

Cabinet

**Tuesday, 12th October, 2021
6.00 - 6.55 pm**

Attendees	
Councillors:	Rowena Hay (Leader of the Council), Peter Jeffries (Deputy Leader and Cabinet Member Finance & Assets), Victoria Atherstone (Cabinet Member Culture, Wellbeing & Business), Flo Clucas (Cabinet Member Safety & Communities), Mike Collins (Cabinet Member Housing), Iain Dobie (Cabinet Member Waste & Recycling & Street Services), Martin Horwood (Cabinet Member Customer & Regulatory Services), Andrew McKinlay (Cabinet Member Cyber & Strategic Transport) and Max Wilkinson (Cabinet Member Climate Emergency)
Also in attendance:	Tim Atkins and Gemma Bell

Minutes

- 1. APOLOGIES**
There were none.
- 2. DECLARATIONS OF INTEREST**
There were none.
- 3. MINUTES OF THE LAST MEETING**
The minutes of the 14th September meeting were approved and signed as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**
The two public questions and their responses were taken as read.

1.	Question from Alan Bailey to the Leader of the Council, Councillor Rowena Hay
	In response to the CBC Council Meeting Minute to my question 1 of the June Meeting. The Cabinet Member stated that he would seek an urgent meeting to discuss proposals as a whole. What was the outcome of that urgent meeting?
	Response from Cabinet Member
	A meeting was facilitated by the Planning team on 9 th September 2021. This included representatives of Miller Homes and Newland Homes. The meeting was led by the Director of Planning and supported by planning case officers, case officer of Gloucestershire County Council Highways together with the Cabinet Member Customer & Regulatory Services. Key areas covered in that meeting included: <ul style="list-style-type: none">• Connectivity/sustainability/access to services

	<ul style="list-style-type: none"> • Protection for nature / protection of views • Climate change mitigation • Design <p>The meeting was an opportunity to hear from all parties and test the opportunity for enhancement across the schemes. This dialogue is actively being continued between the case officers and developers.</p> <p>Specifically relating to transport, which was the source of the question asked by Mr Bailey in June, the meeting explored the following;</p> <ul style="list-style-type: none"> • How the missing cycle/pedestrian link could be facilitated between the Miller scheme and Merlin Way • Whether a cycle link could be achieved to the south via the Kendrick application • Importance of east-west link and the wider school catchment area • Linkages between the sites and broader connectivity • Links to Salisbury Avenue neighbourhood uses and safe crossing points • Opportunity to explore a local shopping facility as part of the development to help minimise trips
2.	Question from Alan Bailey to the Leader of the Council, Councillor Rowena Hay
	<p>Whilst there is recognition that this is an “area” problem, why is the Cabinet Member supporting a Neighbourhood Plan for part of the Parish which is just a small area within the area which includes Cheltenham Plan area MD4?</p> <p>Clarification: The Cheltenham Plan is approved and the MD4 area detail is yet to emerge as confirmed by the Cabinet Member. The NP is yet to emerge and at best will be emerging mid-2022. This plan if approved will divert the MD4 Levy to a small area whereas stated by the Cabinet member developing MD4 is a matter of proposals as a whole. Thus, the levy should remain with CBC.</p> <p style="text-align: center;"><i>50. Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.</i></p> <p style="text-align: center;"><i>The LPA has indicated a 21 day comment period on the MD4 proposal from the developer, and the other will appear before Committee Oct 2021.</i></p> <p>This matter is urgent since the Parish Council has sent the NP out for public consultation with a time frame. As is the CBC planning calendar.</p>
	Response from Cabinet Member
	<p>The question asked is directly linked to the Communal Infrastructure Levy (CIL) Regulations (2010) and its amendments. These Regulations are explicit in</p>

