

Cheltenham Borough Council

Cabinet - Minutes

Meeting date: 13 February 2024

Meeting time: 6.00 pm - 7.05 pm

In attendance:

Councillors:

Rowena Hay, Peter Jeffries, Victoria Atherstone, Flo Clucas, Iain Dobie, Martin Horwood, Alisha Lewis and Max Wilkinson

Also in attendance:

Gareth Edmundson (Chief Executive) and Paul Jones (Deputy Chief Executive (Section 151 Officer))

1 Apologies

Councillor Collins sent apologies.

2 Declarations of interest

Councillor Horwood declared a pecuniary interest in Agenda Item 8, and said he would withdraw from the Chamber when that item was considered.

3 Minutes of the last meeting

The minutes of the meeting held on 19 December 2023 were approved as a true record and signed accordingly.

4 Public and Member Questions and Petitions

There were no public questions or petitions. One Member question was received, with the answer taken as read:

1. Question from Councillor David Willingham to Cabinet Member for Safety and Communities, Councillor Flo Clucas

In light of the number of people who arrive severely inebriated at Cheltenham Spa station on early morning trains during race week, and the impact this has on local communities as well as the pressure it puts on Gloucestershire Constabulary, and noting that many football trains are “dry”, would the Cabinet Member for Safety and Communities join me in calling on the British Transport Police and the Train Operating Companies, to designate all trains arriving at Cheltenham Spa station before 10am during March race-week as alcohol-free, to reduce the early morning nuisance caused by racegoers getting incapably drunk on those trains, and to allow those who are likely to become a nuisance to be detrained and detained at locations well away from Cheltenham, such as Bristol, Swindon, Worcester or Birmingham, so they don't get to Cheltenham to cause disorder later?

Cabinet Member response:

Thank you for your question, Cllr Willingham.

Contact was made with GWR and the British Transport Police regarding the concerns you have raised and the response from the British Transport Police is below from Mark Cleland, BTP Superintendent, who is responsible for the BTP operation for Cheltenham, explaining why in their opinion “dry trains” is not the right issue to focus on.

- *The BTP policing operation extends far wider than Cheltenham as we police routes into Cheltenham from Birmingham, Bristol, South Wales and London, with a police presence at stations that extend across those routes.*
- *Crime rates on the railway are very low during the festival, on average we make maybe one or 2 arrests and they tend to be on the return after the event which is usually alcohol fuelled as a result of drinking at the event and not on trains. I checked the crime for the 2023 festival and I can see we had no reports of crime at all at that location.*
- *We have no issues with passengers travelling on the forward to the event, even if consuming alcohol. We have very few issues on trains leaving the event as the trains are so full and we tend to have officers travel with the trains. Most issues happen in the queues with people arriving at the station after leaving the racecourse which is where they've consumed too much alcohol.*
- *To manage dry trains would be extremely difficult due to the profile of the event with people travelling from all over the UK, we would have to resource police officers at a huge number of locations to prevent people bringing alcohol onto trains and due to the low levels of crime, this would not be proportionate.*
- *The greatest issue around alcohol consumption is due to people getting drunk at the racecourse and in pubs in Cheltenham. That is what impacts on the railway. There never seems to be an ask around having a dry event, so no alcohol served at the racecourse or in the city centre. If there was to be a complete ban on alcohol for the event, then it would make sense for the railway to have dry trains. As it's the racecourse and the city centre that creates all the issues with alcohol fuelled ASB then it would not be proportionate for the trains to be dry as they aren't what causes the problem.*

We have a clear evidence base that the railway is not the issue, but rather the serving of alcohol everywhere else is.

I am very happy to meet with you to discuss the response further should you wish to do so.

