

## Cabinet

Tuesday, 18th March, 2014

6.00 - 7.15 pm

Attendees	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), John Rawson (Cabinet Member Finance), Rowena Hay (Cabinet Member Sport and Culture), Peter Jeffries (Cabinet Member Housing and Safety), Andrew McKinlay (Cabinet Member Built Environment), Jon Walklett (Cabinet Member Corporate Services) and Roger Whyborn (Cabinet Member Sustainability)
<b>Also in attendance:</b>	Councillor Barbara Driver, Councillor Andrew Chard, Councillor Anne Regan and Councillor Diggory Seacome

## Minutes

**1. APOLOGIES**

Apologies were received from the Chief Executive.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 11 February 2014 were approved and signed as a correct record.

**4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**

None.

**5. PROCESS FOR APPROVAL OF GLOUCESTERSHIRE STRATEGIC ECONOMIC PLAN**

The Leader of the Council introduced the report and explained that the Council, together with all the other local authorities in Gloucestershire, was a key partner in the development of the Gloucestershire Strategic Economic Plan. This would be submitted to Government by the Gloucestershire Local Enterprise Partnership by 31st March and will support a bid for Growth Deal funding.

The Leader stated that there was a mechanism for signing off the plan and he was keen to obtain the support of all local councillors. In parallel and in terms of governance, a local joint committee, comprising members of the local authorities, would oversee the input to the process. The Leader explained that the committee had a process of majority voting but if there was an issue specific to a particular district the countywide approach was that this could not be voted in against the will of the authority in that area.

The Leader also informed that the County intended to establish a scrutiny body, similar to the county Health and Care Overview Scrutiny Committee comprising

a representative of each district council and probably 6 members (one from each district area) from the County Council.

This report would be submitted to Council for debate although it was Cabinet who held the formal decision making powers to authorise the process.

**RESOLVED THAT**

**1. it be noted that the Leader of the Council, intends to consult with the Cabinet members for Built Environment and Finance and Group Leaders, to sign off the Gloucestershire Strategic Economic Plan, subject to:**

- a) its proposals remaining within the Council's policy framework; and**
- b) no resource support being required which is in excess of existing approved budgets.**

**2. the establishment of the Gloucestershire Economic Growth Joint Committee (GEGJC) in accordance with Sections 101 and 102 of the Local Government Act 1972, and the Local Authorities (Arrangement for the Discharge of Functions)(England)(Amendment) Regulations 2001 made under Section 20 of the Local Government Act 2000 be agreed.**

**3. authority be delegated to the Chief Executive in consultation with the Leader to finalise and complete the Inter Authority Agreement (including the Constitution) and other documentation on terms to be approved by the Borough Solicitor and to take all necessary steps to create the GEGJC;**

**4. it be agreed that the above recommendations will not be effective until equivalent resolutions have been passed by all the Gloucestershire Councils;**

**Upon the establishment of the GEGJC:**

**5. the delegation to the GEGJC of this Council's functions as described in detail in paragraph 1.3 of this Supplemental report be authorized but subject to the protocols as set out in paragraph 2 of this Supplemental report;**

**6. it be agreed that the Leader be the Authority's representative on the GEGJC and that he appoints a substitute.**

**THAT COUNCIL is recommended:**

**7. To note and consider the proposal to establish the Gloucestershire Economic Growth Joint Committee.**

**6. CORPORATE STRATEGY-DRAFT 2014-15 ACTION PLAN**

The Leader of the Council introduced the report and explained that this was the last year of a 5 year plan. He said that the corporate strategy had been developed alongside the medium term financial strategy to ensure that there were sufficient budgets in place to deliver the outcomes as proposed and the report would be submitted to Council on 31 March for approval. The Leader also informed that the draft strategy had been submitted to Overview and Scrutiny and the Senior Leadership Team and he thanked Members and Officers for their work in achieving this.

The Leader stated that there had been some confusion surrounding the Cheltenham Development Task Force. He clarified that this was not a representative body as such but comprised volunteers with the appropriate skillset to facilitate enhancements in the town. He then noted that reference had been made at Overview and Scrutiny that there was a perception that there were increasing CO2 emissions at Boots corner and this was duly noted.

