

Cabinet

Tuesday, 14th May, 2019
6.00 - 6.45 pm

Attendees	
Councillors:	SSteve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing) and Andrew McKinlay (Cabinet Member Development and Safety)

Minutes

1. APOLOGIES

Apologies received from Councillor Hegenbarth

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

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

1.	Question from Gary Knight to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>1. Councillor McKinlay stated in his presentation to Cabinet that he would seek government direction on his 100% wheelchair taxi policy.</p> <p>2. The 'Overview and Scrutiny Committee' asked for a response from MP Alex Chalk.</p> <p>3. There has been a direct response to that very conundrum.</p> <p>4. Councillor McKinlay has failed to respond to the request of what government legislation dictates a 100% taxi fleet.</p> <p>5. In view of the Council's own code of conduct in areas of ambiguity in regards to due diligence : 'Cheltenham Borough Council code of members conduct' Last updated 02/11/17 IV. RULES OF CONDUCT. Point 6. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.</p> <p>6. Furthermore Cllr McKinlay must be made aware that he exposes Cheltenham Borough Council to substantial financial risk under ' Article 1' property rights in trying to abolish 'grandfather rights' of the hackney</p>

	<p>carriage trade in Cheltenham. That risk is calculated at £2,300,000. Which is substantially more than his failed litigation against Christine Laird?</p> <p>In light of points 1-6 is it now the case that he should revisit the findings of the working group which is contrary to his personal beliefs? (minuted from cabinet presentation).</p>
	<p>Response from Cabinet Member</p>
	<p>Cabinet's decision to amend the council's licensing policy to require all Cheltenham Borough Council licensed taxis to be fully wheelchair by December 2021 was taken following full consultation and due regard to the feedback received from a wide range of stakeholders including the minutes of the working groups - that were attached to the Cabinet report.</p> <p>This decision was subsequently endorsed by the council's Overview & Scrutiny (O&S) Committee following a review of the Cabinet decision in March 2019.</p> <p>The Government's response to the letter sent by, the then chair of the O&S, to Alex Chalk MP stated that "Ultimately however, local licensing authorities should use their existing powers to ensure that taxi and PHV fleets reflect the needs of passengers, that drivers understand the rights and requirements of disabled people, and that robust action is taken against drivers who discriminate illegally against them." (https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-04-20/136873/).</p> <p>In this case therefore the council has, as suggested by the Government's response, exercised its local discretion to adopt the policy.</p> <p>With regards to Mr Knight's suggestion that there has been no response to a request of what government legislation dictates a 100% taxi fleet, I would like to refer Mr Knight to public question 5 of the full Council meeting Monday, 15th October, 2018 where the question was asked by Mr Sorrell. The response can be found here: https://democracy.cheltenham.gov.uk/mgAi.aspx?ID=14368</p> <p>In light of this, the council's position has not changed and the council still fully supports the decision taken by Cabinet and will not be reviewing the position.</p>
<p>2.</p>	<p>Question from Jessica West to the Leader</p>
	<p>Monday's IPBES assessment reported that nature is now declining at a rate unprecedented in human history. There is now a nature emergency, as well as a climate emergency. How will the council ensure that sustainability is at the heart of the growth agenda driven by the Cheltenham Growth Board?</p>
	<p>Response from the Leader</p>
	<p>Should Cabinet endorse the establishment of a Growth Board, then we will work with key stakeholders on appropriate terms of reference and agreed outcomes. The Place Strategy, approved in 2018, acknowledged the need for inclusive growth and this also embodies the importance of</p>

	<p>sustainability.</p> <p>We are currently working with GFirst LEP on the emerging Local Industrial Strategy for Gloucestershire and this will be a key document for the Growth Board in developing key priorities, we consider sustainable growth should be a key theme through this strategy.</p> <p>In a supplementary question Jessica West stated that London, Peterborough and most recently Glasgow had announced their ambitions to transition to regenerative circular economies over the medium-term future. Cheltenham Green Party believed that this was one of the bold measures needed to address the climate and nature emergency while ensuring the prosperity and resilience of our communities. She asked whether the circular economy was an approach that the Council would be factoring into its growth agenda, and asked if any investigations had taken place in this regard so far?</p> <p>In response the Leader explained that sustainability was important to the council and the council had declared a climate emergency. In terms of economic growth sustainability would be built into the process. He would ensure that this point was considered by the Growth Board.</p>
--	--

5. VOLUNTEERING POLICY AND PROCEDURES

The Cabinet Member Healthy Lifestyles introduced the report and recognised that the council was very lucky to have so many volunteers willing to be part of activities where they can make a positive difference to the town.

