied by reindeer, a local choir and musicians, Christmas craft workshops and a series of painted street furniture (utility boxes) designed by St Paul's artists from a diverse section of the local community.				
Up Hatherley Parish Council	Village Hall Refurbishment	Enhance the village hall which acts as a critical community asset, through the provision of multi-media facilities, including a sound system, hearing loop and projection equipment. The hall is largely fully booked each day and evening and currently hirers have to provide their own sound / projection equipment. This will make the whole a vital hub for the community.	£5,178	£2,589	The panel was supportive of this project for this well used facility and recommended funding it in full.	£2,589
Cheltenham Paint Festival	Cheltenham Paint Festival 2019	My project is to gain permission and paint the gable ends of the flats along Princess Elizabeth Way. We wish to attract the world's best artists to our festival and put significant investment into the area. My intention is to create a world class festival that stands alongside the other festivals that we proudly host. For truly world class artists to be interested in coming to the town it's all about the wall and the project. The opportunity to create a stunning landscape, with near perfect walls, through one of the poorest areas in the country will be a draw any artist would find hard to resist and I have already spoken with a few of the world's best in anticipation for this and some other walls I am planning.	£50,000	£5,000	The panel was keen to support this project, which will include the Hesters Way/Springbank area in the Paint Festival. The panel recognised that this bid had been made at the last minute and was happy to recommend an award of £3000, subject to understanding exactly what this would fund.	£3,000 Pending further details

Cheltenham Open Studios	Cheltenham Open Studio Website Update	COS is a major biennial visual arts event. It has become a highlight in the town's cultural calendar. Over 10,000 people visit the homes and studios of over 200+ artists, working locally. In 2017, we had over £60.500 recorded sales. The new website will be a portal for the local community to connect with the visual art being made here 24/7, 365 days of the year and for artists to sell their work and advertise events. The old platform is now obsolete; the new platform will help develop the visual arts community and the wider event for years to come.	£7,000	£3,500	The panel recommended an award of £2000 to support this project, subject to more detail on the match funding and evidence of the costings.	£2,000 Pending further details
Hesters Way Partnership	Oasis Garden	We will create a social space on land outside the Oasis Centre through landscaping, planting and seating. We will engage with users of the Oasis Centre and the new multi-use games area to generate ideas for mutually acceptable uses of the space in the future. We will invite community members to an engagement day at which we will plant fruit trees at the front of the site and annuals in the oak barrel planters around the benches. We will gather opinions about the further development of the site as potentially a community garden and/or an arts space.	£1,900	£1,270	The bid was not received until after the closing date and was for more than 50% of the project cost and the fund was already over subscribed	£0
Friends of Sandford Park	Sandford Park Noticeboards	Despite all of the assets that Sandford Park has, users and visitors are given little information about what is around them. Sandford Park needs a number of information boards, such as those found in Pittville Park and other locations, to allow people to benefit more greatly from their experience of the park.	£6,365	£4,765	The bid was not received until after the closing date and was for more than 50% of the project cost and the fund was already oversubscribed.	£0

Gardens Gallery and FOMBAG	Noticeboard in Montpellier Gardens	Our objective is to make both visitors and residents aware of the dynamic programme in the Gardens. From Festivals to Playground, Gallery, Bandstand, Fiesta to Funfair. A third of visitors to the Gallery in August came for the first time. During the Festivals there is a massive footfall in the Gardens, which is an opportunity to inform on the vibrant activity in the Gardens.	£2,246	£1,123	The bid was not received until after the closing date and the fund was already oversubscribed.	£0
		TOTAL COMMUNITY PRIDE BIDS	£519,020	£80,884		£30,274

Cabinet 09/10/18 – Allocation of the Community Pride Fund, Appendix 3
Recommendations for community building grants

Organisation	Project	Description	Cost of project	Amount requested	Recommendation	Amount agreed
UoG Students Union	SU Annual Christmas Tea Dance	Run annually for 20+ years. We invite around 200 older residents of Cheltenham and the surrounding area and employ an experienced tea dance musician to sing and play the keyboard. Around 100 guests attend, with over 30 student volunteers helping to run the event & serve refreshments under the guidance of SU staff. To entertain the guests, student groups perform a dance or recital each year. There is a raffle organised by RAG (Raise & Give), a SU Society that raises money for local & national charities throughout the year.	£600	£300	The panel was supportive and suggested linking it with the Community Wellbeing Service to identify potential attendees.	£300
Reddings Residents Association	The Reddings Air Quality Monitoring Project	The project will aim to provide an accurate representation of air quality in the Reddings area.	£400	£200	The panel was supportive, subject to understanding what this would pay for, how the ongoing monitoring will be funded and what will be done with the results.	£200 Pending further details
St Pauls Residents Association	St Paul's Road Area Residents Association and St Paul's NCG	Hold bi-monthly public meetings for community members to meet with councillors, and representatives of the police and other organisations. Produce, print and distribute a newsletter to all houses in the area ahead of the AGM in September. Support consultations in the area. Disseminate news and information in the area by a variety of means, including notice board, newsletter, email, social media, website, and in person.	£300	£300	The panel was supportive.	£300

