

## Council

Monday, 20th June, 2022  
2.30 - 5.40 pm

Attendees	
<b>Councillors:</b>	Sandra Holliday (Chair), Matt Babbage (Vice-Chair), Glenn Andrews, Victoria Atherstone, Paul Baker, Adrian Bamford, Garth Barnes, Ian Bassett-Smith, Graham Beale, Angie Boyes, Nigel Britter, Jackie Chelin, Barbara Clark, Mike Collins, Iain Dobie, Stephan Fifield, Wendy Flynn, Tim Harman, Steve Harvey, Rowena Hay, Martin Horwood, Peter Jeffries, Tabi Joy, Alisha Lewis, Paul McCloskey, Emma Nelson, Tony Oliver, John Payne, Diggory Seacome, Izaak Tailford, Julian Tooke, Simon Wheeler, Max Wilkinson, Suzanne Williams and David Willingham

## Minutes

### 1. APOLOGIES

Apologies were received from Councillors Clucas, Fisher, Pineger and Sankey and Savage.

### 2. DECLARATIONS OF INTEREST

Councillor Harvey, Tailford and Tooke declared a personal interest in Agenda item 12- Motion B

Councillor Horwood declared a personal interest in Agenda item 10 as a member of Leckhampton Parish Council and Chair of its neighbourhood panel.

Councillor Joy declared a personal interest in Agenda item 11.

### 3. MINUTES OF THE LAST MEETING RESOLVED THAT

**The minutes of the meetings held on 16 May 2022 be approved and signed as a correct record.**

### 4. COMMUNICATIONS BY THE MAYOR

The Mayor informed Members of her recent engagements including commemorating Stampersgat, D-Day and the end of the Falklands War.

### 5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL

The Leader began by paying tribute to Mark Sheldon, Corporate Director Resources and former Section 151 Officer who would be retiring shortly. Members gave a round of applause in recognition of his significant contribution to the work of the Council.

She expressed her sadness that she had lost a long-serving member of the Liberal Democrats to the Green Party.

The Leader informed that later this week CBC would be represented at the LGA conference presenting its Golden Valley Development at the Innovation Centre.

She paid tribute to the successful installation of the pocket park at Clarence Fountain

The Leader informed Council that, whilst they were not obliged to, the Lib Dem group had offered places on committees to the newly formed Green group, as was custom and practice with the PAB group. Cllr Joy had accepted a place on Overview and Scrutiny, Budget Scrutiny and Audit, Compliance and Governance Committee and Councillor Flynn had accepted a seat on the Public Art Panel and Appointments and Remuneration Committee. A place on Planning Committee had been declined.

As a result of this, she informed Members of the following committee changes:

- Councillor Clark would now take a seat on Licensing
- Councillor McCloskey would now take a seat on Planning Committee
- Councillor Holliday would now be a substitute on Overview and Scrutiny Committee
- Councillor Flo Clucas would now act as substitute on Audit, Compliance and Governance
- Councillor Steve Harvey would now be a substitute on Budget Scrutiny working Group
- Councillor Clark would step down from the Public Art Panel.

The Leader reminded Members that they had unanimously agreed the Climate Emergency Action Plan in February this year. To that end, carbon literacy training was being rolled out to all Members via APSE. CBC's aim is for consideration of climate change impacts to become business-as-usual within the culture of the organisation and this essential training will enable Councillors to talk to residents about climate change in a way that's relevant to their lives.

## 6. TO RECEIVE PETITIONS

There were none.

## 7. PUBLIC QUESTIONS

There were none.

## 8. MEMBER QUESTIONS

<b>1.</b>	<b>Question from Councillor Tim Harman to the Cabinet Member Waste, Recycling &amp; Street Services, Councillor Iain Dobie</b>
	Can I welcome the recent works to the Bath Road Toilets. Can I maintain my long standing request however for a more significant upgrade including the Changing Places Option? Can this be included in the next capital programme?
	<b>Response from Cabinet Member</b>
	I thank Cllr Harman for his question and for the opportunity to provide an update on the Changing Places work currently being undertaken by

	<p>officers.</p> <p>Following the commitment in the 2020/21 outturn report to provide an additional £100k of funding for a refurbishment of the Montpellier toilets we have since been successful in securing Government funding which will enable a Changing Places option to be included. This is aligned to the feedback received from residents that another Changing Places facility would be preferred in a town centre location.</p> <p>An architect has been commissioned and we look forward to reviewing the concept designs for the space.</p> <p>More strategically, we are reviewing our public toilet provision across the town and Changing Places options are part of that review. Sandford Park toilets are already part of the Council's approved capital programme and following the review of remaining facilities it may be determined that a case for further capital funding is put through the budget approval process in future years.</p>
	<b>Supplementary Question</b>
	<p>In response to a supplementary question, the Cabinet Member confirmed that the review would include all toilet facilities, some of which may be closed. Bath Road facilities were part of the overall so he could not give an assurance at this time. That said, given demand at the site and the fact that they had only recently been refurbished, it was highly unlikely that they would be closed.</p>
<b>2.</b>	<b>Question from Councillor Tim Harman to the Cabinet Member Cyber, Regeneration &amp; Commercial Income, Councillor Mike Collins</b>
	<p>The Civic Society published its manifesto for the Town Centre during the election Campaign. I understand via the County Council that constructive talks between themselves and Cheltenham Borough Council at Officer Level have been taking place on improvements to the Town Centre including the setting up of a Strategic Officers Group. With this in mind can I ask that a meeting arranged here with the Civic Society to get a better understanding of the issues and solutions?</p>
	<b>Response from Cabinet Member</b>
	<p>I thank Cllr Harman for his question and recognise his long-standing interest in the regeneration of the High Street and his engagement with Gloucestershire County Council. Cllr Harman is correct GCC and CBC directors met recently and agreed for a strategic group to be assembled to manage historic and future works on the High Street / Town Centre to enable a joined up approach to works happening in these areas. At present, this group is still being formed and it would not be appropriate to single out an individual interest group for engagement at this time in advance of the Strategic Group being established and priorities assessed.</p> <p>Engagement across a variety of stakeholders is key, for example the Cheltenham BID and retail and wider properties affected by any future works alongside groups such as the Civic Society. Once the Strategic Group is up and running I will be requesting an engagement plan that will</p>