5 Gloucestershire City Region Board

The Leader introduced her report, highlighting the following:

- the Gloucestershire City Region Board will bring together the Severn Vale, Rural Ambitions and Central Gloucestershire City Region Boards and the Gloucestershire Economic Growth Joint Committee (GEGJC) as the Gloucestershire City Region Board (GCRB), serving the whole county;
- the Gloucestershire local authorities' Business Rates Pool created the Strategic Economic Development Fund (SEDF), administered by GEGJC;
- with the growth of the Business Rates Pool and fund, GEGJC members asked whether a more strategic approach could be taken when considering and allocating SEDF, noting that projects are not always strategic in nature, risking funds being allocated to projects that may not maximise economic benefit and growth for the county;
- the proposal is for the GCRB to administer and allocate the SEDF, developing a longer vision, and applying more rigorous and strategic selection of projects which deliver and add value to the growth of the local economy;
- the county council's GEGJC Scrutiny Committee will be reconstituted to focus on oversight of GCRB activities, including monitoring delivery of projects funded by SEDF and suggesting potential areas for future investment;
- retaining both GCRB and GEGJC was deemed to create duplication and be ineffective.

She thanked the Chief Executive for a detailed report, confirming that the GCRB won't come into being until each authority has voted on it.

The Cabinet Member for Economic Development, Culture, Tourism and Well-being made the following comments:

- this is a broadly useful evolution of what already exists, but we need to be aware of the pitfalls of these processes – when working across district borders and with county, there are always things that could go wrong, and negotiations to get the best outcomes for Cheltenham and the whole county will be really important;
- there is much that is positive in the paper: Liberals welcome devolution from Westminster to Gloucestershire, and it is to be hoped that this will be followed with resources to carry out the work. In the past, devolution deals and new bodies in our county have been used as a veil for cuts elsewhere, as with the

Local Enterprise Partnerships when austerity was at its deepest . We need to be aware of accountability and scrutiny;

- we also need to be mindful of the risk that while powers are being drawn down from Westminster they are also being drawn up from Cheltenham to Gloucestershire. We already share sovereignty with other councils, such as with the Strategic and Local Plan where we are working positively with Tewkesbury and Gloucester, but with three more partners at district level and one at county level, we need to be aware of the potential for difficulties to arise and to think how Cheltenham voters will hold to account decision makers in this new county body. The Leader will speak for the people of Cheltenham, but we must always be aware that it is local residents who we listen to first. In broad terms, if a Cheltenham resident doesn't like a decision of the new county body, do they go to their local borough councillor, county councillor, to senior officers or the leader of the council. We need to be aware of all the issues around scrutiny and accountability
- the appendix says the board will work on a Gloucestershire City Region Vision – a positive thing – but the Gloucestershire 2050 vision a few years ago included ambitious big picture thinking, some positive vision around houses in right areas and attempts to talk about how to make better progress on environmental matters – but it wasn't communicated in the most sensitive way, and will hopefully be not quite so divisive and better managed this time;
- other combined authority schemes around the country have made some unwise and unpopular choices and wasted several years – hopefully Gloucestershire, with Cheltenham's voice as part of it, won't make similar mistakes;
- we must be wary of a drive towards dangerous deregulation – the recent attempt to introduce investment zones would have been a threat to Cheltenham's key project at Golden Valley, and we need to be aware that the new group is not used as a Trojan horse for that kind of agenda, which would not go down well with people in Gloucestershire;
- hopefully lessons have been learnt from the past, and we won't go down these paths again. This is a positive thing, and working with the county across districts for economic and environmental benefits is clearly the right thing to do.

The Cabinet Member for Customer and Regulatory Services thanked the Leader and Chief Executive for their work, saying that although the title may frighten some people, we must work to adapt the language of government in city regions to a more streamlined and efficient approach to joint working across the county. Particularly welcome is the work done to include clear safeguards and accountability, with the important principle of no decision about us taken without us set out very clearly in black and white. It appears a lot more transparent than the previous set-up, with meetings in public, minuted and reported back to local councils, and despite the scary title, is a very positive step.