Cheltenham West End Partnership	Christmas Festival	Following the huge success of the World Fun Day in Winston Churchill Gardens on Saturday 18 th August we would like to hold a Christmas Festival at the Community Resource Centre. We will use the opportunity to consult with the local residents on what they would like within the centre and encourage new volunteers to the centre and other volunteering opportunities within the area including the proposed Street Festival 2019. The event will have festive activities and craft stalls. There will be something for both children and adults. Every household in the lower high street area and part of St Pauls will receive a leaflet about the event.	£969	£280	The panel was supportive.	£280
Cheltenham Festival of Performing Arts	Audience Development - Community Tickets	To be able to invite members of the local community to become audience members at the 2019 Cheltenham Festival of Performing Arts. We would reach out to local community groups and offer them free tickets for a range of performances.	£450	£200	The panel was supportive.	£200
Hesters Way Neighbourhood Project	Winter Wonderland	We want to put on "Winter Wonderland 2018". Our aim is to bring as many local people together as possible to "let the magic happen" giving people the opportunity to meet, have fun, build relationships, celebrate, find out about services and what's going on in the area, catch up with family, friends neighbours and meet people they don't yet know, see the work of local groups, be entertained and get involved in things locally. This event attracts over 500 people with up to 200 children getting to see Father Christmas and Elves in his amazing Grotto.	£2,000	£300	The panel was supportive, but questioned whether some fund raising could be built into the event to sustain it into the future.	£300
Benhall Residents Association	Annual Community Family Event	BRA has existed for nearly 60 years. Benfest is an annual event for families in July and is run entirely by volunteers. In its 3 years of existence the Festival has enhanced the community life for	£500	£250	The panel was supportive, subject to the grant not being used to fund alcoholic	£250 Pending further details

		those who live and work in the area by strengthening community involvement. The Festival is an inclusive event.			drinks.	
Create on the Square Activities Team	Christmas on the Square	A community wide celebration project, bringing together local people, business, community organisations, local schools and local partners that include Cheltenham Borough Homes for one evening of festive fun. The aim is to bring the community together via the light switch on, festive market, memory maker and provide them with a sense of pride for Coronation Square, which is the heart of Cheltenham West and has been neglected for many years. The event is 4-6 pm with a view to bringing local families and children out after school.	£1,000	£300	The panel was supportive.	£300
Qigong on the Park		We have started a small community group called "Qigong in the Park" led by a qualified Qigong teacher practising for 27 years. Qigong is a very simple, gentle exercise suitable for all ages and abilities (including wheelchair users). It is highly beneficial to health & happiness and improves both. We started a session in our local park every Thursday morning where everyone is welcome and is free of charge, meaning it is accessible to all. We now have a group of over 40 participants, some of whom have physical and mental disabilities. The current age range is from 7 to 90 years old. Not only does this class help with health, it also provides valuable social interaction for people who have few opportunities to engage in the local community. We would like to start an indoor class especially for the winter which will cost money to hire. We are reluctant to charge for this class as we believe it will prohibit some members from attending.	£300	£300	The panel was supportive, subject to the indoor venue in question being within Cheltenham borough.	£300 Pending further details

Holocaust Memorial Day Act of Remembrance Committee	HMD Act of Remembrance 24 January 2019	To organise an event in the Municipal Offices in conjunction with CBC, on the evening on 24/01/2019. The event will comprise an Act of Remembrance in the Council Chamber and an accompanying exhibition in the adjoining Pittville Room. The event is intended to raise awareness of the Nazi Holocaust, subsequent genocides and the dangers of present day prejudice in all its forms. The exhibition will remain for viewing until 31/01/19. Each year has a specific theme, which for 2019 is 'Torn from Home'	£410	£410	The panel recommended making a community building grant to this project of £300.	£300
		TOTAL COMMUNITY BUILDING BIDS	£6,929	£2,840		£2,730

Cheltenham Borough Council

Cabinet – 9 October 2018

Freehold Disposal of Public Open Space – Surplus Land Forming Part of King George V Playing Field

Accountable member	Cabinet Member for Finance, Councillor Rowena Hay
Accountable officer	Head of Property & Asset Management, Dominic Stead
Ward(s) affected	St Mark's
Key/Significant Decision	No
Executive summary	<p>The strip of land shown on the attached plan outlined in red forms part of King George V Playing Field which is designated as 'public open space' and is approximately 200m². The strip of land has overgrown vegetation and does not form part of the main recreational area.</p> <p>New Dawn Homes (a developer) acquired land adjacent to the strip of land and have recently submitted a planning application for 18 residential homes. The site is likely to be developed in the near future and will limit access to the strip of land in our ownership.</p> <p>The land has limited access at present and will be very challenging to manage trees and vegetation post development of the neighbouring site and therefore it is proposed we dispose of the land.</p>
Recommendations	<p>That Cabinet RESOLVES</p> <ol style="list-style-type: none"> 1. Delegation to the Head of Property & Asset Management (in consultation with the Cabinet Member for Finance) to dispose of the land for best consideration and upon such other terms as are deemed appropriate. 2. Authorises the Borough Solicitor to prepare and conclude the necessary documentation.
Financial implications	<p>Should the land be sold this will generate a capital receipt.</p> <p>The impact on the revenue budget will be insignificant due to the nature of tree maintenance.</p> <p>Contact officer:</p> <p>Jon.Whitlock@publicagroup.uk , 01242-264354</p>