	address engagement across relevant stakeholders.
	<b>Supplementary Question</b>
	In response to a question on timescales, the Cabinet Member hoped that this would be up and running in this calendar year, although the composition of the panel had yet to be determined. He would keep the Member informed.
<b>3.</b>	<b>Question from Councillor Wendy Flynn to the Cabinet Member Housing, Councillor Victoria Atherstone</b>
	<p>In 2017, CBH received a grant of £350,000 from the Ministry of Housing, Communities and Local Government to support a Master Planning exercise for West Cheltenham. Over the best part of a year, consultations and engagement took place with the local community and stakeholders in the form of information by post, public exhibitions, workshops and door to door interviews. No promises were made to residents while their views and aspirations were gathered but the expectation that something would happen at the end of a £350,000 consultation was a reasonable one. There was to be a focus on how the area could be improved and how CBH and CBC could make a positive difference then and in the future. Residents were assured that options would be looked at to see what could be achieved. Two mighty documents were produced.</p> <p>What progress has been made with the Cheltenham West Vision since publication of the masterplan?</p>
	<b>Response from Cabinet Member</b>
	<p>Thank you Cllr Flynn, I have liaised with Cheltenham Borough Homes (CBH) to provide you with an up-to-date response to your question regarding the 2017 funding outcomes.</p> <p>The £350,000 grant from the then Department for Communities and Local Government (now DLUHC) was used to support a master planning exercise for West Cheltenham predominantly focusing on PE Way. There was no direct cost to the Housing Revenue Account (HRA) or the Council and as required by Central Government, CBH used this funding to explore potential opportunities to improve our housing offer.</p> <p>As you mentioned, over the course of the project CBH engaged with various stakeholders and residents to capture issues of importance or concern and where there may be opportunities for improvements.</p> <p>Initially 14 key areas in West Cheltenham were reviewed and the master planning exercise included an option analysis taking into account viability considerations, opportunities to diversify the tenure and improve properties, wider benefits for the community including public realm and security enhancements. Due to the already relatively dense nature of some of our blocks of flats, it was concluded there was very limited scope for providing significant additionality.</p> <p>It also became clear Government funding was not available to replace existing homes with new and that Government would only fund the provision of net additional new homes. This unfortunately still remains the case today which impacts our ability to realise larger scale improvements</p>

	<p>considered as part of this master planning exercise.</p> <p>That said, together with CBH we will continue to lobby Government via the NFA (National Federation of ALMOs) and NHF (National Housing Federation) to ensure regeneration opportunities for larger scale improvements to existing affordable housing stock are still on the radar. We remain hopeful that with the renewed focus on levelling up that there may be funding opportunities on the horizon for us to explore in the future.</p> <p>The HRA has a number of competing financial demands at present which include ensuring our existing homes remain fit for purpose and addressing the climate emergency, simultaneously providing benefits for residents. This is also balanced with the need to provide further new affordable homes (as supported by the Council's £180m Housing Investment Plan) during a period of high inflation and economic uncertainty.</p> <p>Without additional Central Government funding, larger scale investment in regeneration as suggested through the master planning exercise is not possible. Instead together with CBH we remain focused on prioritising and investing in our existing homes and communities, working with our partners to provide the required services and support our residents need, and value highly, to ensure our communities continue to thrive.</p>
	<p><b>Supplementary Question</b></p>
	<p>The question was raised as to whether the summary response to her original question was that no progress had been made on the West Cheltenham Vision and additionally it was asked how the issue of erosion of trust with the community would be addressed.</p> <p>In response, the Cabinet Member explained that there had been significant progress with regard to improving properties across the town, as highlighted in the CBH annual report. There was now better provision of doors, windows, new boilers etc and there was significant community engagement. She regretted that so far government funds had not been made available to ensure that the 14 different sites that were assessed with community involvement could be progressed. This was taken seriously and CBH and CBC were working together to lobby for funds to achieve these golden ambitions.</p>
<p><b>4.</b></p>	<p><b>Question from Councillor Emma Nelson to the Cabinet Member Cabinet Member Cyber, Regeneration &amp; Commercial Income, Councillor Mike Collins</b></p>
	<p>I have received several comments from residents questioning the logic of the layout of the new parking arrangements at the railway station. Previously, it was possible to drop off passengers adjacent to the entrance to the station. This facility was much appreciated by all, including those giving elderly relatives and friends a lift to the train as well as by students with all their luggage for college.</p> <p>The revised layout prohibits drop off close to the entrance and is now situated at the far side of the station car park so anyone being dropped</p>