	<p>respect of who holds responsibility for the spending of CIL receipts.</p> <p>CIL receipts can be used to fund a wide range of infrastructure including transport, schools, health and social care facilities, libraries, play areas, green spaces and sports facilities. Strategic decisions about CIL expenditure benefitting the whole of the borough sits with the Borough Council; however, this is not wholly the case for the neighbourhood element.</p> <p>Neighbourhoods receive 15% of CIL and this increases to 25% where there is a neighbourhood plan in place. Under the CIL Regulations the Borough Council must pass on the 'Neighbourhood Portion' of CIL to Parish and Town Councils where they exist, for them to spend on infrastructure or anything else that addresses the demands that development places on an area.</p> <p>The law does not prescribe a specific process for agreeing how the neighbourhood portion should be spent, however the Borough Council will encourage its parish councils to prioritise how the neighbourhood area element of CIL is spent that takes into account evidence, local views and aspirations for a neighbourhood area and the impact of new development on infrastructure.</p> <p>In deciding what to spend the neighbourhood portion on, the parish council should consider such issues as the phasing of development, the costs of different projects (for example, a new road), the prioritisation, delivery and phasing of projects, the amount of the levy that is expected to be retained in this way and the importance of certain projects for delivering development that the area needs, having regard to the infrastructure needs of the wider area.</p> <p>Turning to the point raised regarding the area of the Leckhampton and Warden Hill Parish covered by the Neighbourhood Plan, Cabinet approved this on 15th September 2015. The Neighbourhood Plan area approved enabled Leckhampton with Warden Hill Parish Council to prepare a Neighbourhood Development Plan for the area covered by the designation.</p> <p>The Cabinet Member Customer & Regulatory Services holds the responsibility for Neighbourhood Planning as part of his portfolio.</p>
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5. ADVICE AND INCLUSION CONTRACT

The Cabinet Member Housing presented the report, which related to the retendering of an existing service provided by the council, which played a key role in supporting the Housing, Homelessness & Rough Sleeping Strategy 2018-23. The contract would deliver a number of services providing independent advice and assistance helping to ensure that residents of Cheltenham received relevant support regarding debt, financial inclusion, benefits and housing rights advice, which would particularly be of use to vulnerable residents.

He noted that this was not a statutory requirement, but was an additional service that any well-run local authority should provide. The cost of the service was fully accounted for within the council's budget and currently stood at £108,200 a year. This included a contribution of £26,300 a year from the Housing Revenue Account. Should the financial requirements for the delivery of this contract exceed the current available budget, then the relevant approvals

would be sought in order to make up the difference. Once the successful tenderer was selected, the contract would run for three years, with the option of extending this for a further two years subject to satisfactory performance and the necessary funding being made available.

The new provider would deliver the service from the 1st April 2022, taking over when the previous agreement and contract expired on the 31st March. He stressed that if the council decided to not provide this service in the future, there was a real risk of vulnerable residents being exploited, falling into debt and even being made homeless, and asked members to support the recommendations in the report.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The Advice and Inclusion Contract be retendered for a term of 3 years from April 1st 2022, with the option of extending the term for a further 2 years, subject to satisfactory performance and available finance;
2. The Lead Commissioner – Housing Services be authorised, in consultation with Cabinet Member Housing, to award the contract to the successful tenderer, following evaluation of bids;
3. The Lead Commissioner – Housing Services be authorised, in consultation with Cabinet Member Housing, to extend the contract for a further 2 years following the end of the first 3 years of the service contract, subject to satisfactory performance and available finance.

6. SOCIAL HOUSING DECARBONISATION FUND – GRANT APPLICATION

The Cabinet Member Housing introduced the report and summarised the key points. The council had set a challenging target of becoming net carbon zero by 2030, and Cheltenham Borough Homes (CBH) would play a huge role in helping them achieve that.

The government had made £3.8bn available in total for decarbonisation, and £160m of that would fund Wave 1 of the Social Housing Decarbonisation Fund (SHDF). If the council's bid was successful, it would fund up to two thirds of the total project costs. The funding was aimed at 'fabric first' measures such as improved insulation to reduce energy demand for eligible homes and improve the home to at least Standard Energy Procedure (SAP) C. He stressed that while other measures would be considered, they must not result in increased energy costs for resident.

The bid was part of a consortium bid with a number of other local authorities and registered social housing providers in the county, and the lead authority would be Stroud District Council. The total budget covering the CBC part of the bid would be approximately £1.26m and would cover fabric first improvements for 50 to 60 CBC homes. The grant needed to fund this project was estimated to be around £780k, with CBC funding the remainder of around £480k through its HRA. £200k of funding from the 2021/22 HRA capital budget programme was specifically allocated to support carbon reduction measures, although the remainder was currently unallocated and would need to be included either by viring budget from elsewhere in the 2021/22 HRA capital budget or it being

included as part of the HRA capital budget programme for 2022/23. The bid aligned with both CBH's Climate Action Plan and the council's corporate plan and target of net carbon zero by 2030.