<p>Legal implications</p>	<p>The Council is under a statutory obligation under section 123 of the Local Government Act 1972 to secure the best consideration reasonably obtainable.</p> <p>In addition, where the property is public open space the Council must advertise the proposed disposal for 2 consecutive weeks in a local newspaper and consider relevant objections. Any objections will be reported at the cabinet meeting.</p> <p>The strip of land is not protected as 'field in trust'.</p> <p>Contact officer:</p> <p>rose.gemmell@teWKesbury.gov.uk, 01684 272014</p>
<p>HR implications (including learning and organisational development)</p>	<p>Not applicable.</p> <p>Contact officer: , @cheltenham.gov.uk, 01242</p>
<p>Key risks</p>	<p>Should the land not be sold to New Dawn Homes it will remain as a nuisance and cost for Cheltenham Borough Council to manage with access being very challenging.</p> <p>The land may also become a sheltered/enclosed area that may encourage anti-social behaviour.</p>
<p>Corporate and community plan Implications</p>	<p>None</p>
<p>Environmental and climate change implications</p>	<p>Chis Chavasse (Senior Trees Officer) comments from a previous planning application 17/02460/FUL;</p> <p>“To have such a narrow strip of land bordered on both sides by private housing would make it become very difficult to manage and the land would soon become (even more) derelict with tree management/surgery very difficult to achieve. It would be far more preferable to incorporate this strip of land into rear gardens of the proposed plots thereby giving more generous plot sizes as well as negating CBC's responsibilities.”</p>
<p>Property/Asset Implications</p>	<p>As outlined in this report.</p> <p>Contact officer: Dominic.Stead@cheltenham.gov.uk</p>

Report author	Contact officer: harry.lea@cheltenham.gov.uk 01242-264112
Appendices	1. Appendix 1 – Risk Assessment 2. Appendix 2 - Plan

1.2 Background

- 1.3 The strip of land shown on the attached plan outlined in red forms part of King George V Playing Field which is designated as ‘public open space’ and is approximately 200m². The strip of land has overgrown vegetation and does not form part of the main recreational area.
- 1.4 New Dawn Homes (a developer) acquired land adjacent to the strip of land and have recently submitted a planning application for 18 residential homes. The site is likely to be developed in the near future and will limit access to the strip of land in our ownership.
- 1.5 The land has limited access at present and will be very challenging to manage trees and vegetation post development of the neighbouring site and therefore it is proposed we dispose of the land. The management of this land is also a cost to Cheltenham Borough Council.
- 1.6 The planning team have advised selling the land will not impact the planning decision however it will mean it can be incorporated within the gardens of new build residential properties. Trees identified will be incorporated into gardens.
- 1.7 It has been suggested that the land was retained by Cheltenham Borough Council as a pedestrian access route which is now no longer usable due to the surrounding land being developed.

2.0 Consultation and Feedback

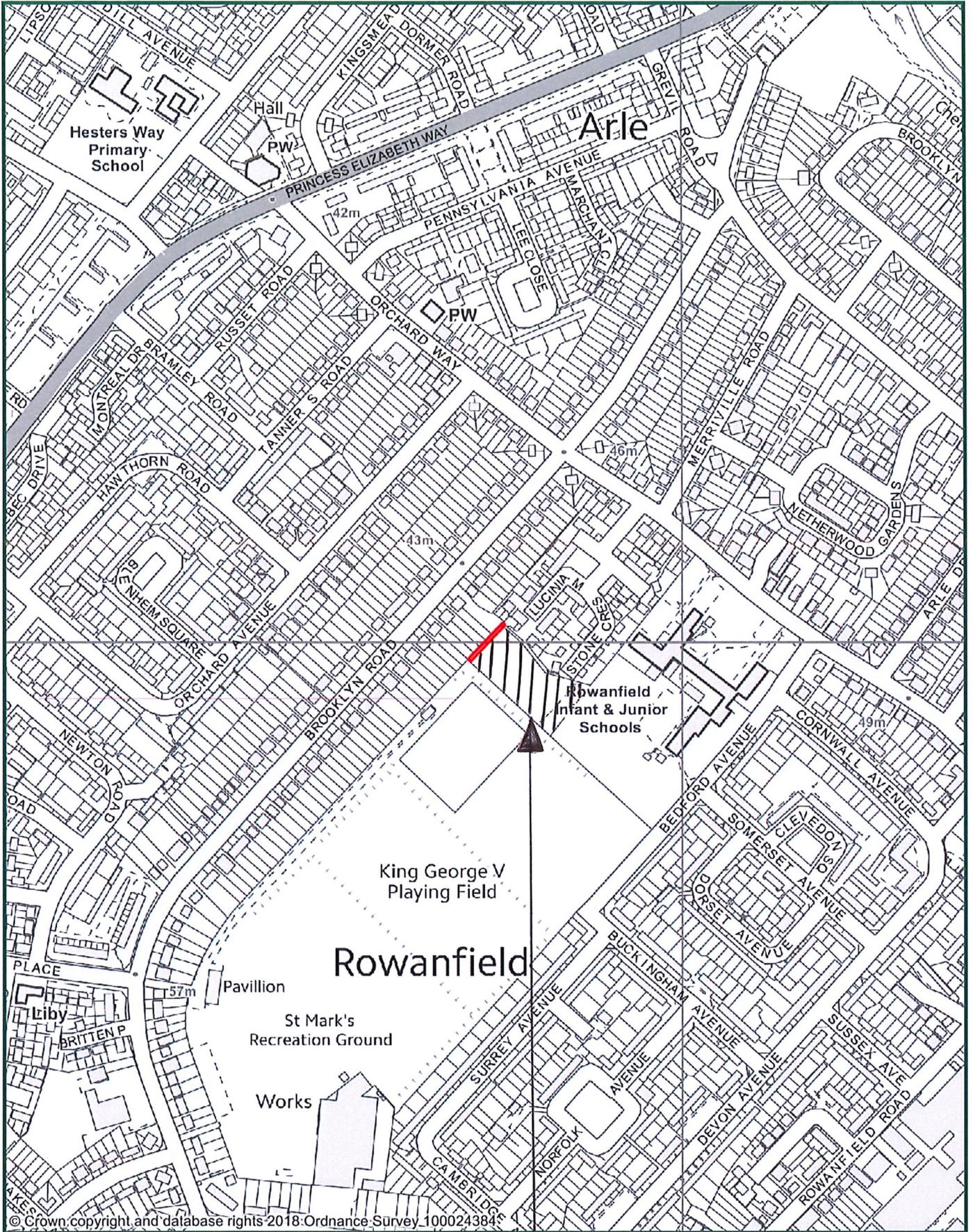
- 2.1 As the property is public open space the Council must advertise the proposed disposal for 2 consecutive weeks in a local newspaper and consider relevant objections. It has been agreed the purchaser will be liable for these costs.
- 2.2 The planning team have advised selling the land will not impact the planning decision however it will mean it can be incorporated within the gardens of new build residential properties. Trees identified will be incorporated into gardens.
- 2.3 The Cabinet Member Finance, ward councillors and the Asset Management Working Group have been consulted and support the proposal.