	<p>off must go right across the station car park in all weathers.</p> <p>To what extent were <b>CBC consulted regarding this layout</b> and what surveys were done prior to deciding on the existing layout?</p> <p>What studies have been made since the new car park became operational regarding <b>actual usage of the various specific designated parking areas</b> within the station car park?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>Thank Cllr Nelson for her question, as she will know the delivery of the train station masterplan was in development for a significant period of time.</p> <p>GWR was in charge of the delivery of the station car park upgrades. Network Rail, Cheltenham Borough Council, Gloucestershire County Council and GFirst LEP were consulted on design, among others. Numerous 'design by enquiry' workshops were held to develop and amend the design. However, the funding for the project offered by GFirst LEP was largely reliant on a minimum level of additional car parking spaces. That car parking figure was the key factor influencing the wider design of the car park. The forecourt design was largely impacted by the requirement for adequate and safe bus turning circles and accommodation for taxis (hackney carriages) close to the entrance.</p> <p>The focus at that time was on improving active travel and in particular helping to resolve the issues of vehicular conflict with pedestrians and cyclists and helping to drive the completion of the improved Honeybourne Line access.</p> <p>In respect of formal consultation, this was assessed in the context of development management. The works fall under permitted development rights for Railways, and allows development by railway undertakers on their operational land, required in connection with the movement of traffic by rail. As such planning consent was not required.</p> <p>I cannot confirm what surveys have been undertaken in respect of the layout as this is an issue for the operator. I can however ensure you have the appropriate contact details for Network Rail so that you may have the conversation direct with the operator of the train station car park on the issues you have raised. I have actioned the Townscape Project Manager to provide that information to you.</p>
<b>5.</b>	<p><b>Question from Councillor Emma Nelson to the Cabinet Member Economic Development, Culture, Tourism &amp; Wellbeing, Councillor Max Wilkinson</b></p>
	<p>Many of us enjoyed various celebrations across Cheltenham over the Platinum Jubilee long weekend whether locally organised within our own communities and "Friends of" groups, or those put on by the The Cheltenham Trust, supported by Cheltenham Borough Council. Well done to all concerned.</p> <p>As publicised on CBC website, the highlight was the lighting of Cheltenham's official beacon at <b>9.45pm on Thursday 2 June</b> from the</p>

	<p>balcony of the Pump Room in Pittville Park.</p> <p>Was this event planned and executed as well as it might have been? Given that the crowd were to be invited to join the massed singing of 'Sweet Caroline', would it have been helpful to have the words handed out or shown on a big screen?</p> <p>In credit to the Trust and CBC, large numbers attended and, in many respects, it was a huge success. However, there are several who have commented that the evening lacked leadership and control, thus the strong sense of Community Spirit that was anticipated just wasn't there. And how come The National Anthem wasn't included on the official schedule? I gather a lone voice in the audience started to sing at the very end of proceedings and the compere then said "I have had a request for the National Anthem!"</p> <p>This was the Platinum Jubilee of Her Majesty Queen Elizabeth 2nd. Would you agree that, with the benefit of hindsight, the National Anthem should have been included from the outset?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>Thank you to Councillor Nelson for raising this important matter. I'd like to join Cllr Nelson in thanking all the organisations across Cheltenham that hosted Jubilee events to put on such an action-packed weekend full of fun. The residents of this borough can rightly be proud of the weekend of events. The Jubilee Beacon event at Pittville Pump Room was a stunning success, with approximately 5,000 people attending which was organised in line with the official guidance. I'd like to place on record my thanks to The Cheltenham Trust for managing and hosting that event and further family friendly activities on the Friday too. It was wonderful to see so many people enjoying themselves.</p> <p>As members will probably be aware, Sweet Caroline was chosen as the Platinum Jubilee anthem by listeners of BBC Radio 2. I have attended many events at which this song has been sung. The crowds at those events have been mixed but this song has always proven popular and I am yet to encounter a scenario in which the vast majority of people at any event are unable to belt out the key lyrics: "SWEET CAROLINE...BA BA BA. GOOD TIMES NEVER SEEMED SO GOOD (so good, so good, so good)." These lyrics have the advantage of being as easy to remember as Zadok the Priest or other songs favoured at Royal celebrations, but I recognise some will have found them much less stirring. With regard to the singing of the National Anthem, I am pleased you report that there was an impromptu rendition. As I understand it, there were plenty of opportunities for the anthem to be sung in tribute to Her Majesty over the Jubilee weekend. I was pleased to sing it at the start of the Test Match at Lord's on the Thursday morning and did so again at the end of the Jubilee parade on the Sunday evening, albeit in front of the television on that occasion. As a liberal, I would encourage people to sing the national anthem whenever they feel moved to do so.</p> <p>Finally, with regard to whether the Beacon event was a success or not, I'd</p>

	note the comments on our local MP's Instagram page: “*Amazing* atmosphere here in #Cheltenham for the #jubilee Beacon lighting at 2145!” I’m sure the organisers of the event were pleased to read his fulsome praise.
<b>6.</b>	<b>Question from Councillor Matt Babbage to the Cabinet Member Customer and Regulatory Services, Councillor Martin Horwood</b>
	<p><b>CIL and S106 funding</b></p> <p>a) What amount of CIL funding has been raised by CBC over each of the past ten years (split by year)?</p> <p>b) What amount of S106 funding has been raised by CBC over each of the past ten years (split by year)?</p> <p>c) Which organisations/third parties have received CIL funding from CBC over the past ten years, and the amounts given to each?</p> <p>d) Which organisations/third parties have received S106 funding from CBC over the past ten years, and the amounts given to each?</p> <p>e) What amount of CIL funding has currently been raised by CBC but not yet allocated and provided to relevant organisations/third parties?</p>
	<b>Response from Cabinet Member</b>
	<p>I thank Cllr Babbage for his interest in the detail of CIL and Section 106 revenue and spending. I can also refer him to recent published reports to cabinet and council which contain much of this information and which set out my clear ambition for increased transparency on all aspects of CIL and section 106:</p> <ul style="list-style-type: none"> <li>• Infrastructure Funding Statement 2021 (Cabinet report 21 December 2021),</li> <li>• Community Infrastructure Levy Governance &amp; Section 106 engagement (Cabinet 5<sup>th</sup> April 2022) and,</li> <li>• the subsequent report to this Council 20<sup>th</sup> June 2022.</li> </ul> <p>He should however note that the government is now planning to change the system once again.</p> <p>In the meantime, all members will be pleased to know that we are putting in place IT software that will enable comprehensive information relating to both CIL and S106 to be more easily and publicly available. This will enable data such as that sought by this question to be retrievable easily by councillors, members of the public and other interested parties.</p> <p>In response to his specific questions:</p> <p style="padding-left: 40px;">Cheltenham Borough Council adopted the CIL Charging Schedule (thereby becoming a Charging Authority) in October 2018 and commenced charging on planning permissions granted on or after the 01 January 2019. Income is therefore from:</p> <ul style="list-style-type: none"> <li>• 2019/20 £73,982.72</li> </ul>



- 2020/21 £212,051.82
- 2021/22 £939,447.71
- Since 01 April 2022 £1,031.06.