RESOLVED THAT:

- 1. the establishment of the Gloucestershire City Region Board (GCRB, the Board) is agreed;**

- 2. authority is delegated to the Chief Executive and Corporate Director in consultation with the Leader, to finalise and complete the Inter-Authority Agreement and other key documentation and to take all necessary steps to create the GCRB, including finalising the terms of reference for the GCRB.**
- 3. the above recommendations will not be effective until all Gloucestershire Councils pass equivalent resolutions.**
- 4. Upon the establishment of the GCRB:**
 - 4.1 this Council's functions are delegated to the GCRB as are necessary for the delivery of the functions identified in the Terms of Reference at Appendix 2 to this report;**
 - 4.2 the appointment of the Gloucestershire County Council as the Administering Authority is confirmed;**
 - 4.3 the appointment of the Leader of the Council to the GCRB as the nominated member of the Board is agreed. If the Leader is unable to attend a meeting of the GCRB the Leader will nominate an alternative member of the Cabinet to attend the Board as a substitute.**

6 M5 Junction 10 Improvements Scheme - Delegation Approval

The Cabinet Member for Customer and Regulatory Services said Cheltenham and Gloucester have been waiting for years for improvements to M5 Junction 10, and this proposal will speed up the process. There will be an examination, similar to major planning applications and appeals, largely in writing, but importantly as fast as possible. The report notes the update of the process and delegates authority to the Director of Communities and Economic Development to take part on CBC's behalf, with the power to respond and make representations on behalf of the council in a more streamlined approach.

The Cabinet Member for Housing thanked the Cabinet Member for Customer and Regulatory Services for the report, saying that improvements to Junction 10 were important for the planned housing development, and nothing should slow down the process.

The Cabinet Member for Finance and Assets welcomed anything which would streamline the process and make it as efficient as possible. He agreed that Junction 10 improvements were much needed as housing applications were being held up and the road network was grinding to a halt, and welcomed the fact that the scheme will be as efficient as possible under the delegation scheme.

RESOLVED THAT:

- 1. the update on the M5 Junction 10 process is noted;**

2. **authority is delegated to the Director Communities & Economic Development to:**
 - a. **respond formally on behalf of Cheltenham Borough Council (as statutory consultee) through our appointed consultants AtkinsRealis to the DCO process in consultation with Cabinet Member Customer & Regulatory Services.**
 - b. **make representations at the DCO hearings and meetings (either directly or through Cheltenham Borough Council designated officer or through our appointed consultants AtkinsRealis) concerning the M5 Junction 10 project in accordance with the Council's responses (as statutory consultee) to the consultation.**

7 Award of rent support grant to voluntary sector organisation

The Cabinet Member for Finance and Assets introduced the report, which set out the level of rent support as assessed and proposed for the Gardens Gallery in Montpellier. He said that supporting voluntary and community organisations through the council's sizable property portfolio is always a pleasure, even sometimes, when the policy has been applied and the rent calculation assessed, organisations are not prepared for the level of rent, however small a contribution it might be. In such cases, he always endeavours to meet with organisations to have a more in-depth conversation and gain an understanding of any specifics, as with this case. At their request, there will be some changes which will enable the Gardens Gallery to be a little more commercial whilst still supporting new and unknown artists.

As these changes will take time to have a positive financial benefit for the Gardens Gallery, he said that he has, with Members' support, applied the 10% discretionary element of the policy, as mentioned in the report. He hoped that colleagues would be able to support the recommendations as laid out.

Members welcomed the report and the agreement, and made the following comments:

- Cheltenham is lucky to have this fantastic gallery in the middle of a public space, supporting local art and artists, and giving them the opportunity to exhibit their work. It is booked up for months, even years, in advance, which shows what a popular and successful formula it is. It is a credit to our many talented and dedicated local artists, and also owes much to volunteers;
- the Gardens Gallery has become an institution, and it is good to note the improvements being made to the building to make it more environmentally friendly and sustainable.

RESOLVED THAT:

- 1. a rent support grant of 74% of current market rent to the Gardens Gallery, Proscenium Building, Montpellier Gardens is agreed;**
- 2. authority is delegated to the Participation and Engagement Team Leader, in consultation with the Director: One Legal to agree the terms of a rent support grant agreement with the applicant.**

8 Council Tax Premium on Empty Properties and Second Homes

The Cabinet Member for Finance and Assets introduced his report by saying that with the continuing housing crisis, this administration using the tools at its disposal to bring empty homes back into use, including our discretionary powers to levy council tax on long term empty properties. The current level of premium and number of properties is set out in the report, and changes to the relevant acts of parliament mean that we can now charge the premium after a property has been empty for one year, instead of two.