The Cabinet Member Finance highlighted the importance of the Bridging the Gap work. Continuing to make progress on savings in the revenue budget was vital so that there was no impact on frontline services. The current focus was on the Revenues and Benefits service. He made reference to the Asset Management and Capital Strategy which would be submitted to Council in July following the capital receipt from North Place car park and which gave the Council the opportunity to invest in new projects to enhance the town.

A comment was made by a member on the work exploring how to improve conditions for tenants living in private rented sector housing. This had particular relevance to St Pauls ward where there were a large number of multi-occupancy houses. The Council was monitoring the situation and he wished to thank officers for their efforts.

**RESOLVED THAT**

**the draft corporate strategy action plan for 2014-15 (appendix A) be endorsed ahead of it going to full council for final approval**

**7. TRIENNIAL REVIEW OF THE SEXUAL ENTERTAINMENT VENUE POLICY**

The Cabinet Member Housing and Safety introduced the report which asked Members to consider feedback from the consultation on the Sexual Entertainment Venue Policy. He reminded Members that during the consultation an application had been received for a sexual entertainment venue (SEV) licence which was then granted by Licensing Committee on 7 February, after the end of the policy consultation period. This application had generated significant local opposition and in this context it was proposed that further consultation should be undertaken as to whether the Council should limit the number of SEVs permitted in the Borough.

Concerns were raised by members about the policy and they believed that it

was essential to undertake further consultation in terms of limiting the number of SEVs in the Borough. Whilst the Council could not explicitly take a moral stand on the matter, it had to be mindful of the impact such venues have on the community and the reputation of the town. The views of the community should be taken seriously and the consultation should be widely publicised and well managed. One member believed that there was limited demand for such venues in the town which was mainly focused on the March race week, and should therefore be taken in proportion.

The Leader of the Council highlighted that whilst Cabinet would receive a report on feedback to the consultation, the decision on policy lay with Council.

#### **RESOLVED THAT**

- 1. the initial consultation feedback received outlined under paragraph 5 be noted;**
- 2. the proposed changes to the policy at Appendix 3 resulting from the initial consultation be noted; and**
- 3. further consultation on the specific issue outlined at paragraph 7.3 of the report be approved and that a further report be brought back to Cabinet outlining feedback received.**

#### **8. HOUSING & HOMELESSNESS STRATEGY ACTION PLAN UPDATE 2014-15**

The Cabinet Member Housing and Safety introduced the report which was the first update to the Housing and Homelessness Strategy since it had been adopted in July 2012. He reminded Members of the priorities of the strategy which were to increase the provision of new affordable housing, make the best use of existing housing, improve access and maintaining suitable accommodation, tackling homelessness and creating stronger, safer and healthier communities.

The Cabinet Member reported that the key achievements since 2012 had been reviewing and implementing the changes to Gloucestershire Homeseeker's Allocations Scheme and the implementation and continued development of a Social Lettings Scheme called '*Spa Lettings*' by the Housing Options Service which had now transferred to Cheltenham Borough Homes. In terms of activities planned for the year ahead, the Cabinet Member referred to affordable housing within the context of the JCS. This included examining with neighbouring local authorities the potential for developing the preferred partner approach for the strategic site within the JCS and cross boundary nomination agreements within the strategic site allocations.

The Cabinet Member Housing and Safety wished to put on record his thanks to officers and the Housing Options team. He reported that the good news was that there were record low numbers to be housed in emergency accommodation which was testament to officers' hard work.

The Leader added that this was important work for the Council. Whilst there had to date not been an increasing problem it was important to continue to monitor the situation closely, particularly in the light of welfare reform.