3.0 Performance management – monitoring and review

- 3.1 Head of Property & Asset Management will negotiate the detail of the terms and the Borough Solicitor will prepare and conclude the necessary documentation.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Should the land not be sold to New Dawn Homes Cheltenham Borough Council will continue to maintain the land however access will be very challenging.	Harry Lea	19/04/2018	2	5	10	Accept	Dispose of the land to New Dawn Homes	31/12/2018	Harry Lea	
	The land may also become a sheltered/enclosed area that may encourage anti-social behaviour.	Harry Lea	19/04/2018	4	3	12	Accept & monitor	Dispose of the land to New Dawn Homes.	31/12/2018	Harry Lea	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

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Property Map


*NEW DAWN
HOMES*

0 50 100 150 metres

1:5000

17 September 2018



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Cheltenham Borough Council

Cabinet-9 October 2018

Cheltenham Spa Bowls Club

Authority to Dispose of Public Open Space

Accountable member	Cabinet Member for Finance, Councillor Rowena Hay
Accountable officer	Dominic Stead (Head of Asset and Property Management)
Ward(s) affected	Lansdown
Key Decision	No
Executive summary	<p>St Georges Square Bowling Green is let to Cheltenham Spa Bowling Club. The lease expired on the 23rd June 2017. The lease is protected by the Landlord and Tenant Act 1954, and the tenant has shown an interest in renewing.</p> <p>The land is identified as Open Space and has been advertised in accordance with S123(2A) Local Government Act 1972 and it is confirmed that no objections to the disposal were received</p>
Recommendations	<p>That Cabinet approves the Council leasing the land and buildings edged in red on the plans that accompany this report to the trustees of Cheltenham Spa Bowling Club for a period of 15 years at market rent and delegates authority to the Head of Property and Asset Management, in consultation with the Borough Solicitor, to agree the terms of the leases</p>
Financial implications	<p>The lease has been agreed at market rate (est. £3,650 per year) for the next 15 years and this is greater than we currently receive (£1,696 per year), therefore we will be charging estimated £1,954 a year more for this going forward. This is based on a fair market rent.</p> <p>Contact officer: Andrew Knott andrew.knott@cheltenham.gov.uk 01242 264121</p>

<p>Legal implications</p>	<p>As the expired lease protection of Part II of the Landlord & Tenant Act 1954, the tenant would have “held over” on the same terms as the expired lease and the Council has to follow the procedures set out in that Act if it wishes to terminate the existing basis of occupation and grant a new lease. Regaining vacant possession of the property can only be achieved if the Council can prove one of the grounds prescribed under the Act.</p> <p>The Council has to have regard to certain statutory obligations where it is disposing of land by way of a lease for more than 7 years:</p> <p>(a) the obligation under s123 Local Government Act 1972 to obtain best consideration reasonably obtainable.</p> <p>(b) where the disposal is of public open space (an expression which includes buildings located on open space), prior to disposal a notice of the intention must be placed in the local press for 2 consecutive weeks, and any objections considered.</p> <p>If the terms of the new lease cannot be agreed, the tenant has the right to apply to court for the new terms to be settled by way of court order.</p> <p>Contact officer</p> <p>Rose Gemmell rose.gemmell@tewkesbury.gov.uk 01684 272014</p>
<p>Key risks</p>	<p>None as there have not been any objections to the advertisement.</p>
<p>Corporate and community plan Implications</p>	<p>None</p>
<p>Environmental and climate change implications</p>	
<p>Property/Asset Implications</p>	<p>As outlined in this report.</p> <p>Contact officer: Dominic.Stead@cheltenham.gov.uk</p>

Report author	Contact officer: Rebecca.conway@cheltenham.gov.uk, 01242-264109
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Proposed Lease Plan

1.0 Background

- 1.1 Cheltenham Spa Bowls Club has been in place at St Georges Square since 1925. The clubs previous lease expired on the 23rd June 2017 and was for a term of 20 years, with a 6 months rolling break notice.
- 1.2 The Tenant wishes to renew their Landlord & Tenant Protected Lease and there are no reasons to oppose the renewal on statutory grounds.
- 1.3 Draft heads of terms have been agreed for a new lease for a new term of 15 years with a Landlord & Tenant rolling 6 months break notice.
- 1.4 The land is deemed Public Open Space and the appropriate Notices detailing the proposed leasehold disposal pursuant to S123(2A) of the Local Government Act 1972 was placed in the Gloucestershire Echo on the 11th January & 18th January. The Notices gave details of the proposed disposals and asked that if there were any objections to send them in writing to the Borough Solicitor by 9am on 1st February 2018. No objections were received.

