

Cabinet

Tuesday, 15th July, 2014
6.00 - 7.15 pm

Attendees	
Councillors:	Steve Jordan (Leader of the Council), John Rawson (Cabinet Member Finance), Rowena Hay (Cabinet Member Healthy Lifestyles), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Development and Safety), Jon Walklett (Cabinet Member Corporate Services) and Chris Coleman (Cabinet Member Clean and Green Environment)

Minutes

1. APOLOGIES

There were no apologies.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting held on 7 April 2014 were approved and signed as a correct record.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

There were no questions or petitions.

5. THIRD SECTOR RENT REQUEST FROM 10TH CHELTENHAM ALL SAINTS SCOUT GROUP

The Cabinet Member Finance introduced the report and explained that the council had a system whereby rent reductions were available to charitable or voluntary organisations in the town and there was a scoring system in place to ensure that these were made on a rational and fair basis. He made reference to the positive outcomes that the Scout Movement has on children and young people in the town and this proposed rent reduction would provide them with the opportunity to continue to flourish.

RESOLVED THAT

the recommendation of the 3rd Sector Panel be accepted and that the Director of Resources be authorised to administer a rent reduction of 80% against the lease between Cheltenham Borough Council and 10th Cheltenham All Saints Scouts Group.

6. THIRD SECTOR RENT SUBSIDY REQUEST FOR THE 1ST HATHERLEY SCOUTS GROUP

The Cabinet Member Finance introduced the report and explained that the council had a system whereby rent reductions were available to charitable or voluntary organisations in the town and there was a scoring system in place to ensure that these were made on a rational and fair basis. He made reference to the positive outcomes that the Scout Movement has on children and young people in the town and this proposed rent reduction would provide them with the opportunity to continue to flourish.

RESOLVED THAT

the recommendation of the 3rd Sector Panel be accepted and that the Director of Resources be authorised to administer a rent reduction of 80% against the lease between Cheltenham Borough Council and 1st Hatherley Scouts Group.

7. FINANCIAL OUTTURN 2013/14 AND QUARTERLY BUDGET MONITORING REPORT TO END MAY 2014

The Cabinet Member for Finance introduced the report as circulated with the agenda and highlighted the following :

- There was a £490k underspend which equated to less than 1% of the council's gross annual budget. This was due to a robust system of financial control.
- The HRA was in a very satisfactory position with reserves which would be carried forward higher than expected
- It was being proposed that £100k of the underspend should be used to resource ICT in order to ensure that there was an efficient delivery of the five year programme of investment.
- £100k of the underspend would be put towards the restoration of the war memorial in the Promenade which would be in addition to the £50 k allocated in the planned maintenance budget. The total cost of restoration was up to £450 k. An appeal would be launched and it was hoped that other funding would be sourced via the Heritage Lottery Fund, the Memorials Trust and sponsorship by local organisations and individuals. Work on the first phase would start on the 21 July which concerned the renewal of paving and lighting.
- £97k would be held back to strengthen reserves.
- It was proposed to earmark £22 k to carry out a feasibility study into the potential for creating a solar PV farm on council owned land. The purpose would be to assess the preferred site's financial feasibility in terms of return on investment and also offer recommendations for progressing the project to the subsequent stages of development. The Council would then be in a stronger position to negotiate a joint venture with potential commercial partners.
- A number of budget allocations amounting to £327 k were being carried forward where projects overlapped into the next financial year or where there had been unavoidable delays.
- The move to local business rates retention was expecting to deliver more income than expected and officers were thanked for their vision on this.

On behalf of the Cabinet the Cabinet Member Finance thanked the Director Resources and the Head of Finance and officers across the organisation for their innovation in delivering savings.

The Cabinet Member Housing explained that the variation in actual spend in the HRA arose primarily from project delays. He also explained that the bad debt provision set up for helping tenants through welfare reform was not taken up. This was testament to the good work of One Stop and CBH.