She explained that a new volunteer policy was proposed that would ensure that the experience of those who volunteered was a safe and positive one, with the right amount of support and supervision. The policy was supported by a volunteer handbook and application forms for both individuals wanting to volunteer for CBC and groups wanting to provide volunteers.

The Leader highlighted the important role that volunteers played to the benefit of the town as a whole.

RESOLVED THAT

1. the following be adopted :
 - The NCVO definition of volunteering (see section 1.4)
 - Cheltenham Borough Council's Volunteer Policy (appendix 2)
 - Individual (appendix 3) and Group (appendix 4) volunteering application forms
 - Cheltenham Borough Council's handbook for volunteers (appendix 5)
2. the Strategy and Engagement Manager be authorised to keep the Policy and supporting documentation under review and make such changes as are necessary to reflect best practice as well as legal and operational requirements

6. IMPLEMENTING CHELTENHAM'S PLACE VISION (1) -THE DEVELOPMENT OF A CULTURAL STRATEGY FOR CHELTENHAM

The Cabinet Member Healthy Lifestyles introduced the report and said that there was a growing body of evidence that culture was central to the growth of any town. The council now wished to ensure that in Cheltenham that potential was captured and has supported the creation of a culture board for Cheltenham. Its purpose was to collaboratively define and deliver cultural impact; positioning Cheltenham's cultural offer further locally, regionally, nationally and internationally; therefore engaging diverse audiences and developing the cultural offer with ambition and conviction. The scope would also include a consideration of the opportunity that sport could provide in taking forward this purpose.

The Cabinet Member reported that the Cheltenham Culture Board now wished to support the development of a cultural strategy for Cheltenham and the report set out the purpose of having this strategy and a number of recommendations to facilitate its development.

The Leader highlighted that culture was a key part of the economic growth of the town and welcomed the proposals.

RESOLVED THAT

- 1. the council works with the Cheltenham Culture Board to develop a cultural strategy in line with the mandate attached as appendix 2 for future adoption by the council. The draft strategy will be brought to Cabinet for agreement.**
- 2. the council carries out the procurement of external support for the development of the cultural strategy in line with the attached brief attached as appendix 3 noting that the award of the contract will be carried out by the Executive Director for People and Change in accordance with the council's scheme of delegation of functions.**
- 3. the council commits £35k as an initial commitment towards funding the cultural strategy for Cheltenham.**

7. IMPLEMENTING CHELTENHAM'S PLACE VISION (2)-THE ESTABLISHMENT OF A CHELTENHAM GROWTH BOARD

The Leader introduced the report and reminded Members that one strand under the Place Vision which had been adopted by the council in 2018 was to support the thriving business and workforce agenda. Whilst the council had been working with the BID and the Cheltenham Development Task Force there was no overarching link with business. This was work in progress, but to support this agenda the council now wished to collaborate closely with key business sectors and proposed to do this through the establishment of a Cheltenham Growth Board.

RESOLVED THAT

- 1. a Cheltenham Growth Board be established to drive the economic growth agenda for Cheltenham**

2. authority be delegated to the Director of Planning, in consultation with the Leader of the Council to prepare Terms of Reference for the Cheltenham Growth Board and to bring a report back to Cabinet for approval following initial meetings with the new Board.

8. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Healthy Lifestyles informed Cabinet that following the major conference on No Child Left Behind work had been ongoing with local communities and organisations to ensure all children in Cheltenham take part in cultural and other activities. She also reported that she had recently made a decision to allocate £15,000 to support the employment of the Inspiring Families project co-ordinator who would be working directly with those most at risk.

The Cabinet Member Healthy Lifestyles also reported that she had been developing new links with the new Chief Executive at the Cheltenham Trust.