B. As reported in December, section 106 receipts in the reporting year 2020-21 were £39,637.20. I have asked officers to provide the year by year breakdown of the previous years he has requested.

C. In respect of CIL funding, there has been no direct spend by CBC outside that passed directly to parish councils (currently 15%), this being as follows:

- Charlton Kings Parish Council – £8,658.00 on 28OCT20 and £5,848.94 on 28APR22
- Leckhampton with Warden Hill Parish Council– £2,908.20 on 28APR20 and £14,873.44 on 28APR22, and
- Prestbury Parish Council – £268.63 on 28APR21 and £10,821.33 on 28OCT21 and £65,183.20 on 28APR22

Further spend relates to the administration of CIL which is capped at 5%.

As set out in the report, CIL funds are being built up so that we can then focus on clear deliverables that make a difference to the communities impacted by the development from which the levy is generated. Again as reported in December, the county council's road infrastructure requests alone total £68m so it can be seen that the current CIL funds held by CBC are comparatively modest for meaningful infrastructure spending. Governance arrangements for the transparent and accountable spending of Cheltenham's CIL revenue are proposed in my report to this council and these include arrangements for the spending of the 15% allocated for neighbourhood funds in unparished areas under the guidance of a neighbourhood panel.

D. In respect of Section 106 funding, and as detailed in the December report, section 106 spending and non-monetary contributions in the reporting year 2020-21 included non-monetary contributions in the form of 62 units of affordable housing but also county educational and highways spending detailed separately by GCC, sports and play equipment in Prestbury, Cheltenham's own affordable housing and support for the Golden Valley development.

Section 106 spending and contributions relate to legally-binding agreements that can be put in place with a landowner as part of the granting of planning permission to mitigate the impact of unacceptable development thereby making a scheme acceptable in planning terms. The terms of these agreements are therefore closely linked to the planning application themselves and can contain both financial and written obligations relating to proposed development. Cllr Babbage will note from the report today that we are now reporting section 106 spending in detail each year and actively pursuing greater transparency in the future reporting of Section 106. I have asked officers to provide detail of past section 106 spending and non-monetary contributions over 10 years as requested which I'm sure will be of interest to many members

but may be a complex task for officers to complete.

E. As of 17 June 2022, CIL funding raised by CBC but not yet allocated and provided to relevant organisations/third parties is as follows:

Regulation 59F CBC Neighbourhood Funding = £77,613.19

Regulation 59(i) Strategic Infrastructure Funding = £1,003,636.41

## **9. LIGHT UP SANDFORD PARK - PETITION**

Richard Newman, petition organiser, was invited to address Council. He informed the meeting that he had submitted his petition requesting all pathways be lit in Sandford Park to Council in February this year. As it comprised 825 signatures it triggered this debate today.

Mr Newman highlighted that the people of Cheltenham are extremely keen for this petition to succeed, and he had been gathering further signatures resulting in 1.3 % of the population of Cheltenham or 1540 people having signed it in total. He emphasised to Members that there was an overwhelming desire for Sandford Park users to feel safer at night.

Sandford Park, as outlined in the council report, was the second most crime ridden in Cheltenham with a spike in criminal activity between 8 and 9 pm. If fewer crimes were reported later at night he believed this was due to the crime assessment statistics as being skewed.

He explained that users were afraid to use their own park after dark not just for fear of attack, but also due to other hazards. Lighting pathways was key to address these types of accidents. In terms of funding this, he questioned the use of public money at Boots Corner, citing the £85k used for improvements at Clarence fountain, rather than public safety in a town centre park. Finally, he invited all Councillors to come and see the hazards and dangers for themselves by meeting at 10 pm outside Wetherspoon's for a walk through the park.

The Leader highlighted that crime prevention and community safety is a whole town issue and not limited to parks and gardens She referred back to her statement at March Council where she stated that whilst the council does not have control over the wider issues of safety, she confirmed that it should have an active role and that, in order to ensure a meaningful debate, she had arranged a meeting with the PCC, Cheltenham's MP and GCC and CBC Cabinet Members for Safety. She had reassured Members that the issue of safety was extremely important but could not be achieved by CBC alone- it needed government intervention and work with partners.

The Leader then informed that at the meeting of stakeholders there was agreement that partnership working was vital on the issue of community safety. Critical partners included :

- Gloucestershire Constabulary in terms of enforcement, intelligence and data gathering
- Criminal Justice System
- Education providers

- County Council (Highways)/Borough Council for lighting on highways, CCTV etc

She reported that the actions arising from the meeting included :

- Police and Crime Commissioner and CBC to continue working to develop shared outcomes through the work of Safer Gloucestershire and the Cheltenham CSP and any subsequent bidding activity
- Police and Crime Commissioner to provide data and intelligence on crime trends (including in parks connected to the petition)
- Relevant GCC Cabinet Member to be engaged
- Recognition that other mechanism going through Parliament, such as the Online Safety Bill

In the debate that ensued the following points were made by Members :

- The Friends of Sandford Park had assessed safety issues in the park at night and their contributions were laid out in the officer report. They were supportive of limited additional, low key lighting
- It was recognised that towns and open spaces required areas of darkness for bats and wildlife and increased lighting in some areas can in fact lead to an increase in anti-social behaviour and vandalism
- Some existing lighting in the park was not working. Quick fix improvements within CBC's responsibility would be carried out, but it was recognised that it was for GCC to light the main pathway in Sandford Park so this would be raised directly with them
- The Friends of Sandford park were commended for carrying out some maintenance in terms of managing vegetation growth
- The strength of feeling evidenced in the petition was recognised as was the need for an effective and acceptable solution. It was suggested that O&S could receive a report back in 6 months' time on the matter and the Chair of O&S stated that the Chair's group would consider any request to them
- It was suggested that Mr Newman raise the petition directly with GCC for consideration since street lighting fell within its remit

There being no further comments, the Mayor moved to the vote, where the recommendations were approved.