## **RESOLVED THAT**

- 1. the Housing & Homelessness Strategy Action Plan Update 2014-15 be approved.**
- 2. ongoing annual progress updates on the Strategy Action Plan be agreed until the Housing & Homelessness Strategy is due for renewal in 2017.**

### **9. CHELTENHAM LEISURE & CULTURE TRUST COMPANY REGISTRATION**

The Cabinet Member Sport and Culture introduced the report and explained that the shadow trust board had now commenced its formal meeting schedule and was preparing to undertake work to progress all matters necessary to create the new charitable trust. She reported that the shadow board had now agreed the company Memorandum and Articles of Association (M&A) which was critical to the next step of registering the company. She explained that in corporate governance terms, the M&A form the company's constitution and define the responsibilities of the directors, the business and its charitable objectives and once registered, charitable registration can be applied for. The Cabinet Member also alerted Cabinet to the fact that Gloucestershire County Council's Pensions Committee would be meeting in May and would be asked to grant admitted body status to the new charitable trust. A further report would be brought to Cabinet in this respect.

The Cabinet Member explained that she was awaiting Group Leader's response on the wording of the Memorandum and Articles of Association. She paid tribute to the hard work of officers in their work to date.

## **RESOLVED THAT**

- 1. the Cabinet Member for Sport and Culture, in consultation with the Group Leaders, be authorised to finalise the wording of the Memorandum and Articles of Association;**
- 2. the Shadow trust's intention to register the company using the company name Cheltenham Leisure and Culture Trust be noted**

### **10. ACCOMMODATION STRATEGY**

The Cabinet Member Finance introduced the report which sought Cabinet approval to expand the current remit for alternative accommodation. He made reference to an amendment to the first resolution which should read paragraph 3.4 not 4.4.

The Cabinet Member explained that staff numbers in 2016/17 were estimated to be 220 as a result of further commissioning and restructuring of services. This meant that less than half of the space in the current Municipal Offices would be required which was wasteful in terms of maintenance and general overheads. Expanding the current brief would open up options for officers to consider new purpose built accommodation, the potential of a split site and provide opportunities for the current Municipal Offices. It was imperative that the right accommodation was found in order to provide a good service and fulfil the

needs of the public. There was no instant solution but opportunities would be considered as they arose.

Officers had been active in looking for alternative accommodation for some time and he thanked in particular the Head of Property and Asset Management, the Director Resources and the Cheltenham Development Task Force Managing Director.

The Leader reiterated the huge amount of work that had been undertaken to date and hoped that a satisfactory solution would be found soon. He emphasised that as this was a significant issue full Council would have an opportunity to discuss it on 31 March.

#### **RESOLVED THAT**

- 1. the expansion of the brief as outlined in paragraph 3.4 be approved.**
- 2. the Head of Property and Asset Management be delegated a wider mandate to identify and focus on the delivery of an accommodation option that best fits the Council's operational requirements and satisfies the best consideration criteria.**
- 3. Council be recommended to note the current situation and endorse the expanded brief set out in this report**

#### **11. ACQUISITION OF LAND FORMING THE FORMER SHOPFITTERS SITE AND LAND AT SYNAGOGUE LANE, AND DISPOSAL OF FORMER CAR PARK LAND AT ST JAMES STREET**

The Cabinet Member Finance introduced the report and explained that this was an example of how officers had been thinking creatively and proactively in investigating opportunities for the future of the town centre. He explained that Gloucestershire County Council was seeking to sell the former Shopfitters Site at St George's Place along with open land at Synagogue Lane, which CBC had been granted rights to use as a staff car park. CBC officers had negotiated with GCC to acquire the freehold of both sites in exchange for a capital sum and transfer of land that had been leased to GCC for use as a school playground associated with St John's School.

The Cabinet Member explained that as the transaction had yet to be completed, the detailed figures were commercially sensitive but the broad principles of the transaction were in the public domain. He explained that the acquisition of the site would realise to the Council a substantial brownfield site suitable for development in the short-term as off street public car parking, and offer wider opportunities thereafter for future development of the site in part or whole. The benefits would be to clear the former Shopfitters site which was currently derelict, provide the opportunity to merge the Chelt Walk and the Synagogue Lane car parks thereby generating additional income, provide an opportunity for regenerating that particular part of the town centre and would allow the Council to assemble a significant town centre site with substantial development potential which may include options to build out new Municipal Offices and other public facilities. He thanked officers for their hard work in their negotiations with the County Council.