He said that there is also a new power afforded to councils through these changes, allowing them to charge a premium for second homes, previously not an option due to a loophole in the legislation which classed a furnished long-term empty home as a second home, thus circumnavigating the empty homes premium.

Whilst accepting that the majority of Cheltenham's current 963 properties classed as second homes are not long-term empty, the changes in the legislation are to be welcomed, and should encourage all owners of second homes to consider freeing them up. Taking this decision now means the council will be prepared and able to be proactive when the changes can take effect from April 2025.

He went on to explain that the full council tax charge applies to second homes. In the legislation, the charge is 50% and the council currently has the discretion to increase this to 100%, which it has been doing since 2004. The 100% premium is on top of the full charge, so from April 2025, second homeowners will be paying 200%.

- 100% premium means 2 x council tax
- 200% premium means 3 x council tax
- 300% premium means 4 x council tax

He said the new exemptions from the premium with the usual full council tax will still be payable, but he was confident that the exemptions will mostly be time limited. There will be an exemption for properties undergoing probate and for a period after probate has been granted, and most likely be an exemption where the property is actively being marketed for sale or rent but hopefully this will be limited to three months. These new exemptions will apply to both the second homes and the empty homes premium.

He reminded Members that there are already a number of existing council tax exemptions (such as student properties or where the resident has gone in to a care

home) but these are completely separate and don't apply to properties that are subject to a premium. He ended by saying that empty homes and second homes do not positively contribute to community cohesion, and he hoped that Members would support the recommendations.

The Cabinet Member for Climate Emergency welcomed the freeing up of more properties, but wanted to be sure that anyone who had lost a family member whose property remained in probate for a long time would not be penalised by the second home strategy. The Cabinet Member for Finance and Assets fully expected an exemption for such a case, to be confirmed with officers.

The Cabinet Member for Housing suggested that it would be useful to understand the exemptions, as there could be many reasons why someone can't sell a property straight away and end up owning two properties, although with the new policy not coming into force until April 2025, there is time for anyone in this situation to be encouraged to release the second property for a different resident.

The Cabinet Member for Economic Development, Culture, Tourism and Wellbeing also welcomed the report and change in legislation, in view of the massive housing crisis. He said there are not enough houses in Cheltenham, people struggle to get onto the housing ladder, with large numbers of homeless and hidden homeless people, and it is disappointing and a moral issue that people with more than one home leave them empty, sometimes for a long time. The potential flow of extra revenue from these changes is less than £200k, but it is important to prompt people who are tempted to leave properties empty to do the right thing and bring them back into use. He hoped further legislation will follow.

RESOLVED THAT:

- 1. Council is recommended to approve the change to the Empty Homes Premium so that properties which have been unoccupied and unfurnished for one year, instead of two, will become subject to the 100% premium from April 2025.**
- 2. Council is recommended to approve the implementation of the 100% Second Homes Premium from April 2025.**
- 3. Council is recommended to give delegated authority to the Executive Director for Finance Assets and Regeneration in consultation with the Cabinet Member Finance and Assets to amend the policy so that it meets the requirements of any guidance/ regulations due to be issued by Government and to ensure the premiums are administered efficiently.**

9 Briefing from Cabinet Members

The Leader invited Members to provide briefings:

The Cabinet Member for Economic Development, Culture, Tourism and Well-being said that:

- top of the list for good news is that Lansdown Art Studios – the council is going to help artists in the current building to secure a new and fit-for-the-future building. This is an exemplar case study and good result for culture through planning, and credit is due to the planning team and developer for being open-minded;
- he and Councillor Tooke recently visited the Pittville Pump Room and can report that work is going well;
- thanks to St Philips and St James Church for their recent one-day event, From the Ground Up, which focussed on sustainability and what is being done to tackle the climate emergency;
- he has spoken with Canada Life about the future of Cavendish House, and can confirm that positive plans are emerging.