## **RESOLVED THAT**

**In respect of Sandford Park:**

- 1. the existing strong relationship between the Council and the Friends of Sandford Park be recognised and they be thanked for their hard work in supporting the maintenance and upkeep of the park working in collaboration with the councils Green Spaces team**
- 2. For the Council to work with the Friends of Sandford Park during volunteer working parties to identify and sensitively manage vegetation to improve security and public safety, whilst also having regard to the work being undertaken by the University of Gloucestershire to survey bat populations in Sandford Park**

3. **the importance of urban green spaces in providing vital dark space important for the survival of urban fauna and flora be noted.**
4. **the Cabinet Member Waste, Recycling & Street Services to share this report and liaise with his counterpart at Gloucestershire County Council regarding improvements to existing cycle path lighting in Sandford Park in the context of active travel**

**In respect of community safety across the borough:**

5. **the importance of the partnership working between the Council, Gloucestershire Constabulary, the Police and Crime Commissioner, the MP and Gloucestershire County Council be recognised to keep the public safe and work collaboratively on the wider issue of crime prevention and community safety**
6. **the valuable relationship that the council has with local community groups across the town and local ward councillors be recognised in supporting efforts to keep the public safe.**
7. **the petitioners be thanked and it be acknowledge that this is a very important issue.**

#### **10. COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE & SECTION 106 ENGAGEMENT**

The Cabinet Member Customer and Regulatory Services presented the joint report and recorded his thanks to the Leader, Chief Executive and the Director of community and economic development for their contributions.

He reminded Members that CIL was created some years ago to supplement and partly replace S106 agreements, which still persist. Developer contributions were extracted for the benefit of the community and was a complex process. Officers had been requested to keep the process under review, with respect to the levelling up and regeneration bill.

In excess of £1 m had been amassed from CIL charging to date. It was now important and timely to put governance arrangements in place to facilitate the allocation of this money.

The Cabinet Member advised Council that Cabinet had approved XXX and there was now enhanced transparency for S106 processes. He outlined the three elements of CIL as follows:

- 80 % allocation for strategic infrastructure- shared with Tewkesbury and Gloucester via the Joint Strategic Plan (JSP). He believed strongly that the future infrastructure list should reflect the emphasis of this Council on climate change and the environment and could include a wider range of infrastructure including health and education. A Memorandum of Understanding would be created to ensure there was transparency in the democratic and JSP processes and Council would have a vote on the final infrastructure list.
- 15% - 25% neighbourhood allocation - spending within the neighbourhood of contributing development (in the case of the 15% that a Parish Council,

without an adopted Neighbourhood Plan, must receive, this is up to a maximum of £100 per existing Council Tax paying dwelling). This allocation must be transferred to the relevant parish council or an uncapped 15% is retained by the Borough Council to be spent on neighbourhood projects where the development is not in a parish. The transferred allocation rises to an uncapped 25% when a parish or Neighbourhood Forum has a 'made' (adopted by Borough Council) Neighbourhood Plan in place. No Cheltenham parish or forum has a Neighbourhood Plan in place at the current time, although plans are being developed at Hester's Way Neighbourhood Forum and Leckhampton with Warden Hill Parish Council.

- 5% allocation to use to offset costs of CIL administration

The Cabinet Member highlighted that half of the borough lay in unparished areas and a governance process was required in those areas to allocate how the 15% of CIL generated in those areas would be allocated. A 7-Member neighbourhood panel was therefore proposed which would reflect political balance and comprise representation of such unparished areas of the town. This would set the priority funding projects for CIL allocation.

In terms of existing S106 agreements which are technical and legal agreements between the developer and planning officer, acting on legal advice, Councillors often feel that historically they appear without their input. A governance process was now proposed that where there is a possibility of a S106 agreement the planning officer would consult local members in that ward in advance, before the agreement is finalised.

Finally, the Cabinet Member believed these were a timely set of proposals which would provide democratic opportunities for elected members to have their say.

In response to questions the following responses were provided:

- The neighbourhood panel would be constituted this year so neighbourhood funds should also be deployed within this calendar year. Allocations would be prioritised by the panel, supported by officers.
- There would be a proper process of prioritisation with an open and transparent bidding process and it was acknowledged that communities would need supporting
- Deploying strategic infrastructure allocations would take a lot longer but it was hoped that a balanced infrastructure list would come forward in due course. Council would vote on the list, as outlined in the agreed Memorandum of Understanding. The Leader was a representative on the JSP process.
- Funding was available from government to assist unparished areas to develop neighbourhood forums and neighbourhood plans. County Councillors and Borough Councillors would be consulted on S106 funding allocation
- It was noted that communities should be alerted to funding available for public art
- The CIL process was determined by government regulation and it was acknowledged that safeguards were needed for very small parishes.
- Highlighted the importance of CIL and S106 being of benefit across communities in the borough

In the debate that ensued Members made the following comments:

- It was recognised that where a ward did not have a neighbourhood plan required a lot of ambition and it took considerable time and community involvement
- Consultation with ward Members in respect of S106 funding was welcomed
- The Leader stated that those not represented by a Parish Council or a neighbourhood plan would be actively encouraged to join the neighbourhood panel to ensure it was as wide and as diverse as possible
- There was a request that community groups be alerted in good time.

What constitutes the shared element of the strategic allocation would come back to Council for a vote, but would also be considered by the other 2 JSP councils.

Finally, the Leader undertook to keep Members updated prior to the final decision coming to full Council in due course.