The Leader of the Council added that it was right to make the most of opportunities when they arose. He clarified that Council would be recommended to authorise the expenditure to cover the cost of acquisition, planning application, demolition, site remediation and construction of a temporary surface public car park and all ancillary costs.

#### **RESOLVED THAT**

- 1. The Head of Property & Asset Management be authorised to proceed with the following, in accordance with the terms outlined in the Exempt Appendix III which accompanies this report:**

**1.1 The acquisition from GCC of Synagogue Lane and the former Shopfitters site on St Georges Place (as outlined in red on the plan accompanying this report in Appendix II).**

**1.2 The transfer of former car park land at St James Street which is currently leased to GCC**

**1.3 The submission of an appropriate planning application to demolish the buildings and perimeter walls of the former Shopfitters site, and obtain change of use to a public car park of all the land outlined in red on the plan referred to above.**

**1.4 In consultation with Cabinet Member Finance to approve additional, alternative or amended heads of terms provided the figures set out in the Appendices are not exceeded**

**1.5 And that the Borough Solicitor be authorised to enter into any deeds and documents (including ancillary provisions) she considers necessary or advisable to carry into effect the terms of the transaction**

- 2. Council be recommended to :**

**Set aside the amount of useable capital receipts (outlined in the Exempt Appendix III) to cover the cost of acquisition, planning application, demolition, site remediation and construction of a temporary surface public car park and all ancillary costs.**

#### **12. TRADE WASTE REVIEW**

The Cabinet Member Sustainability introduced the report which set out the findings from the trade waste review which considered whether there were opportunities to grow the business in the current economic climate.

The Cabinet Member explained that the council as the collection authority must recover its costs for the service but in setting charges it was not allowed to run a "for profit" service, but may make reasonable contributions to its financial overheads from the operation of the service. He reported that over the last five years income from trade waste had gradually declined, partly due to the recession so the review was conducted in order to establish the relative merits of expanding the service, disposing of the service or maintaining the service to establish the necessary steps to ensure the market share was maintained at a

sustainable level. The Cabinet Member pointed out that the investment requirement for expansion would be considerable and at the same time would present some risks and implications for Ubico. The opportunity to sell the business had been examined but the one off estimated receipt would not be beneficial in the long run. By operating on a Saturday additional capacity would be provided to take on additional customers should the marketing of the service grow beyond what was available. In addition if the proposed amendments to the site licence at Swindon Road were accepted there should be an opportunity to expand the trade recycling service.

The Cabinet Member proposed to amend the second resolution to read " To continue to promote the service so that the council keeps its market share".

#### **RESOLVED THAT**

- 1. the findings from the review of the trade waste service be noted.**
- 2. promotion of the service be continued so that the council keeps its market share.**
- 3. an application to the Environment Agency be submitted aimed for completion within 2014/15 with regards to the Swindon Road site license so that further opportunities for trade recycling can be considered.**

#### **13. UPDATE ON ALLOTMENT DEMAND**

The Cabinet Member Sustainability introduced the report which updated Members on current levels of allotment demand in Cheltenham. He made an amendment to the second resolution which would now have "eg. through the planning process" in brackets.

The Cabinet Member explained that this was an interim report and a comprehensive review of allotments would take place in 2015. However, he reported that the demand situation had changed since 2010 with demand now stabilising. There were still 300 people on waiting lists and these were located mostly in the south of the town, with only 55 in the north of the town. Provision of allotments was therefore focussed on the south of the town although the only scope to create allotments in the south was through section 106 development agreements. He reported that a unique opportunity had arisen which had been consulted upon at Priors Farm with the provision of 40 new plots. Demand was fairly self-contained in that area and the adjacent development was subject to a deferred planning application. In addition there was a willingness from some on the waiting list from the Asquith Road site to transfer to Priors Farm. Provision of plots at Priors Farm would also solve the problem of the opposition to developing allotments onto the Elmfield Playing Field as part of the development plans for the Midwinter area.