2. Reasons for recommendations

- 2.1 To allow the current tenants a new lease of the Bowls Club.

3. Alternative options considered

- 3.1 Cabinet could decide not to agree to the leasehold disposals contained but this would result not only in closure of the bowls club but would also require the Council to take back the maintenance , repairing and on-cost liability of the building and land.

4. Consultation and feedback

- 4.1 Ward members have been consulted about this proposal and no adverse comments received
- 4.2 As the property is public open space the Council have advertised the disposal in the local newspaper for 2 consecutive weeks. There were no objections to the proposed disposal.

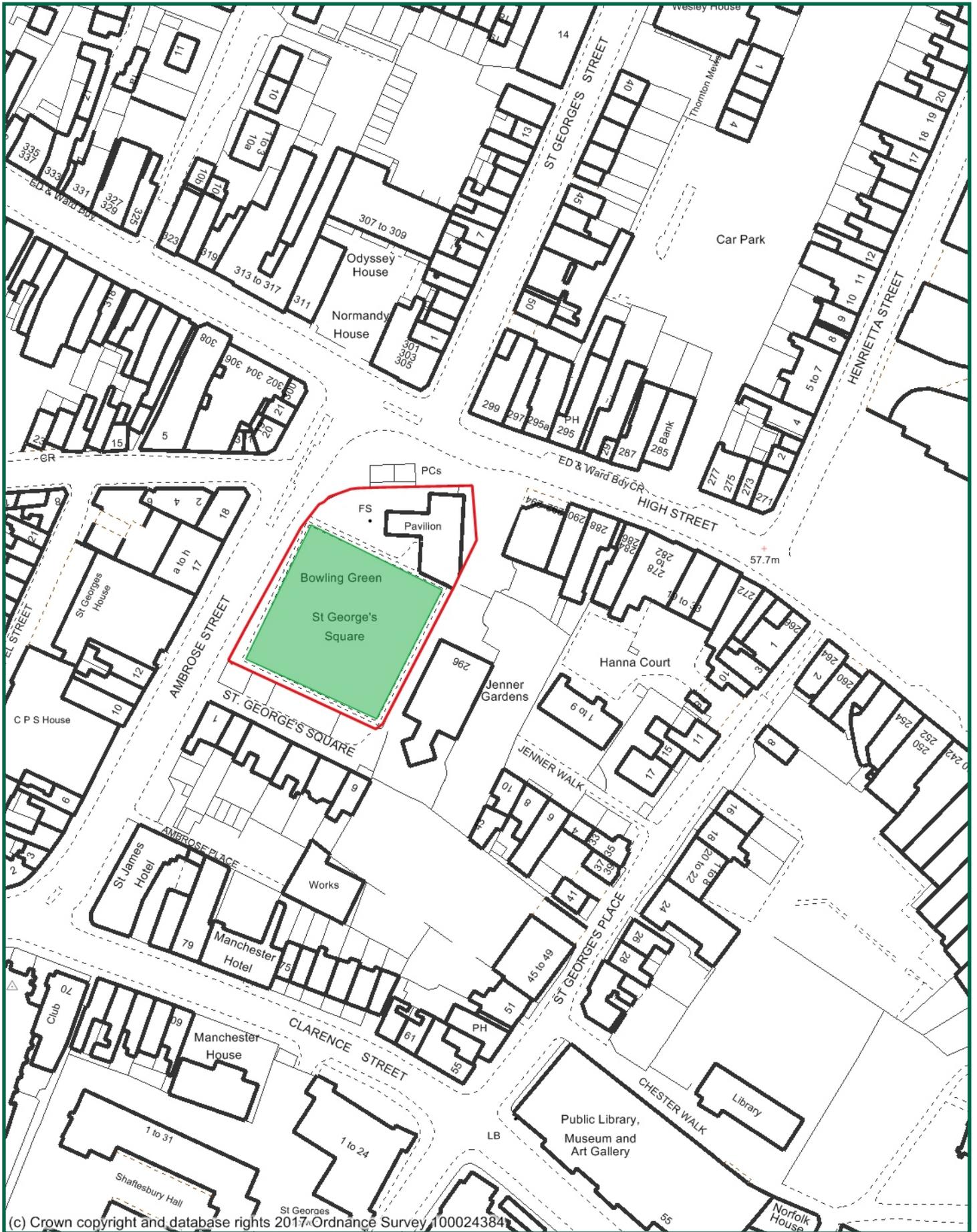
Performance management –monitoring and review

- 4.3 The lease renewal will be managed according to the Local Government Act 1972, in terms of the rent receivable, and the Landlord & Tenant Act 1954 in respect of the statutory procedures to be followed.

Report author	Contact officer: Rebecca Conway rebecca.conway@chesham.gov.uk, 01242 775148
Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Location Plan
Background information	<ol style="list-style-type: none">1. None

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	That the tenants do not wish to renew the lease	DS	16/08/2018	5	1	5		To monitor the lease renewal		DR	

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Cheltenham Borough Council

Cabinet 9th October 2018

Appointment of Civil & Structural Engineer - as Consultants for the Renovation of Cornish Type Properties