**RESOLVED (unanimously) THAT**

- 1. The recommendations agreed by Cabinet 5<sup>th</sup> April 2022 as set out in section 8 of this report and listed in the Executive summary above be endorsed.**
- 2. Officers keep under review Regulations arising from the Levelling Up and Regeneration Bill and to report back to Cabinet as required.**

**11. CLIMATE CHANGE SUPPLEMENTARY PLANNING DOCUMENT ADOPTION**

The Cabinet Member Climate Emergency introduced the report, noting that Cheltenham was England's most complete Regency town, with its many Regency buildings having undergone many changes in use over time to remain valuable and relevant in the modern day. The council needed to ensure that what they built next lived up to the same aspirations, allowing future generations to enjoy them in the same way. Future developments in the town needed to be resilient, and adapt to the world as it would be as well as how it was now. To deliver this, they had to implement important checks and balances for developments against their climate goals. Failing to take action on the climate was not an option.

She emphasised that the supplementary planning document (SPD) was intentionally as ambitious as it could be within their legal remit. It was not just a statement of what they valued, but a real set of commitments to underpin future policy. The council's excellent climate team had included numerous useful ideas and suggestions to help developers make their applications more climate-friendly, and the document gave a clear sense of the landscape in which they would be building, both in a physical and regulatory sense. It was a good looking document which should be both interesting and easy to understand. She thanked the councillors who had worked on the topic over the years, especially the previous Cabinet Member for the climate emergency, and officers from both the planning and environment teams. In summary, she stressed the need for substantial action to change the way the council operated, starting with a road map for building a more climate friendly town.

One Member praised the way that data was presented in the SPD, making it very clear and easy to understand; another, while sceptical about some of the figures regarding energy savings, was happy to follow up with the Cabinet Member and officers about it offline. The Green group said this was exactly the kind of document that they wanted to see.

In response to Member questions, the Cabinet Member Climate Emergency said that:

- When approved, the guidance would apply to all applications determined from now on, not to those applications already in the system. The Director of Community and Economic Development confirmed this;
- The continual updating of the document with local examples of applications approved or rejected by the council, based on the guidance, would be useful, although it would probably need to be in a separate location so that the main document did not need to be continually republished;
- The document's principles generally supported the protection of nature reserves and local wildlife sites, but it could be updated if it became necessary to highlight the issue at any point.
- The SPD would not be policy, but would underpin the Cheltenham Plan, and could be used by Planning Committee when determining applications;
- Regarding enforcement strategy, the up-coming planning review coming up would look at every aspect of the process, including enforcement. At this point, their approach had to focus on the carrot rather than the stick, since they were limited in terms of consequences for developers who failed to comply.
- She was keen to see the policy become embedded in the broader planning processes once approved, so that Members' enthusiasm for the policy translated into material outcomes and fed into existing policies – as demonstrated at the recent Planning Committee where an application which offered no improvements to its area in terms of flood management was rejected, with the SPD guidance forming a useful framework through which to view it;
- She agreed that making developers understand it was not just about making as much money as possible was key, and the recently-permitted Newlands development on Shurdington Road had shown that private sector developers could deliver zero-carbon housing.

There being no further questions, the Mayor moved into debate.

The Chair of Planning Committee praised the document as an ambitious and robust piece of work. CBC was way ahead of national government on the subject, and was leading the way as the most progressive and green local authority in the country in terms of planning guidance. Stronger national legislation was needed in order to properly underpin this guidance. The Planning Committee had recently rejected a proposal for 350 homes on the basis that they all had gas boilers, and they were proud that they had stuck to their guns. Member training on the topic would be a helpful next step.

Other Members made the following points:

- achieving change was not easy, and the council always needed to push harder and aim far in advance of what they thought they might get. Over the

years they had taken a varied approach which oscillated between taking the safe option and being ambitious, and they were pleased they had committed to the latter now.

- radical ambition was to be praised. It was particularly good to see a section on biodiversity and nature recovery, taking into account the parallel crisis in species extinction.

The Cabinet Member Climate Emergency thanked Members for their contributions and asked that they approve the recommendations in the report.

There being no further comments, the Mayor moved to the vote, where the recommendations were unanimously approved.

#### **RESOLVED THAT**

- 1. the proposed Climate Change SPD attached as Appendix 2 be adopted.**
- 2. authority be delegated to the Head of Planning, in consultation with the Cabinet Member for Climate Emergency, to make any necessary further minor changes to the document;**
- 3. there is a commitment to a programme of on-going training for Members and Officers about how to optimise use the SPD to help support the authority's 2030 net zero objectives;**
- 4. there is commitment to ensuring that emerging Development Plan Policy has appropriate policy hooks to better integrate the objectives of the SPD into the planning process, thereby giving the document greater weight in decision-making;**
- 5. there is commitment to using the SPD to lobby the Chief Planner and government through the Department for Levelling Up, Housing and Communities (DLUHC) and others, to urgently improve national policy and provide more effective measures to help combat climate change through the planning system.**

## **12. NOTICES OF MOTION**

### **Motion A**

**Proposed by Councillor Wilkinson; seconded by Councillor Jeffries**

**This Council notes that:**

- **On 1 April 2022, Ofgem increased the energy price cap by 54%**
- **In light of the increased energy price cap, the average standard tariff energy bill will increase by £693 per year. The average pre-pay meter energy bill will increase by £708 per year (Ofgem, 2022)**
- **On 6 April 2022, the Government increased National Insurance by 1.25 percentage points, which is projected to cost the average family an additional £108 per year**
- **The Government has suspended the pensions 'triple lock' for 2022/23, meaning that Cheltenham's pensioners will see a rise of 3.1% this year (instead of 8.3% under the triple lock formula). This year, this will cost Cheltenham pensioners on the full new state pension an average**



of £487, and those on the full basic state pension and average of £373 (TUC, 2022)

- Last year Cheltenham Foodbank distributed 3,777 three-day emergency food supplies given to people in crisis.
- Council notes the news that following calls by the Liberal Democrats last October for a windfall tax on energy companies, the Government has belatedly introduced one

**This Council declares a ‘Cost of Living Emergency’ and calls on the Government to:**

1. Immediately reduce the standard rate of VAT from 20% to 17.5% for one year, saving the average household a further £600 this year.
2. Re-introduce the pensions triple lock to support pensioners.
3. Immediately use revenue from the windfall tax on energy companies to help Cheltenham families with their energy bills.