The Cabinet Member Finance informed the meeting that CBC was a finalist in the MJ awards for best commercial council and would face an interview panel on 26 June.

The Cabinet Member Housing reported that MHCLG had been out to consultation on structures that supported partnership working and accountability in homelessness. He would circulate the council's response which had received input from the housing and support forum.

Finally, the Leader reported that he had submitted a response to the Williams Rail review following conversations with members of the previous railway working group.

9. CABINET MEMBER DECISIONS SINCE THE LAST MEETING OF CABINET

Cabinet Member	Decision	Link
Leader	Approval the Ubico business plan for 2019/20 and 5 year vision.	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1215
Leader	The Leader, as the shareholder representative of Ubico Limited, made a decision relating to the salaries of the Executive Directors of Ubico Limited.	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1214
Leader	To authorise the Head of Property Services or in his absence the Executive Director - Finance & Assets to take decisions (including key decisions) to purchase dwellings	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?id=1221&LLL=0
Leader	Approval of the Publica Group Ltd Business Plan	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1212
Leader	To not proceed with the boundary review request at this time	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx

		x?ID=1204
Cabinet Member Finance	Re-roofing and Works to External Envelope of Properties Managed by Cheltenham Borough Homes	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1213
Cabinet Member Finance	To appoint Sustainability Building Services as the contractor to renovate and improve the external fabric of the Cornish type properties at Elmfield Avenue & Midwinter Avenue, Cheltenham.	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1210
Cabinet Member Finance	Reactive Drainage Repairs, Surveying and Maintenance Contractors	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1197
Cabinet Member Clean and Green Environment	Purchase of 2 x 3.5T mini sweepers	https://democracy.cheltenham.gov.uk/ieListMeetings.aspx?Committeed=166
Cabinet Member Healthy Lifestyles	To allocate £15,000 to support the employment of the Inspiring Families project co-ordinator.	https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1203

10. 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)

11. A PROPERTY MATTER (1)

The Cabinet Member Development and Safety introduced the report and highlighted that the decision to acquire land at West Cheltenham was key to Cheltenham’s Place and Housing investment strategies. The first phase would allow the safeguarding of land for the expansion of GCHQ and delivery of a Cyber Innovation centre, this was key to the future of the town over the long term.

He explained that the cost of acquiring the freehold interest of the land, which was within the Joint Core Strategy strategic allocation, was £37.5m within a total budget allocation (agreed by Council in February 2019) of £44m which included ancillary costs.

He reported that the council had commissioned independent real estate consultants, Savills, to advise on the acquisition strategy and to determine a reasonable price to pay for the land. An independent review of this advice was undertaken by Avison Young. Whilst this concluded that a premium was being paid for the land there was a strong economic and strategic case to justify the purchase at this price. A subsequent internal Gate Review carefully considered all the supporting evidence and determined the economic benefits of the Council pursuing this deal far outweighed the financial risk in renegotiating the terms or withdrawing from the deal and thus recommending proceeding at the purchase price of £37.5m.

The Cabinet Member highlighted that the capacity of M5 junction 10 was a key priority for the council and Gloucestershire as a whole. Confirmation of whether there would be Government funding was expected in the autumn. The timeframe of investment in the junction was vital to the deliverability of the development.

The Cabinet Member then made reference to the fact that throughout the document that reference to Hesters Way should actually read "Hesters Way and Springbank".

Finally, the Cabinet Member highlighted that this represented a good financial decision for the council and whilst it represented a complex purchase, having taken advice to proceed it was a vital decision with a longer term strategic goal.

RESOLVED THAT

- 1. The acquisition for development of up to 112 acres of land allocated for employment and residential uses at West Cheltenham for £37,500,000 be approved. The purchase will be unconditional and comprise the freehold interest in the land with Vacant Possession.**
- 2. Authority be delegated to the Managing Director Place and Growth, in consultation with the Cabinet Member Development & Safety and Executive Director Finance and Assets to negotiate any further terms as considered appropriate in advance of the exchange of contracts for acquisition of the land.**

12. A PROPERTY MATTER (2)

The Cabinet Member Finance introduced the report and provided the background to the proposal.

Members welcomed the proposal which represented a good way forward for the town.

RESOLVED THAT

The recommendations be approved.

Chairman