Accountable member	Cabinet Member Finance, Rowena Hay
Accountable officer	Tim Atkins , Managing Director Place and Growth
Ward(s) affected	St Pauls & St Marks
Key/Significant Decision	No, the Key Decision for capital budget allocation for this project (works & services) was made by Cheltenham Borough Council on Tuesday, 19th February 2018.
Executive summary	<p>To appoint Curtins Consulting Ltd to provide civil, structural and contract administration services for a project to renovate all the Cornish type properties within the housing stock. Cornish type properties are a form of non-traditional construction that was designated defective by the Government in the 1980's.</p> <p>This professional service is required to provide the necessary expertise to design, specify and oversee the renovation of the pre-cast reinforced structural concrete elements of Cornish type properties.</p> <p>The proposal is for a 5 year contract to cover the design, procurement, and administration of the works which are planned to be undertaken in two phases during the 2019/20 and 2020/21.</p>
Recommendations	<p>It is recommended that Curtins Consulting Ltd be appointed to provide the professional service of civil and structural engineer and contract administrator for the project to renovate Cornish type properties. The service would be awarded under the NHS' Standard Call-off Terms and Conditions for the Supply of Services for the period until 31st October 2023.</p> <p>It is considered the contract will provide good value as it was secured through competitive tendering and importantly through the expertise and experience Curtins have in renovating Cornish type properties and in administering contracts.</p>
Financial implications	<p>As set out in paragraph 1.4</p> <p>Contact officer: paul.jones@cheltenham.gov.uk tel: 01242 264365</p>

<p>Legal implications</p>	<p>The terms of the framework agreement and call off terms will need to be reviewed by One Legal before drawing down the services.</p> <p>Contact officer: Peter Lewis, Head of Law (Regulatory), One Legal, tel: 01684 272012</p>
<p>HR implications (including learning and organisational development)</p>	<p>None</p> <p>Contact officer: Julian Denslow, julian.denslow@cbh.org, 01242 387651</p>
<p>Key risks</p>	<p>It will not be possible to renovate the Cornish type properties without specialist expertise.</p>
<p>Corporate and community plan Implications</p>	<p>Will contribute to maintaining the housing stock to a high standard.</p>
<p>Environmental and climate change implications</p>	<p>Will contribute to maintaining the housing stock to a high standard and with regard to improving thermal insulation qualities.</p>
<p>Property/Asset Implications</p>	<p>The service will enable the most suitable and cost effective long term solution for the renovation of the Cornish type properties to be delivered and will give at least a further 40 years life to these properties.</p> <p>Contact officer: Julian Denslow, julian.denslow@cbh.org, 01242 387651</p>

1. Background

- 1.1 Specialist structural surveys of the Cornish housing within the CBC stock were initially undertaken in 2005. These found repairs requiring early attention and the need for more comprehensive investment in due course. Follow-on surveys in 2010 and 2014 (Midwinter/Elmfield), and 2016 (Pitman Road) have identified a trend of steady ongoing deterioration of precast concrete structural elements and it is now appropriate to consider either investment to address this or the potential for regeneration.
- 1.2 Other external components, including chimneys, roof coverings, rainwater goods, windows and doors are also at or nearing the end of their economic life and substantial capital investment in the properties is required in order to ensure they meet the minimum requirements of the Decent Homes Standard.
- 1.3 The service will enable the most suitable and cost effective long term solution for the renovation of the Cornish type properties to be delivered and will give at least a further 40 years life to these properties.
- 1.4 Budget provision has been made for the whole project (consultancy & works) totalling £2.98m. This comprises £2m from the Non-Traditional Homes budget and £0.98m from the External Improvements budget. The capital budget was approved by Cheltenham Borough Council on Tuesday, 19th February 2018.

Notes from the meeting:

Housing Revenue Account - Revised Forecast 2017/18 and Budget

Proposals 2018/19

9.7 The capital programme will require CBH to carry out procurement on behalf of the Council. The budget headings in Appendix 4 may include the award of more than one contract to the value of £100,000 and over (key decisions) which will be awarded in accordance with the Council's contract rules and the constitution.

1.5 Reasons for recommendations

- 1.6 To provide the necessary expertise to design, specify and oversee the renovation of the pre-cast reinforced structural concrete elements of Cornish type properties

2. Alternative options considered

- 2.1 To undertake the services in-house, but this has been rejected due a lack of the specialist expertise required.

3. Consultation and feedback

Leaseholders have been consulted with in accordance with the Commonhold & leasehold reform Act 2002 and no observations have been received as part of the formal consultation process.

4. Performance management –monitoring and review

- 4.1 By CBH in accordance with the specified service requirement.

Report author	Contact officer: Julian Denslow, CBH Asset & Investment Manager julian.denslow@cbh.org, 01242 387651
Appendix	1. Risk Assessment 2. Tender Report (Exempt para 3, schedule 12A, Local Government Act 1972)

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council does not appoint specialist consultants, having the necessary expertise, there is a risk that the properties will fall into further disrepair.	Julian Denslow	27/09/2018	4	3	12	Reduce	Cabinet to approve.	27/09/2018	Julian Denslow	
	If the Council does not appoint specialist consultants, there is a risk that the Council's housing stock could reduce and the houses deemed unsuitable for habitation.	Julian Denslow	27/09/2018	4	4	16	Reduce	Cabinet to approve.	27/09/2018	Julian Denslow	