**Further, Council asks officers to:**

- Continue this authority’s excellent track record of promptly distributing emergency funding to those in need.
- Investigate how to further support existing initiatives aimed at supporting those in need, including the Cheltenham Food Network and No Child Left Behind.
- Investigate with partners, including The Cheltenham Trust, Cheltenham Borough Homes and others, what can be done to further support struggling Cheltenham people.

Councillor Wilkinson introduced his motion, saying that the reality for too many people was that they could not afford to live at the moment. With the economy struggling, GDP flat-lining, the IDMF predicting the UK will have the slowest growth of G7 nations in 2023, huge rises in energy, food and transport costs, poverty was on the increase, and the motion outlined some national policy levers that could immediately help. A VAT cut, genuine windfall tax on energy companies, and certainty over the pensions triple lock would go some way to help. The motion also proposed a small audit of what we do locally to keep vital services going.

He said the picture in Cheltenham was really concerning, with many individual cases highlighting the increasing levels of hardship, and people having to choose between paying for food or energy. Illustrating this, there has been huge, unsustainable increase in the use of foodbanks across the town, with their work supplemented by other organisations, charities and concession schemes.

Whilst acknowledging that the current situation had many causes, some pre-dating 2019, and that there were undoubtedly factors the government couldn’t control, there were others that it could – rising taxation and welfare cuts at a time when people were struggling to make ends meet were not helping. Anecdotal evidence suggested significant gaps in government support schemes, and as a society we cannot afford to let people fall through the gaps.

In proposing the motion, he hoped that Members on all sides would endorse a course of action that sought to ensure that Cheltenham’s voice was heard in the national cost of living debate and to renew efforts locally.

Councillor Jeffries, seconding the motion, reserved the right to speak.

Members made the following comments:

- everybody in the Chamber understood the cost of living challenges, and that his group would do what it could to support the people of Cheltenham. He acknowledged some gaps in the national scheme, but pointed out that £37 billion had been allocated by the Chancellor, and £150 council tax rebate had already been received by many people. He wondered if there were any plans to follow the example of Eastbourne – the first council to declare a cost of living emergency - which had approved a £250k grant scheme, with £20k going immediately to the local food bank. He felt the suggested measures in the motion were right, but there were other things the council could do: in the budgetary process it should look to minimise additional costs on households from rents to charges for leisure facilities, car parks, taxi fares, adding that he would be arguing this at county level as well. He said his group was with the motion in spirit, but as it included a political attack on the government and didn't present the whole picture, they would abstain from the vote. He said the government was trying to gauge a moving target, and could and would do more, but more concrete proposals were needed which all parties could support, reiterating that his group fully understood the crisis and recognised that something had to be done to address it.
- regarding taxi fares, one Member said the trade was important to Cheltenham and taxi drivers were obviously struggling with the huge rise in fuel costs. The council had to strike a balance between setting fares that allowed the drivers to make a living, but not so expensive that people were put off taking taxis.
- historic statistics showed that there were problems of deprivation in some parts of town before 2019, with Cheltenham ranking 836<sup>th</sup> out of 32k for income deprivation affecting older people in one area – a travesty in a town most people think is reasonably wealthy. The council had done what it could, including the No Child Left Behind project, but current events were making things worse, with the same areas – parts of Whaddon, St Paul's, St Peter's, St Mark's, Hester's Way – always the most deprived. The council needed to use all the levers it could locally, and government needed to provide funding to do that, to help people to help themselves. There were many stories and issues over which the council had no control – most recently barristers who provide legal aid voting to take industrial action, thus denying many people the right to a fair trial – which showed that the UK was failing as a country. He would support the motion and hope the government would listen to what Cheltenham was saying.

Councillor Flynn said it was not so much a cost of living crisis as an equality of income crisis, and proposed two amendments to the motion, with the addition of two further actions, calling on the Government to:

4. Increase the minimum wage
5. Restore the Universal Credit uplift and double it to £40

The proposed amendment was seconded by Councillor Joy.

The Leader requested a short adjournment for her group to discuss the amendment and whether to collectively support it.

When the meeting reconvened, Councillor Wilkinson thanked Councillor Flynn for the proposed amendments but, whilst having sympathy with the sentiment expressed, said his group would not accept them, and therefore proposed moving to the vote without any further debate.

The Monitoring Officer advised that Members would need to vote on this move first – it was carried – before voting on Councillor Flynn’s amendment to the substantive motion, which was not carried.

Debate continued on the substantive motion.

Councillor Jeffries, seconding the motion, said the word ‘crisis’ was commonplace and used in many ways, referring to health, climate, nursing, fuel, and now cost of living. He said he was proud of Cheltenham’s record in supporting the most vulnerable people in the town, and that it was at the forefront of his and most other councillors’ thoughts. Hundreds of people in the town, and across the country, were existing rather than living, their daily lives dominated by juggling bills, rent, shopping, in order to survive. Having experienced this as a youngster, he said it was tiring, debilitating, and affected mental health – the memories did not fade.

With poverty at record levels, he considered in-work poverty to be a scandal – people working all hours but still unable to afford to live. Soaring food, energy and fuel prices meant that real inflation was 25-30%, and thousands of people were claiming food support in the town and across the country, with thousands of charities providing that support. Particularly shocking was public servants – nurses and police – struggling and needing support, and this would get much worse in the winter.

He said he was mindful of what a Member had said about incorporating ways to help through the budgetary process - this was what he did and thought about all the time – and although he recognised that some problems existed before the pandemic, and recent times had been particularly difficult, he felt that the government’s record was atrocious. It put profit before people and inflicted additional tax rises on those least able to pay whilst cutting tax for the richest in society. It was the government’s job to help the most vulnerable, and time for Cheltenham to add its voice to the growing voice across the country in declaring a cost of living emergency.