RESOLVED THAT Council be recommended to approve the following recommendations :

1. That Council receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that services have been delivered within the revised budget for 2013/14 resulting in a saving (after carry forward requests) of £489,998.
2. That furthermore Council:
 - 2.1 Approve £327,500 of carry forward requests (requiring member approval) at Appendix 5.
 - 2.2 Approve the use of the budget saving of £489,998 as detailed in Section 3.
3. Note the annual treasury management report at Appendix 7 and approve the actual 2013/14 prudential and treasury indicators.
4. Approve the revision to the Treasury Management policy to reflect the revised borrowing facility to support the newly created Leisure and Cultural Trust (Appendix 7).
5. Note the capital programme outturn position as detailed in Appendix 8 and approve the carry forward of unspent budgets into 2014/15 (section 9).
6. Note the position in respect of Section 106 agreements and partnership funding agreements at Appendix 10 (section 10).
7. Note the outturn position in respect of collection rates for council tax and non-domestic rates for 2013/14 in Appendix 11 (section 11).
8. Note the outturn position in respect of collection rates for sundry debts for 2013/14 in Appendix 12 (section 12).
9. Receive the financial outturn performance position for the Housing Revenue Account for 2013/14 in Appendices 13 to 14 (section 13).
10. Delegate to the Section 151 Officer the power to act as accountable officer for the transformational challenge funding, as outlined in section 14.
11. Note the budget monitoring position to the end of May 2014 (section 15).

8. BUSINESS RATES RETAIL RELIEF SCHEMES

The Cabinet Member Finance introduced the report and explained that the Government had announced in the Autumn that it would provide two types of business rates relief to certain occupied retail properties for 2014-2015 and 2015-2016. The first relief would provide up to £1 000 in each of the financial years for qualifying retail properties which are occupied and have a rateable value of £50 000 or less. The second, Reoccupation Relief, would provide 50 %

relief for up to 18 months when a property which has previously been occupied for retail use is reoccupied between 1 April 2014 and 31 March 2016.

RESOLVED THAT

- 1. a business rates retail relief scheme and business rates reoccupation relief scheme be approved in line with the detailed guidance in appendix 2 to remain in place whilst 100% reimbursement is available from the Government**
- 2. Due to the high volume of cases decisions relating to the application of the reliefs be delegated to Revenues Service officers, with the final decision in the event of dispute being taken by the Director of Resources**

9. REVIEW OF LICENSING POLICY, GUIDANCE AND CONDITION FOR PRIVATE HIRE AND TAXIS WITHIN THE BOROUGH OF CHELTENHAM

The Cabinet Member Development and Safety introduced the report and explained that the Council's current Licensing policy, guidance and conditions for private hire and taxis (taxi policy) was adopted by Council in October 2010.

The Cabinet Member explained that there was a commitment set out in the policy to review taxi policy at least once every three years to ensure it remained up to date and relevant. A draft policy for consultation was approved by Cabinet in November last year and Cabinet was now being asked to consider the consultation feedback and approval of the amended draft policy. Appendix 3 detailed the proposed changes. These included the following :

- the introduction of new safety requirements
- the requirement that all applicants demonstrated a sufficient proficiency in English
- the introduction of the Driving Standards Agency Assessment for all applicants
- not accepting any type of re-cut tyres and only accepting remould tyres under very limited circumstances
- preventing advertising of tobacco and alcohol on the side of vehicles
- proposal for a uniform colour for taxis.

The Cabinet Member informed that as there was no unanimity of view on the colour issue, further consultation would take place and dark green, the corporate colour of the council, would be proposed as a starting point. In terms of the high standards test for applicants this had been raised with partner councils and a common approach would be adopted to ensure that the policy was effective.

