

## Cabinet

**Tuesday, 17th March, 2015  
6.00 - 6.40 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), 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**  
Apologies were received from Councillor John Rawson
- 2. DECLARATIONS OF INTEREST**  
There were none.
- 3. MINUTES OF THE LAST MEETING**  
The minutes of the meeting held on 10 February were approved and signed as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**  
There were none.
- 5. SURRENDER AND RE-GRANT OF LEASE TO CHELTENHAM SARACENS RUGBY FOOTBALL CLUB**  
The Leader introduced the report which concerned the request from Cheltenham Saracens Rugby Football Club to extend the pavilion building owned by the Borough which the club occupied by way of a lease. This would provide an enhanced service to their membership. The Leader informed that there had been no objections following the statutory advertisement of the disposal of public open space by way of a lease.

The Cabinet Member Clean and Green Environment wished to put on record, as ward member, his recognition of the significant work the club had put into the premises and the important role it played in the community.

### **RESOLVED THAT**

**The disposal be authorised by way of lease for a term not exceeding twenty-five years the parcel of open space land outlined in red on the attached plan attached as Appendix 2 to Cheltenham Saracens Rugby Football Club upon terms and conditions negotiated by the Head of Property and Asset Management in consultation with the Borough Solicitor.**

**6. TEMPORARY BUSINESS RATE RELIEF SCHEMES**

The Leader introduced the report which related to the Government's announcement to extend the current transitional relief scheme which limited increases to business rate bills following a revaluation to March for properties with a rateable value up to £50 000. He reported that the Government had also announced that the amount of retail relief which was introduced in 2014/15 was to increase from £1000 to £1500 in 2015/16. The Leader highlighted that the Government would reimburse the council for the cost of these reliefs.

**RESOLVED THAT**

- 1. the increase in the level of retail relief to £1,500 for 2015-2016 to be awarded in line with the detailed guidance in appendix 2 be approved**
- 2. a scheme of transitional rate relief in line with principles set out in appendix 3 be approved.**
- 3. It be approved that the extended transitional relief scheme remains in place whilst 100% reimbursement is available from the Government**
- 4. Authority be delegated to the Revenues Manager to award transitional relief, in line with the detailed guidance, with the final decision in the event of dispute being taken by the Director of Resources**

**7. CHELTENHAM BOROUGH HOMES - MANAGEMENT AGREEMENT**

The Leader introduced the report which followed the report received by Cabinet in September 2014 summarising the outcome of the consultation on three important business areas for CBH, the CBH Management Agreement, the board structure and the CBH business plan. The proposal to extend the Management Agreement to a 30 year agreement was now being put forward to Cabinet for consideration and formed the last part of the process. The Leader added that the change to a 30 year arrangement would be positive for CBH and provide them with long term security, particularly as they were delivering new build development. The Contract would however have a break clause every 10 years and termination provisions should CBH not provide the services or breach the agreement. He also reported that the housing options agreement would be amended to take account of the longer management agreement. He paid tribute to the ongoing positive relationship CBH had with the council which was good for tenants, the town and the council.

The Cabinet Member Housing supported the proposal which would provide CBH with both flexibility and stability. He wished to put on record his thanks to officers, in particular the Deputy Chief Executive and the Lead Commissioner-Housing Services as well as the Chief Executive and senior officers at CBH.

The Leader added that Secretary of State approval was currently being awaited but it was not anticipated that there would be any issues on this. He highlighted the proposed resolution to delegate to the Deputy Chief Executive, in

consultation with the Leader and the Borough Solicitor, power to finalise the Management Agreement and associated documentation for implementation from 1 April 2015, subject to only minor amendments being received from the Secretary of State. Any major changes would require further approval from Cabinet.

**RESOLVED THAT**

- 1. the proposed changes to the CBH Agreement for Housing Management and Other Services as outlined in this report be endorsed.**
- 2. Authority be delegated to the Deputy Chief Executive, in consultation with the Leader and the Borough Solicitor, to finalise the Management Agreement and associated documentation for implementation from 1 April 2015, subject to only minor amendments to the Management Agreement being received from the Secretary of State. Any major changes suggested by the Secretary of State will require further approval from Cabinet.**

**8. HOUSING REVENUE ACCOUNT NEW BUILD**

The Cabinet Member Housing introduced the report which sought approval to proceed to tender two HRA new build schemes that would provide 38 units of housing. These schemes proposed development on nine HRA garage sites and a former HRA commercial site in Swindon Road. The Cabinet Member highlighted the second resolution which proposed that authority be delegated to the Head of Property Services in consultation with the Cabinet Member Housing to substitute the sites to be considered for development if required.