In summing up, Councillor Wilkinson thanked Councillor Jeffries for his personal story, and agreed that in-work poverty was a particularly important issue to be addressed by politicians, as it broke the deal sold to people that if they worked hard at school and got a good a job they would be alright. It was the government’s role to put this right, and local authorities shouldn’t have to bring motions such as this to work out how to look after local people. He noted some political comments had been made, but felt that both sides broadly shared the same aims, and that while some factors were in government control, others were not, and it was important to recognise what it could or couldn’t control. With reference to the Eastbourne scheme, he said its package of measures was put together after it had declared a cost of living emergency, and the motion had been drafted to ensure all officers and community partners were able to work together to try and put right some of the things that had gone wrong.

He said that the statistics mentioned by a Member brought to life some of the issues, and agreed that barristers planning to strike, and nurses and police

using food banks, proved that the cost of living crisis wasn't just affecting the poorest of society. These people should be fine but they weren't, which is why it was important to back the motion presented today.

The Chair then moved to the vote on the substantive motion, which was adopted.

## **Motion B**

**Proposed by Councillor Horwood; seconded by Councillor Atherstone**

### **This council**

- **Welcomes the recent return of Pride Gloucestershire to Cheltenham on 15 May and congratulates the organisers on a wonderful day out in Pittville Park**
- **Would also warmly welcome EuroPride to the town should Cheltenham's bid to host this event succeed**
- **Notes that the public realm can be used by local authorities to promote inclusivity and community cohesion, to advance the opportunity of equality and foster good relations between those who share protected characteristics and those who do not**
- **Believes the creation of a colourful and inclusive 'progress flag' pedestrian crossing would help to foster this relationship, enhance the public realm and provide an interesting and safe place to cross the road.**

### **This council**

- **Would welcome a 'progress flag' crossing incorporating the six rainbow colours of the standard pride flag and the additional colours of black, brown, baby blue, baby pink and white, representing diversity and the transgender community.**
- **Notes that a motion was passed in September 2020 by Gloucestershire County Council (Motion 866) included open discussions with regions within the county to have crossings installed by Gloucestershire County Council following the example already in existence in Gloucester City Centre.**
- **Notes a possible location identified for the Progress Crossing between the Brewery and the NCP Car Park (already a crossing in place) on St Margaret's Road.**
- **This council requests that Gloucestershire County Council, as per GCC Motion 866 and following the precedent set by their co-operation with Gloucester City Council, funds and delivers the crossing through Gloucestershire Highways to help celebrate and protect diversity and inclusion within Cheltenham and the county.**

In proposing the motion, Cllr. Horwood outlined the meaning of the progress flag and stressed the importance of visibility. By delivering a rainbow crossing, councillors could send a message that the town was an inclusive and cohesive community, and foster good relations between those who shared protected characteristics and those who did not. It would not solve issues of discrimination and exclusion overnight, but might help people to feel more welcome in Cheltenham. The motion called on the county council to deliver the crossing

and suggested a possible location in the Brewery Quarter, while also supporting Cheltenham's bid to host EuroPride. He thanked Jason Potter-Peachey of Pride Gloucestershire for driving both the rainbow crossing and EuroPride campaigns.

Members made the following comments:

- while happy to support the motion, a successful EuroPride bid would bring around 250,000 people to the county, which was roughly equivalent to another Gold Cup festival;
- hate crimes based on sexual orientation had risen every year since 2016, and had doubled since then. LGBTQ+ acceptance and tolerance seemed to be declining as part of the culture war. A crossing would not solve everything, but would send an important message about safety and inclusion. If just one person were to feel more welcome in the town as a result, it would have been worth it;
- homophobia was becoming part of the dog-whistle politics of the far right. The crossing would fight back against that and remind people that they were an open and tolerant society. It was important to ensure it was well-maintained and used the right paint to last a long time. It would also be nice to have an opening event as well, with partners and councillors drawing attention to it.
- the UK was going backwards in terms of LGBTQ+ rights, for example with regard to conversion therapy for transgender people. A recent Pride event in Bulgaria needed a police guard to protect it from far-right protestors, must ensure this does not happen in Cheltenham;
- having left their small town in the 1980s because they did not feel they fit in as a gay man, many young gay people from small towns were still having the same problem decades later. The crossing would show people, especially young people, that they were welcome in Cheltenham;
- having recently attended Council of Europe's congress of regional authorities, a resolution was passed seeking to protect LGBTQ+ people from rising hate crimes. The crossing was a small step, but a step nonetheless. They added that local authorities had real influence when it came to inclusivity;
- many Members had lived through a time when being gay was illegal in the UK, as well as many decades of widely normalised homophobia. The world had come a long way since then, but there was still work to do. They hoped that one day it will be so normalised that LGBTQ+ people did not have to come out, and were free to live their lives without fear;
- the crossing was not just something that would look nice, but was a bold political declaration and a response to anyone who thought they could divide people in the town. Attacks on LGBTQ+ rights were putting people in danger, and progress was something that had to be fought for. Transgender rights in particular were being used as a political football by the government, with the same attack lines being used as were against gay people in previous years. Less than a decade after the legalisation of same-sex marriage, it felt like they were going backwards. True LGBTQ+ equality, that campaigners had fought for decades for, needed to be delivered;
- Pride Gloucestershire was to be congratulated for their work and thanks offered to the organisers of Culture Fest, which took place in Pittville Park recently.

In seconding the motion, Cllr. Atherstone thanked colleagues for a positive, diverse and educational debate. She hoped that the suggested Brewery Quarter location would be adopted as it was a real hub in the centre of the town.

Cllr. Horwood summarised Members' contributions and thanked them for a passionate and personal debate.

The Mayor moved to the vote, where the motion was unanimously adopted.

**13. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION**

None.

Sandra Holliday  
**Chairman**