RESOLVED THAT

- 1. the consultation comments received be noted;**
- 2. the amended draft policy as outlined in Appendix 2 be approved including the adoption of a uniform colour for Hackney Carriage vehicles;**

3. **subject to resolution 2, further consultation on the colour and implementation date of the uniform colour scheme policy be approved; and**
4. **authority be delegated to the Director of Environmental & Regulatory Services, in consultation with the Cabinet Member of Development and Safety, to approve a colour and an implementation date for the uniform colour scheme policy following the further consultation.**

10. OLDER PEOPLES' HOUSING SUPPORT SERVICE PROVISION UNDER CHELTENHAM BOROUGH HOMES

The Cabinet Member Housing introduced the report and explained that Gloucestershire County Council's Supporting People Team commissioned Cheltenham Borough Council to provide housing-related support services to older people in sheltered housing. Cheltenham Borough Homes delivered this service through the management agreement. He reported that in October 2013 CBC entered into an agreement with Gloucestershire County Council to commence a 12 month consultation and development process with a view to deciding upon either Option 1-to develop and deliver an integrated housing management and related support service model or Option 2 to develop and deliver a Community Asset service model.

The Cabinet Member explained that a successful pilot of a community hub had been undertaken in one of CBC's sheltered housing schemes in the south of Cheltenham (Wallace House) and it was proposed that CBC develop and deliver the Community Asset Model until October 2015.

Members supported the proposal and agreed that this "hub and spoke" approach used existing assets to their best advantage and provided tailored services to individuals based on changing needs. Both the financial efficiencies and value for money were effective and this proposal represented a positive way forward.

RESOLVED THAT

1. **The development and delivery of Option 2, the Community Asset Model, be agreed, and that the Deputy Chief Executive be authorised to enter into either a new contractual arrangement from October 2014 or to vary the existing contract as appropriate with Gloucestershire County Council in consultation with the s151 Officer and on terms approved by the Borough Solicitor.**
2. **a further report be brought to cabinet to seek approval for the development and delivery of the Community Asset Model from October 2015.**

11. REVIEW OF THE COUNCIL'S PERFORMANCE AT END OF 2013-14

The Cabinet Member Corporate Services introduced the report and reported that 72 % of the targets had been achieved, 20 % had not been met but there were firm plans in place to deliver the milestone in a reasonable timescale and 7 % of targets had not been completed by year end.

The Cabinet Member reported the following :

- Gloucestershire Enterprise hubs were proving successful
- Cheltenham Development Task Force projects were making progress and Brewery Phase 2 was due to start this summer
- 214 affordable homes had been delivered and the St Paul's Phase 2 development had received awards for excellence
- The Wilson, Cheltenham Art Gallery and Museum had recently received awards
- The new Leisure and Culture Trust had officially been registered

Members believed there had been credible results in a difficult year and the Bridging the Gap work was continuing on sharing services, and invest to save projects, such as the town hall.

The Leader added that the focus of the performance report was on areas where the Council was not meeting its targets.

RESOLVED THAT

the review of performance in 2013-14 be endorsed

12. ALLOCATION OF COMMUNITY PRIDE FUNDS 2014-15

The Leader introduced the report and explained that as part of the 2014-15 budget, agreed by Council on 14 February 2014, £50 000 was set aside for the community pride scheme from the New Homes Bonus and a further £4 000 was added to the pot from the community development budget to create a community building grant fund.

The Community Pride fund was a popular scheme with applications which collectively were requesting just over £116 000. He gave thanks to the assessment panel which assessed the degree to which the applications met the criteria of this year's fund. He explained that the emphasis was on more modest schemes as, in some cases, the amount which could be awarded would not really make a difference to whether the scheme could take place or not.

The Leader made particular reference to the major scheme on the restoration of the war memorial to mark the 100th anniversary of the outbreak of WW1. It was proposed that any remaining funds from the scheme were rolled over to create a small pot of funding to support community events and activities to commemorate WW1.

RESOLVED THAT

- 1. the list of projects to be funded from community pride funds as set out in Appendix 2 and community building grants as set out in Appendix 3 be approved.**
- 2. authority be delegated to the Strategy and Engagement Manager, in consultation with the Leader of the Council, to decide how best to award the remaining funds to support community events and activities to commemorate the centenary of the start of the First World War.**

13. ALLOCATION OF POSITIVE ACTIVITIES FUNDING 2014

The Cabinet Member Sport and Culture introduced the report and explained that for the fourth year running, Gloucestershire County Council had agreed to invest £50 k in each of the 6 Gloucestershire districts in 2014-15 to support positive activities for young people, to be delivered by voluntary and community sector organisations. CBC led the allocation process although as part of its commitment to working in partnership with others, it sought advice and support from the Positive Participation Partnership and the Positive Lives Partnership.