The Leader added that this was a positive continuation of the provision of new houses for the people of Cheltenham.

**RESOLVED THAT**

- 1. the Authority be authorised to seek bids from potential contractors to build new housing for the Authority as set out in section 2 of this report.**
- 2. authority be delegated to the Head of Property Services in consultation with Lead Member Housing to substitute the sites to be considered for development, if required**
- 3. It be noted that a further report will be brought back to Cabinet to seek approval to the Authority undertaking developments and to approve the award of the contract(s) to the successful contractor(s)**

**9. PRIVATE RENTED SECTOR HOUSE CONDITION AND MANAGEMENT SURVEY TENDER & FUNDING**

The Cabinet Member Housing introduced the report which sought approval to go out to tender for consultant surveyors services to undertake a house condition and management survey of the private rented stock in Cheltenham. He highlighted that the private rented stock was generally in a worse condition than that in public ownership. He reported that the majority of the private rented stock was situated in 6 different wards and these had been identified from previous house condition surveys as the most appropriate areas to be covered by the house condition and management survey. The survey work would seek to provide the Council with statistical evidence to help inform the appropriateness of implementing one or more of the following options across the wards covered by the proposed survey: Additional Licensing and/or Article 4 Direction concerning HMOs in specified wards in Cheltenham, or introducing Selective Licensing of all private rented accommodation in specified wards in Cheltenham. This would form the basis of a final Cabinet report.

#### **RESOLVED THAT**

- 1. going out to tender be approved, to understand the survey cost implications of each of the following survey options that could be undertaken:-**

- i. The costs involved in surveying all types of private rented housing in one or more of the following wards:**

- **St Paul's;**
- **Lansdown;**
- **All Saints;**
- **College;**
- **Pittville; and**
- **St Peters**

- ii. The costs involved in surveying only Houses in Multiple Occupation (HMOs) in one or more of the wards, as detailed above.**

- 2. It be agreed that a further report be brought back to Cabinet to approve the tender price and selection, along with a recommendation as to which of the survey options should be undertaken.**

#### **10. PROPOSED IMPLEMENTATION OF THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

The Cabinet Member Development and Safety introduced the report and explained that the Anti-social Behaviour, Crime and Policing Act 2014 (ASBCPA) introduced simpler, more effective powers to protect victims and communities from anti-social behaviour. The Act also provided for the use of fixed penalty notices (FPN) as an alternative to prosecution.

The Cabinet Member explained that the powers within the Act were wide ranging and covered civil injunctions, criminal behaviour orders, community protection notices, public space protection orders, ASB case review, dispersal

power, closure powers and mandatory grounds for possession of a dwelling house.

The Cabinet Member stated that in order to ensure the council could lawfully use the powers contained within the Act, and take action pursuant to it, it was necessary to update the Scheme of Delegations in the Council's Constitution to ensure that the functions of the council under the ASBCPA 2014 were included within the scheme. Cabinet were therefore asked to make these authorisations in order to enact these new delegated powers.

#### **RESOLVED THAT**

- 1. the new powers available to the authority under the Anti-social Behaviour, Crime and Policing Act 2014 be noted;**
- 2. the provisions of the community trigger/ASB case review be noted;**
- 3. authority be delegated to the Director of Environmental and Regulatory Services to, following appropriate consultation (to include the relevant Cabinet Member and ward councillors), adopt and publish Public Spaces Protection Orders where the area covered by the proposed Order is within the borough and subject to the statutory requirements for the making of an Order being satisfied;**
- 4. the Director of Environmental and Regulatory Services be authorised, under the Anti-social Behaviour, Crime and Policing Act 2014, to designate officers as authorised persons under the Act;**
- 5. the use of fixed penalty notices be introduced for breaches of the Act, with the amount set at £80, reduced to £50 for early payment; and**
- 6. the Director of Environmental and Regulatory Services be authorised to take such actions and steps as are necessary for effective implementation of the preceding recommendations.**

#### **11. INFORMATION SECURITY POLICY**

The Cabinet Member Corporate Services introduced the report and explained that since the creation of ICT Shared Services with the Forest of Dean District Council (FoDDC) a joint Information Security Policy had been developed for all the partners in the ICT Shared Service. This was a requirement as part of the Council's connection to the Public Services Network (PSN).