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

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

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Cheltenham Borough Council

Cabinet – 9th October, 2018

Update regarding business continuity issues at Cheltenham Crematorium

Accountable member	Councillor Chris Coleman, Cabinet Member for Clean & Green Environment
Accountable officer	Mike Redman, Director of Environment
Ward(s) affected	All
Key Decision?	Yes
Executive summary	<p>This report provides an update in respect of ongoing challenges regarding the reliability of the cremators at Cheltenham crematorium, which will already be well known to members and which is one of the key reasons for the Council deciding to construct the new crematorium facility at the Bouncers Lane site.</p> <p>Funeral directors have been advised of the current situation and have been requested to ensure that bereaved families are aware of the options available to them.</p>
Recommendations	<p>Cabinet is recommended to:-</p> <ol style="list-style-type: none"> 1. Note the ongoing technical issues which the Director of Environment and the bereavement services team are managing in relation to the existing cremator plant; 2. Endorse the decision taken by the Crematorium Business Continuity Management Group (CBCMG) to temporarily stop taking new bookings for cremation services; 3. Approve the phased shutdown of the cremation operation at the Bouncers Lane site, noting that it may be necessary to arrange for cremations at alternative locations, should there be any further technical failure of the plant; 4. Approve the development of an alternative interim service offer and related charges, subject to consultation with funeral directors, which will be made available until the new crematorium becomes operational in Spring 2019; 5. Delegate authority to the Director of Environment, in consultation with the Cabinet member for Clean and Green Environment, to finalise details of the revised service offer and take any other actions necessary to optimise service delivery arrangements and any associated contractual changes. 6. Note the projected financial impact arising from these

recommendations, as set out under the 'Financial implications' section below.

<p>Financial implications</p>	<p>The phased shutdown of the Council's cremation operation will have a significant revenue impact in 2018-19, in addition to the income shortfall reported to Council in July 2018, already reflected in the 2018/19 current budget.</p> <p>Whilst the financial outturn position will be mitigated if the new crematorium completes on time (as is currently expected), officers are anticipating that the net position may be up to £450k below target.</p> <p>Officers are currently looking at future service options, to mitigate this position, the outcome of which will be reported in the Cabinet Budget monitoring report dated 6th November 2018.</p> <p>Contact officer: Andrew Knott, andrew.knott@publicagroup.uk</p>
<p>Legal implications</p>	<p>There is no statutory duty on a local authority to provide burial facilities, but if they do so, the management is governed by the Local Authorities' Cemeteries Order 1977. Under the Local Government Act S214(1) and S214(7), as Cheltenham Borough Council (being deemed a Burial Authority) elected to provide these burial facilities, it has a responsibility to ensure that it maintains the facilities, which extends to crematoriums. Local authorities are defined as burial authorities and are given the power to provide cemeteries by virtue of the Local Government Act 1972.</p> <p>Failure to provide such facilities could result in a fine for contravening such obligations under S214(3)(a).</p> <p>The Council has a statutory duty under the provisions of Section 46 of the Public Health (Control of Disease) Act 1984 to undertake the funeral of a deceased person, who died in the Borough of Cheltenham and where no other arrangements have been made or are about to be made.</p> <p>Therefore, in the absence of any cremation facilities in Cheltenham, arrangements will need to be put in place to ensure this statutory duty is carried out regarding the above.</p> <p>Where the Council is contractually obliged it will seek to honour contractual obligations to funeral directors and families in relation to bookings already taken.</p> <p>Regarding any implications for staff, consultation will need to be undertaken with those affected.</p> <p>Contact officer: donna.marks@tewkesbury.gov.uk</p>

HR implications (including learning and organisational development)	<p>If the cremation process is temporarily discontinued at the existing crematorium site, there may be employment implications for the staff involved. It is my understanding that in the short term, staff can be redeployed to other duties, or may be able to be seconded to other sites. However, their services will still be required to operate the new crematorium which is due to open in Spring 2019 and there are training and transitional service demands which make it unlikely that staff will need to be laid off.</p> <p>Arrangements will be made to consult with those affected by this situation.</p> <p>Contact officer: clare.jones@publicagroup.uk</p>
Key risks	<p>See Appendix 1</p> <p>In summary, the key risks relating to the current situation are:-</p> <ul style="list-style-type: none"> • Impact of the cessation of local cremations on bereaved families and the capacity to deliver cremations in the locality, particularly over the peak winter period; • Health and safety of staff and the wider public, particularly those attending services at the crematorium; • Reputation of the authority; • Financial – there is a risk of a significant in-year revenue shortfall.
Corporate and community plan Implications	<p>None arising directly from this report. The new crematorium project is well advanced and will proceed to completion in 2019, providing a more resilient service which better meets the needs of bereaved families in the catchment area served by the facility.</p>
Environmental and climate change implications	<p>Marginal – there will be a temporary impact due to an increased requirement for transport to remote service/cremation locations.</p> <p>Mercury abatement may be in place at other crematoria, which would be a positive environmental implication.</p>
Property/Asset Implications	<p>If Cabinet approves the shutdown of the cremation operation, it will be necessary to review contractual arrangements for maintenance in order to help mitigate the Council's financial position.</p> <p>Officers will also review the performance of the contractor to identify whether there are any reasonable grounds for a claim for damages relating to lost income.</p>

1. Background

- 1.1 Members will be aware of the longstanding reliability problems in relation to the two cremators at the Council's crematorium. These were installed under a project which ran from 2009 to 2011, during which period the contracted company Crawfords went into liquidation, resulting in the unsatisfactory commissioning of the new plant, many aspects of which have since been found to be of poor quality.
- 1.2 A total of 12 local authorities installed plant using the same company and significant problems have been reported with the majority of these installations.
- 1.3 Every local authority affected has since decided to replace the defective plant or build a new cremation facility.
- 1.4 In addition to trying to keep the service operational with the current poor quality equipment, Cheltenham's response to this difficult situation has been to commission a new two chapel crematorium facility to the east of the current cemetery site, which is being financed principally by borrowing, underwritten by an increase in charges to cover both interest and repayment of capital. The Council's charges remain comparable with those of other crematoria in the region.