Four priorities had been identified for the 2014 round as outlined in paragraph 1.3. This year the County Council had indicated that up to £5000 of the £50 000 pot could be used to develop and improve the quality of voluntary and community sector organisations as providers of youth activities and to that end it was proposed that up to £5000 would be allocated towards making training opportunities more accessible for volunteers, workers and members of management committees and embedding safeguarding into the work of VCS youth work providers and into their youth work provision.

The Cabinet Member also informed Members of a smaller pot of funding to enable providers of youth activities, schools and colleges get better at helping their young people lead healthy lives.

RESOLVED THAT

- 1. the allocation of positive activities funding as set out in appendix 2 be agreed.**
- 2. Authority be delegated to the Strategy and Engagement Manager, in consultation with the Cabinet Member Healthy Lifestyles, to award the remaining funds to projects to deliver youth activities.**

14. CABINET APPOINTMENT TO OUTSIDE BODIES

The Leader of the Council introduced the report. He noted that at the last Cabinet meeting approval had been given to specific portfolio holder appointments. All members of the council had had an opportunity to input into the outside body process. There were now three appointments where agreement could not be reached between the groups. Therefore the nominations relating to St Margaret's Hall User Group, Third Sector Services and the observer nomination on the Ubico board would be determined by Council on 21 July.

The Leader also stated that the current 5 members of the board of CBH would not be fully allocated as CBH was currently in the process of consulting on reducing the number of board members so that in the future it was likely that CBC would have 2 nominees rather than 5. This position had been endorsed by all the political groups.

The updated nominations are attached to these minutes for information.

RESOLVED THAT

1. Cabinet make nominations/appointments to the bodies in Appendix A respectively in accordance with the following principles:

- **all nominations are made on the basis that the nominee/appointee is a representative of Cheltenham Borough Council insofar as that is compatible with any overriding legal duty to the outside body; and**
- **Cabinet reserves the right at any time to withdraw/terminate a nomination/appointment which it has made**

2. the nominations/appointments for St Margaret's Hall User Group, Third Sector Services and Ubico be referred to Council for determination as consensus cannot be achieved between all the political groups on the Council

15. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Clean and Green Environment reminded Members that the Cemetery and Crematorium was shut for a period of 2 weeks. Work was currently underway and the facility would reopen on 28 July. He referred to the decision which had been taken to offer families free use of the chapel during the closure and was pleased to report that 16 families had taken up this opportunity. He thanked the funeral directors for passing on this information to the families concerned.

Further to the question from Councillor Ryder at the previous cabinet meeting the Cabinet Member then confirmed the project management team as follows : Mark Woodward, Project Manager, Garrie Dowling, Technical Advisor, Dave Padfield, Health and Safety Advisor and Operations Rob Hainsworth and Ben Jenkins.

The Cabinet Member Housing referred to the plethora of awards that the St Paul's Phase Two project had received. He thanked Paul Stephenson, CBH Chief Executive and congratulated CBH on this achievement.

The Cabinet Member Corporate Services made reference to the iPad trial which had been highly successful and explained that all new councillors had been offered an iPad and Democratic Services had submitted a carry forward bid to extend the offer to existing councillors.

The Leader of the Council informed members that he had recently attended the LGA conference and given a presentation jointly with Cotswold District Council on the 2020 vision. He then explained that following the publication "Rewiring Public Services" last year, the LGA had now published "Investing in our nation's

future: the first 100 days of the next government”, which was available on the LGA website and a copy of which would be placed in the Members’ room.

The Leader then reported that the Communities and Local Government (CLG) Select Committee on the National Planning Policy Framework (NPPF) had visited Cheltenham as part of the review, which the Leader felt was significant. The visit had been good for the CLG Committee and useful for the Council. He thanked those that had arranged the visit.