The Cabinet Member reported that this policy had now been agreed by the Joint Security Working Group and adopted by the FoDDC Cabinet. He added that the policy would provide guidance to all ICT users and help keep our ICT systems and data secure. The policy applied to all staff and Members and it was their

responsibility to read and understand their obligations under it. The Cabinet Member then highlighted the four key principles in paragraph 1.5 of the report described by HM government as outlined.

## **RESOLVED THAT**

**The Information Security Policy be adopted for the use by all CBC IT users.**

### **12. SCRUTINY TASK GROUP REVIEW - PUBLIC ART PANEL-CABINET MEMBER RESPONSE**

The Cabinet Member Healthy Lifestyles introduced the report which was in response to the Overview and Scrutiny Task Group (STG) report regarding the Public Art Panel which had been considered by Cabinet at its meeting on 10 February. The Cabinet Member said at the time of the STG reporting its findings there were some concerns which she outlined as follows :

- Terms of Reference-it was felt that in order to allow for greater community representation the number of co-optees should be raised to 3
- Public Art Strategy- There was no funding identified to produce a new Public Art Strategy but it was proposed that officers seek funding from within the existing of future public art budget which was ring-fenced through S106 funding. The value of having an up to date strategy was acknowledged and officers were negotiating with a developer to release some S106 funding for this purpose.
- Reporting-to be via the members's briefing on a quarterly basis or where there was something significant to inform members

The Cabinet Member outlined progress made in implementing other recommendations as outlined in paragraph 1.3 of the report.

The Cabinet Member took the opportunity to thank the Scrutiny Task Group and the Public Art Panel for their input.

## **RESOLVED THAT**

**The recommendations of the Public Art Panel Scrutiny Task Group be approved with the specific exception of the following :**

**A Recommendation ii-Public Art Panel Terms of Reference  
Terms of Reference are amended under the "membership" heading to allow three co-optees to the Panel at any one time**

**B Recommendation v-Public Art Strategy  
Amended to suggest that officers seek opportunities to fund the development of a Public Art Strategy from within exiting or future Public Art funding**

**C Recommendation ix-Reporting**

**Amended to require reporting through the Member Briefing on a quarterly basis**

**13. WRITE OFF OF OBSOLETE TRADING STOCK**

The Cabinet Member Healthy Lifestyles introduced the report which summarised the position in respect of stock held by the Council in respect of The Wilson shop as at 1 October 2014, being the date of commencement of trading of Cheltenham Leisure & Culture Services Ltd.

The Cabinet Member explained that Cabinet approval was sought for stock to be written off to the value of £11 943. The stock included some items held since 2003 which were now either obsolete technology or not suitable for sale within the Wilson Shop. She added that attempts had been made to sell at reduced prices or sale bundles. She reported that whilst the varied items could not be sold they could certainly be recycled either internally or given to charity. The Cabinet Member highlighted that this write off amount would come from the earmarked reserve set up by Council earlier in the year to support unforeseen deficits in the early years of trading.

**RESOLVED THAT**

- 1. The write off of £11 943 of stock held at the Wilson at 1 October 2014 be approved.**
- 2. the use of the Leisure and Culture earmarked reserve to fund the cost of this stock write off be noted.**

**14. CORPORATE STRATEGY 2015-2016**

The Leader introduced the report and explained that the draft corporate strategy was an important document which set out a priority list of actions for 2015-16. The current strategy formed part of a five year plan which had now come to an end. The proposed document was a one year strategy which in his view was sensible given the current rate of change within the organisation. The strategy set out a proposed vision statement which was split into four priority outcomes. The document included background information, which set out what the council wanted to achieve and why, as well as who was responsible for delivery and measuring a range of direct service measures and outcome measures. The strategy would be reviewed on an annual basis to take into account the changing budgetary position. Once approved by Cabinet the report would be submitted to Council for approval in March.

The Leader wished to put on record his thanks to his Cabinet colleagues and officers. He also informed members that in drafting the strategy discussions had been held with partners, including commissioned bodies, other councils and other parts of the public sector. He highlighted that it was important for the council not to undertake too much and this was being managed by estimating the resourcing process.

The Leader then informed that the report had been considered by the Overview and Scrutiny Committee and its feedback was itemised in section 3.1 of the report.

He added that key performance measures were included in order to make a useful contribution to the achievability of the measures.