The Leader then invited Councillor Regan, who had been Chair of the Scrutiny Task Group on allotments to address Cabinet. She thanked officers who had been involved in making progress on the scrutiny recommendations. She asked the Cabinet Member Sustainability how Up Hatherley and Warden Hill Parish Councils were expected to provide allotments when there was no land available, with the only possibility being the Leckhampton White Land. In



response, the Leader reaffirmed that in terms of the provision of allotments, the Borough was legally not able to provide them in parished areas. The Cabinet Member Sustainability recognised the problems the parishes had in the south of the town and explained that officers were referring people to non-statutory private allotments in that area. He said that in the future it may be possible to offer allotments on a non statutory basis to those in parished areas.

Councillor Regan also said that residents were continuing to question why, when they were paying both council tax for the Borough and for the Parish, they were not entitled to a Borough Council allotment. In response, the Leader of the Council said that this issue had been discussed with the C5 parish group. He explained that historically, relatively small costs had not been passed to the parish councils and CBC had taken the decision this year not to pass on to parish councils the cut in the Local Council Tax Support Grant. The review of the situation could reveal parish councils owed more money to CBC for some services. Both parties had therefore mutually agreed there would be no advantage to undertaking a review.

Finally, Councillor Regan suggested that each ward councillor should accompany the allotment officer on a visit to the allotment in their ward on an annual basis. The Cabinet Member Sustainability said that this would be possible and also referred to the regular meetings the Allotments Officer held with wardens. In response to a question posed by Councillor Regan on the proposed plots at Priors Farm he confirmed that these would be open to all those on the waiting list in non parished areas.

#### **RESOLVED THAT :**

- 1. recent changes in allotment demand and the legacy of several years of very high demand, particularly in the south of the Borough be noted**
- 2. it be approved that the authority should continue to explore opportunities for new allotments in the south of the Borough (e.g. through the planning process)**
- 3. the authority continuing to explore the possibility of providing statutory allotments at Priors Farm instead of Elmfield Playing Field as soon as land is available for this purpose, with a view to subsequent development of about 40 plots be approved**
- 4. the authority continuing to work with the Parish Councils to consider arrangements and procedures for allotment applicants from parish areas where there is no current allotment provision in parished areas be approved**
- 5. the virement of £50,000 from the original £600,000 allocation from proceeds of sale of Midwinter land to fund postponed site improvements at Midwinter allotment site be approved.**

#### **14. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Built Environment reported that the free car parking initiative during the afternoons of race week had been quite successful.

The Cabinet Member Housing and Safety referred to the briefing note on Neighbourhood Coordination which had been circulated with the agenda. He explained that some changes had been made to the boundaries of the continuing NCG meetings to make them work more effectively on the ground. He thanked officers for their work on the review and their continual work engaging and supporting communities.

The Cabinet Member Sport and Culture informed Members that at the request of the County Council, the Borough had been asked to create the guidance pack for the delivery of educational swimming across the Borough in partnership with the Education Authority.

The Cabinet Member Sport and Culture reported that membership of Leisure@ was 2186, an increase of 997 since the current promotion began in April 2012. These represented the highest membership levels since 2005. She then referred to a recent national survey which Leisure@ had participated in and was pleased to announce that 98 % of people were satisfied with the fitness facilities, 9/10 were satisfied with the maintenance of the gym, cleanliness of the facility, pricing and 9/10 would recommend Leisure@ to a friend. This was excellent news and proved that Leisure@ was at the top end of the market.

The Cabinet Member Sport and Culture then reported that in its first 6 months 98 000 people had visited the Wilson.

The Cabinet Member Corporate Services reported that a report on the implementation of the Living Wage would be submitted to the Appointments Committee for approval at a meeting on 7 April.

## **15. DECISIONS MADE BY CABINET MEMBERS**

The Leader reported that he had recently made the following decisions :

- Authorising the implementation of the free car parking initiative during race week
- Authorising the appointment of Andrew North, Chief Executive as the Council's Director on the Board of Ubico (to replace Grahame Lewis)
- Authorising, as shareholder of the Airport, the overdraft procedure for Gloucestershire Airport Limited, subject to Gloucester City agreement.

**Chairman**