Finally, the Leader informed that Gloucestershire LEP had been successful in all requests for funding agreed by Government as part of the Growth Deal. However, funding for the A417 missing link had not been incorporated at this stage. The Gloucestershire Shadow Joint Economic Growth committee which was a meeting of local authorities with the LEP was proposing to create a post to coordinate the economic plan and this could be potentially funded by business rate pooling which was predicted to increase significantly next year.

16. DECISIONS TAKEN BY CABINET MEMBERS SINCE THE LAST MEETING

The Cabinet Member Development and Safety informed Members that he had taken a decision relating to the approval of the fees for the Tattoo Hygiene Rating Scheme as follows :

Application and initial inspection	£100
Request for a revisit to re-score	£50
Annual inspection	£100

**17. LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS
RESOLVED THAT**

“in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 2 and 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 2; Information which is likely to reveal the identity of an individual

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

18. EXEMPT MINUTES

The exempt minutes of the meeting held on 24 June 2014 were approved and signed as a correct record.

19. 205 LECKHAMPTON ROAD

The Cabinet Member Finance introduced the report and explained that approval from Cabinet was sought to sell the land locked parcel of land with planning permission. It was a complicated deal involving the current leaseholder but the purchaser would be looking to potentially develop 14 units on the site.

RESOLVED THAT

The Head of Property and Asset Management be authorised to transfer the freehold interest in the area of land numbered 2 on the plan to this report to the purchaser at a sum which the Head of Property Services and Asset Management is satisfied reflects the best consideration that can reasonably be obtained, and upon such other terms as he considers appropriate.

20. ACQUISITION OF PROPERTIES AT CAKEBRIDGE PLACE

The Cabinet Member Finance introduced the report and explained that this was a complicated deal which involved securing the freehold interests of three owner occupiers and exchanging land with a third party.

Subject to approval CBC would be able to proceed with the wider development scheme.

The Cabinet Member Finance thanked all those who had been involved in working up the schemes and the ingenuity involved in delivering the objective for housing and for capital receipt. He thanked CBH for their contribution and work on the Cakebridge Walk Scheme.

RESOLVED THAT

- 1. The purchasing, pursuant to Section 227 of the Town and Country Planning Act 1990, of the 3 freehold interests in private ownership at Cakebridge Place be approved subject to the total costs of acquisitions not exceeding the recommended amount.**
- 2. Authority be delegated to the Head of Property, in consultation with the Borough Solicitor, to negotiate and conclude the terms of the acquisitions of the 3 freehold interests at Cakebridge Place.**

21. REVIEW OF GOVERNANCE ARRANGEMENTS FOR GLOUCESTERSHIRE AIRPORT

The Leader introduced the report and explained that York Aviation Limited (YAL) had been jointly commissioned by CBC and Gloucester City Council, as joint shareholders, to undertake an independent review of Gloucestershire Airport Limited governance arrangements. This was a follow up from the recommendations contained within their previous report commissioned in 2013. He reported that as part of their review, YAL had consulted with the Shareholders, the Joint Airport Scrutiny Working Group and the Airport Board,

to discuss the current state of the governance arrangements and capture their concerns and were supportive of the recommendations.

The Leader explained that the report included the following :

- recommending a 10 year strategy for the airport, including a 5 year rolling business plan
- replacing the Joint Airport Working group with a Shareholder forum with joint representation from members and officers, to guide and approve the Strategy and Business Plan for the Airport
- retaining an 8 person Airport Board consisting of 2 Executive Directors, 2 independent specialist non-executive Directors with financial management and aviation/airport management skills, 2 non executive Directors from Gloucester City Council and 2 non-executive Directors from CBC

The Leader said that it was uncertain at this stage whether it was necessary to offer an allowance to non-executive Directors to attract the necessary skills. More work was necessary to implement the recommendations and understand the order in which they should be taken. The Leader explained that a further piece of work would be commissioned on revising the Memorandum and Articles. It was important that this work was progressed with Gloucester City to ensure that the Airport was a success and that it produced dividends to both shareholders.

RESOLVED THAT

The recommendations as laid down in the report be approved

Chairman

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