**RESOLVED THAT**

**the draft corporate strategy 2015-16 be endorsed ahead of it being considered by Council.**

**15. ASSET MANAGEMENT PLAN**

The Leader informed Members that this item had been withdrawn from the agenda. The intention was to convene a special meeting of Cabinet prior to the scheduled meeting of Council on 30 March. The issue to be discussed would be the potential new office accommodation for the organisation however at this stage the timing of the report was uncertain.

**16. GLOUCESTERSHIRE AIRPORT BUSINESS PLAN AND VISION**

The Leader introduced the report which outlined the progress which had been made following the outcome of the independent review by York Aviation Ltd (YAL) of the governance arrangements of Gloucestershire Airport Ltd. He reminded Members that last year the shareholders publicly endorsed the airport which was deemed to be of general benefit to the community as a whole. As a result of this commitment a number of new business opportunities had arisen.

The Leader reported that YAL had been commissioned to undertake further work with the board on the business plan. The report under consideration by Cabinet set out the key elements of the airport's business plan for the period 2015-18 for endorsement by shareholders. Once approved the Leader, as shareholder for CBC, would report the outcome to the next Shareholder forum on 20 March 2015.

The Leader outlined the following :

- £550k of investment from Government had been received as part of the Growth deal for road infrastructure to enable the development of new hangars-this could increase income through future leasing
- A one-off capital receipt from a local company is assumed in the business plan
- Historically the pension scheme had been in deficit and the company could not pay a dividend until this was cleared. There was now however the potential in 2015/16 for the shareholders to receive a dividend. Should this be the case it was likely that this would be re-invested back.

Finally the Leader welcomed the positive progress that had been made which was fully supported by the shareholders.

The Cabinet Member Development and Safety welcomed the business plan which contained clear objectives and outlined the funding to achieve them. By approving the business plan would allow the airport to grow.

**RESOLVED**

**That the Gloucestershire Airport Business Plan 2015-2018 be approved.**



## **17. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Clean and Green Environment informed the meeting that Robert Potter consultants had been appointed for the Cemetery and Crematorium project. He had recently met with Mr Potter where they had discussed the methods of consultation which would involve all members and funeral directors. A report would be submitted to Cabinet later in the summer.

The Cabinet Member Clean and Green Environment reported that after 7 years the Low Carbon Partnership had been dissolved. He paid tribute to its achievements over that period. He explained that it had become more difficult to support its work and therefore the decision had been taken to reallocate its funding to the Severn Wye Energy Agency which would match fund the contributions from the partnership. The aim was that the scheme would ultimately become self-financing. This reallocation represented a commitment to positive carbon reduction in the town.

The Cabinet Member Clean and Green Environment reported that the recent recycling campaign had been positively received across the town and was being positively supported by Ubico and the Echo. Due to its success the bag splitting scheme would be extended for a further month. He explained that a report on further projects would be forthcoming and that a booklet on recycling services was due to be delivered by councillors and voluntary groups shortly.

The Cabinet Member Development and Safety wished to put on record his thanks to the Public Protection Team for their valuable efforts during race week. He reported that the week had gone smoothly with relatively few incidents.

The Cabinet Member Healthy Lifestyles reported that Leisure@ had been nominated for a national award for their Whaddon street games scheme. This was a national scheme which operated in areas of deprivation in the town. She also reported that the Wilson had received a commendation for its design and architecture at the Civic Trust awards which were given for a significant contribution to the quality and appearance of the built environment.

The Cabinet Member Corporate Services reported that as from 1 April 2015 Gloucester City would join One Legal. As a result the structure of One Legal was being revised. This would enhance opportunities and facilitate improved legal services to all.

The Leader reported that the consultant's reports on economic development and the local green space review were now available. This followed the member seminar held that week on economic development and these documents formed part of the evidence for the Local Plan, the first Phase of which would be considered by the April meeting of Cabinet. He highlighted that a more detailed strategic economic development document, which would include tourism, would be considered in due course having considered the consultants recommendations.

## **18. DECISIONS OF CABINET MEMBERS**

The Leader informed that the following decisions had been taken since the last meeting of Cabinet :

- Cabinet Member Finance : Acquisition of land at Manor Park-To authorise the Authority to acquire the land for nil consideration for use as public open space.
- Leader : To finance the unforeseen cost associated with the removal of asbestos contamination in the Ladysmith Road green open space

**Chairman**