The Cabinet Member for Finance and Assets said that he would normally have presented the budget papers at this meeting, but due to the late announcements on additional government funding, these would be presented at an additional meeting on 23 February.

The Cabinet Member for Safety and Communities highlighted the following:

- the recent No Child Left Behind (NCLB) ceremony at the Town Hall was a unique and heart-warming event, with representatives from almost 100 organisations and businesses in Cheltenham, all aiming to help children to a good present and better future in a variety of fun and practical ways. She thanked everyone concerned for giving their time so generously;
- she also thanked officers who have worked so hard, and also the Leader and colleagues, saying said NCLB is now set to grow outside the borough, helping young people with future employment opportunities. She hoped that by this time next year, she will be able to report on more growth and improvement, resources and opportunities.

The Cabinet Member for Customer and Regulatory Services reported that:

- consultation on the Strategic and Local Plan (SLP) is currently underway, and although it is still early days, this is a really important part of the process: the SLP will ultimately replace the Cheltenham Plan and the Joint Core Strategy, tackling climate change, protecting local green space, allocating housing sites, supporting local businesses, and shaping communities locally. He encouraged everyone to engage with the process via the SLP [website](#) or by emailing haveyoursay@cheltenham.gov.uk;
- congratulations to the public protection and neighbourhood teams for their recent work with a young tagger, for undertaking restorative justice and spending many hours painting over graffiti in Town Centre East car park. This alternative to a punitive approach is more effective in the long run and provides a different perspective;
- thanks to the teams for tackling a range of anti-social behaviour and also their work underway for Gold Cup Week, and to Louis Krog and Sam Robinson for all the work they do.

The Cabinet Member for Waste, Recycling and Street Services was happy to report the planting of a new community orchard at Weavers Field in Warden Hill, in conjunction with Cotswold National Landscape and a representative of the Gloucestershire Orchards Trust. He said there was an orchard on this site centuries ago, growing Warden Pears – from which Warden Hill took its name. It was

satisfying to plant the trees, led by the green team and with children from three local schools delighted to be involved in creating a place where people will come together in the future to celebrate trees.

The Cabinet Member for Housing had two updates:

- with the return to CBH to the council, it was important to collect tenants' feedback – the consultation was launched in early December and closed on Sunday, and resulted in a good response, well above the hoped-for 10%. She gave huge thanks to residents for making the effort to share their thoughts, helping to shape the future services from the council's housing services;
- she has signed up to an annual fundraising event organised by Cheltenham YMCA, to highlight the issue of homelessness and rough sleeping. The YMCA does great work in supporting vulnerable residents; more information can be found and shared via their [website](#).

The Cabinet Member for Housing gave huge thanks to all the small and medium-sized businesses who applied for Cheltenham Zero business funding - £100k in small grants to help businesses reduce their energy use. £177k worth of applications was received.

The Leader welcomed all these positive and exciting updates,

10 Cabinet Member decisions since the last meeting

There had been six Cabinet Member decisions since the last meeting:

- i. Cabinet Member for Finance and Assets,
[Replacement Fire Alarm Systems](#)
- ii. Cabinet Member for Finance and Assets,
[Award of contract to carry out External Component Repair, Replacement & Improvement, Energy Efficiency \(Decarbonisation\) and Associated Works at council owned properties](#)
This decision was subject to final Council ratification.
- iii. Cabinet Member for Finance and Assets,
[Council Tax Support Scheme for working-age customers](#)
- iv. Leader
[Appointment of interim Chief Executive of Cheltenham Borough Homes](#)
The Leader explained that this was a temporary measure to 23 February.
- v. Cabinet Member for Finance and Assets

[Award of contract to carry out External Component Repair, Replacement & Improvement, Energy Efficiency \(Decarbonisation\) and Associated Works at council owned properties](#)

vi. Cabinet Member for Housing

[Approve the appointment of BDP consultants in respect of the potential development at the former Monkscroft Primary School site](#)

The Cabinet Member gave huge thanks to officers for their brilliant work on the procurement exercise and thorough report.