The Cabinet Member Climate Emergency added that this kind of work would make an immediate and significant difference to people's lives, with consequences including both lower energy costs and health benefits. The 'fabric first' approach was key and this formed a suitable first step on the way to making thousands more council-owned homes carbon neutral. He hoped that the government would continue to make more resources available to local authorities to help them deliver on their carbon neutral agendas, improving energy efficiency and lowering bills for residents.

The Cabinet Member Safety and Communities praised the report and asked who exactly would do the work, should the funding be made available. Would local young people have access to training and employment related to the decarbonisation bid? This was a valuable opportunity that might not always be available. The Cabinet Member Housing agreed that this was a good point, but not one that fell within the criteria of the bid. He was happy to discuss it outside of the meeting and consider ways it could be factored into future bids.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The inclusion of CBC in the consortium bid to be submitted by Stroud District Council for grant funding under the SHDF Wave 1 be agreed;
2. Authority be delegated to the Lead Commissioner – Housing Services, in consultation with Cabinet Members for Housing and for Climate Emergency, to accept the said grant funding offer, if the bid is successful, and to enter into any agreements or documentation as necessary;
3. Authority be delegated to the Lead Commissioner – Housing Services to enter into a partnership agreement with Stroud District Council, if the bid is successful.

7. GRANT TO CHELTENHAM BUSINESS IMPROVEMENT DISTRICT - CHRISTMAS LIGHTS

The Cabinet Member Culture, Wellbeing and Business presented the report, thanking the BID and council officers for their hard work in preparing it. She noted that the festive period was always important to the town centre, but more so than ever considering the impact of Covid. The Christmas lights would boost the town centre economy as part of the Covid recovery and contribute to the Christmas spirit amongst residents, businesses and the town as a whole. She added that the area where the lights would be set up had been extended compared to previous years, and would include the town centre sections of Bath Road, Bayshill Road, St George's Place, St George's Road and Royal Well, reflecting the area covered by the BID. The renewal of the BID for a second term allowed the council to plan its future with more certainty.

The Cabinet Member Customer and Regulatory Services added that he believed that Cheltenham would have a fantastic Christmas, and that the lights would contribute to this. He also welcomed the focus on renewable energy.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. An annual grant of £47,000 be provided to the Cheltenham Business Improvement District (BID) until January 2026 to contribute to the cost of the BID providing Christmas lights in Cheltenham town centre and a switch on event/activation;
2. The cost of the electricity consumption reasonably and properly incurred by the Lights be met by the Council, and that this is sourced from a renewable supply;
3. Authority be delegated to the Director of Planning to agree the terms of the grant agreement.

8. AGREEMENT FOR SERVICES BETWEEN CHELTENHAM BOROUGH COUNCIL AND PUBLICA GROUP (SUPPORT) LTD: EXTENSION OF TERM

The Leader of the Council presented the report, explaining that the council had entered into an agreement with Publica in 2017 which was due to expire at the end of the month. They were required to give notice of their intention to renew, alongside the council's annual service review.

She added that the council was also undertaking a transformation program with its partnership with CBH, developing and implementing a new Target Operating Model and a new accommodation strategy. It was important to evolve and move with the times, especially with regard to pandemic-related changes.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The extension of the existing Agreement for Services with Publica Group (Support) Ltd for a period of four years be approved;
2. Authority be delegated to the Executive Director People & Change, in consultation with the Leader, to formally write to Publica Group (Support) Ltd to notify Publica Group (Support) Ltd of the contract extension by 29 October 2021 as outlined within this report.

9. BUDGET MONITORING 2021-22

The Cabinet Member Finance and Assets presented the report, noting that the recovery budget set in November 2020 had been successfully delivered despite the huge uncertainties and financial pressures caused by the pandemic. Although this was very positive, it had to be acknowledged that the pandemic had cost the council nearly £1.5m in 2020/21, and would have cost significantly more had it not taken the right measures during the year.

He noted that the 2021/22 budget had been approved by Council during the third national lockdown when there was no certainty over when things would

return to normal, and that the opening up of the economy had been much slower than anticipated. Since 30th June 2021, no further compensation had been provided by the government to cover losses in income. In 2020/21, the council received a total of £2.7m of compensation, which equated to 71p for every pound of income lost. A final claim had been submitted for the first quarter of the year but no other help seemed to be forthcoming.

The end of compensation funding also coincided with significant changes in behaviour, with a 37% decrease in commuting in Gloucestershire alone impacting the amount of car parking income generated. The full impact of the re-opening of the economy on the council's longer term financial position was still being understood. The report summarised the forecasted impact on the 2021/22 budget based on the information available up to the end of August. These pressures would continue to be monitored throughout the year, in particular the assumptions underpinning the recovery of income budgets which made up the large part of the forecast overspend.