2. Reasons for recommendations

- 2.1 The Council needs to make an urgent decision about whether or not to continue with its current cremation service, against a backdrop of increasingly frequent reliability problems, which risk unacceptable impacts on bereaved families, as well as having health and safety and reputational impacts for the authority.
- 2.2 Staff have worked tirelessly to try and keep services available, but this has had a consequential impact on workloads, including a frequent requirement for unscheduled weekend working.
- 2.3 The officer led CBCMG has been meeting on a regular basis to review the situation and to ensure prompt action whenever issues have arisen. However, it is increasingly clear that risks are escalating and that our maintenance contractor has been struggling to keep our cremators operational. This includes issues with the timeliness of response and their effectiveness in dealing with repairs required.
- 2.4 At the time of writing this report, we continue to operate with just one cremator, which is experiencing regular reliability issues, most recently including cutting-out due to burner issues, possibly as a result of gas / oxygen mix problems. This can be affected by a range of matters, such as gas pressure problems, damper and spark plug issues, as well as software set-up issues.
- 2.5 As a result, it was the unanimous view of the CBCMG on 27th September, that notwithstanding the financial impact, Cabinet should be recommended to put into effect a phased shutdown of the cremation process at the Cheltenham crematorium, dealing with existing bookings as long as this can be completed safely.
- 2.6 The primary reasons for this decision were in order to minimise the risk to bereaved families of disruption to service arrangements booked through funeral directors, and to avoid an escalation of health and safety concerns for staff and others attending the site. New bookings for services had already been suspended.
- 2.7 Arrangements have been put in place to honour services booked at Cheltenham, but with a cremation at Gloucester, in the event that there is a complete failure of cremator 2 at Cheltenham.
- 2.8 Gloucester City Council has very helpfully offered to take up to four cremations a day should this be required. The Council will liaise with families through their chosen funeral director, should this

situation arise.

3. Alternative options considered

3.1 The following alternatives were considered and discounted:-

- Continue taking a restricted number of bookings and try and get cremator number one operational again – discounted due to concerns about the overall condition of the cremators and concerns about the ability of the maintenance contractor to respond effectively within acceptable timescales, putting more bereaved families at risk of a disrupted service;
- Stop cremating immediately – discounted as there was not considered to be an immediate health and safety issue and there would be significant disruption to booked services, which at the time totalled around 80.

4. Consultation and feedback

4.1 Funeral directors have been kept fully informed about the technical challenges the authority has been grappling with and they in turn have been asked to keep families informed where they have services booked between now and the end of October. A meeting is due to take place with funeral directors on Thursday 4th October, to help assess how we can best manage the impacts arising from the proposed phased shutdown of the cremation process at Cheltenham. This will include options for service delivery from November until the new crematorium becomes operational – currently expected in Spring 2019.

4.2 In the meantime, officers are discussing with Willmott Dixon, our contractor for the new crematorium, whether the operational date might be able to be brought forward, on the understanding that cremations must be capable of being handled via a dignified and respectful process.

5. Performance management –monitoring and review

5.1 Officers will attend the next meeting of O&S with the Cabinet member to allow members to ask questions about the revised arrangements and any other matters arising.

Report author	Contact officer: Mike Redman, Director of Environment mike.redman@cheltenham.gov.uk, 01242 264160
Appendices	1. Risk Assessment
Background information	Report to Overview and Scrutiny – 23rd April, 2018 - Cremator problems update

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
CR98	If we fail to make the cremators reliable and are unable to cremate due to failure of the equipment over a sustained period of time, cremations will have to be transferred to another crematorium and may need to be suspended, resulting in lost income and reputational damage to the authority.	Mike Redman	Long term risk	4	4	16	Reduce	Due to continuing issues with both cremators, we have had to limit throughput to 4 per day. Cremator 1 is offline due to a section of flue burning through. There are also refractory issues that need addressing again. Cremator 2 has issues with a previous weld repair that needs to be addressed. None of the various alarms/detectors we have in place have sounded indicating the working environment is not immediately dangerous with regards to staff. Reserve cremation arrangements are in place should a failure of cremator 1 be realised.		Ben Jenkins	Yes
CM01	If the Council stops offering cremations, there is a risk that in the peak winter months there may be a shortfall of capacity locally, resulting in	Mike Redman	August 2018	4	3	12	Reduce	Work with local funeral directors to identify alternative options for bereaved families, including burials and remote cremations.	Oct 2018	Ben Jenkins	

	reputational damage to the authority							Note: There is no legal obligation for CBC to provide a cremation service.			
CM02	If health and safety concerns or technical issues result in an unplanned shutdown of cremator 2, there is a risk of service disruption, causing stress to bereaved families and reputational damage to the authority	Mike Redman	August 2018	4	5	20	Reduce	The CBCMG decided to recommend that Cabinet institutes a controlled shutdown of the cremation operation	9 Oct 2018	Mike Redman	
CM03	If the crematorium can no longer be used for cremations, there is a significant in year financial risk to service costs, as a result of income shortfall	Mike Redman	August 2018	4	5	20	Reduce	Investigate options for revised service provision in conjunction with local funeral directors Consider feasibility of bringing forward operation of the new crematorium in conjunction with our contractor	Oct 2018	Ken Dale	
CM04	If our advisors are of the view that the health and safety risks at the crematorium cannot be effectively mitigated, this will result in an immediate shutdown with significant disruption for bereaved families and funeral directors	Mike Redman	August 2018	4	3	12	Reduce	Due to the increasing unreliability of the cremation plant, Cabinet is recommended to effect a phased shutdown, with no new bookings for cremations at the current site	Oct 2018	Mike Redman	

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6

(1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

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

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