He added that they were reviewing the council's current budgets to reflect changes in activity and behaviour, and to reduce dependency on income streams which might never fully recover to pre-pandemic levels. The results of this review and their impact on reducing the in-year overspend would be reported to Cabinet and Council in the December 2021 draft budget proposals. This would also include any proposals or recommendations for the application of reserves against any residual overspend, bearing in mind the need to keep the level of reserves robust and the uncertainty surrounding future budget funding gaps, as outlined in the council's Medium Term Financial Strategy. He concluded that while the financial situation ahead of the council would undoubtedly be challenging, they would continue supporting and investing in the town's post-Covid recovery and delivering key priorities, including carbon neutrality, Cyber Central, affordable housing and No Child Left Behind.

The Cabinet Member Climate Emergency added that it was easy to be depressed by the situation, but the last part of the speech had been key – the council would continue to deliver services and invest in the town's future. Despite the difficulties of the last 18 months, CBC had a positive story to tell and was delivering on its ambitious agenda.

The Cabinet Member Cyber and Strategic Transport echoed this. The report acknowledged a serious financial situation that would likely remain that way for some time, but the council was continuing to deliver its priorities. No other council of Cheltenham's size anywhere in the country was delivering a housebuilding programme of this scale. It was important to look at the future, and the impact of these developments in years to come would be immeasurable.

The Cabinet Member Safety and Communities emphasised the importance of No Child Left Behind and thanked the Cabinet Member Finance and Assets for his commitment to the program. It was essential to look after the most vulnerable people in the town and offer them the best possible future.

The Cabinet Member Finance and Assets thanked colleagues for their comments and praised the finance department for their hard work in delivering ambitious plans and positive outcomes.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The contents of the report be noted, including the key projected variances to the 2021/22 budget approved by Council on 22 February 2021 and the actions to ensure delivery of services within budget.

10. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Climate Emergency reported that a significant development had been approved at the last Planning Committee regarding 320 Swindon Road. This involved 24 properties which would be Cheltenham's first carbon neutral houses, a nature-friendly development that delivered on both their housing and environmental goals. He thanked officers and CBH for their role in this. The Cabinet Member Housing added that that projects like this were always supported by a dedicated team working diligently in the background.

The Cabinet Member Culture, Wellbeing and Business noted that the previous Sunday had been World Mental Health Day, and thanked Heads Up Cheltenham for raising awareness of mental health and wellbeing while helping residents to access information and support about these topics. Feel Good Fortnight was set to begin, with various activities happening on the 13th and 20th October. Residents could find information about these on the CBC website under Heads Up Cheltenham. She added that the Literature Festival was up and running, and she was confident that 8,000 children from 68 different schools would engage with various activities. The Economic Recovery Task Force was continuing to produce positive outcomes, and she thanked officers for this.

The Leader added that the government's Universal Credit cut would be partially supplanted by a new fund of £500m going to county councils. Gloucestershire County Council would receive around £3m of this to allocate to its district councils, so CBC would bid at the appropriate time. She would forward more information about this to members. She added that Michael Gove had been a speaker at the Literature Festival on the day of the meeting, which coincided with a visit to Gloucestershire College. She added that she had also been asked by the Overview & Scrutiny Committee to write to the government regarding the length of bid windows, which she was happy to do.

Decisions of Cabinet Members

The Cabinet Member Finance and Assets had taken a decision on 17th September to extend the Discretionary Test and Trace Support Payment Scheme to 31st March 2022.

The Leader had taken an urgent decision on 21st September to delay the implementation of the Taxi Wheelchair Accessible Vehicle Policy.

The Cabinet Member Customer and Regulatory Services had taken a decision on the 1st October to award a contract for the provision of a digital platform and Customer Relationship Management (CRM) solution to the preferred supplier. He thanked officers for their hard work in building a business case and looking at a wide range of possible suppliers, and hoped that the new CRM system would revolutionise how residents were able to interact with council services.

This was a promising process and he would ensure that it was tested constantly before its implementation to ensure the best possible results for both residents and the council.

11. CHELTENHAM TRUST GRANT AWARD

Members resolved to move into exempt session.

The Cabinet Member Culture, Wellbeing and Business presented the report.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The recommendations be approved.

Chairman