

## Cabinet

Tuesday, 12th July, 2016  
6.00 - 6.35 pm

Attendees	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing), Andrew McKinlay (Cabinet Member Development and Safety) and Roger Whyborn (Cabinet Member Corporate Services)

## Minutes

**1. APOLOGIES**

None

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 14 June were approved and signed as a correct record.

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

There were none.

**5. SALE OF CBC INTEREST IN LAND ADJOINING CHURCHDOWN COMMUNITY CENTRE**

The Cabinet Member introduced the report and explained that Cheltenham Borough Council and Gloucester City Council jointly owned the land in question which was currently let on a lease to the Churchdown Community Association who owned the adjoining site. She informed that the lease to the Community Association was granted on 1 June 1985 for 60 years leaving an unexpired term of 29 years remaining. The Community Association had previously been using the council land as an overspill car park which they now no longer needed. The Cabinet Member explained that the NHS had been considering a number of sites in the area for a new doctor's surgery and had previously identified the area as a potential site. An application was made by local residents to have the land registered as a village green which would have prohibited any form of development but following an Inquiry was refused.

Due to the specialist nature of the disposal for a doctor's surgery the councils had appointed GVA to negotiate with the NHS and District valuer. The Cabinet Member reported that agreement had now been reached at £740 000 which represented best consideration. The Community Association were willing to surrender their lease to facilitate the disposal but due to the remaining length of their lease, the proceeds would be split equally so that each party received

£246 666. In addition the Community Association would be granted a lease for 125 years.

The Cabinet Member explained that it had also been agreed that should the site be found to be contaminated the disposal price may be reduced by up to £100 000. Information suggested that the land had been used predominantly as open space/agriculture, so in the unlikely event that the disposal price was reduced then the total sum would reduce to £640 000 (£213,333 each). She informed Members that Gloucester City had already approved the sale through their Cabinet.

Members welcomed the proposal which represented a good use of land and a capital receipt which could be used to finance future capital schemes.

#### **RESOLVED THAT**

- 1. the disposal (on the basis of a long lease with the option to purchase the freehold) of the land adjoining the Churchdown Community Association building as delineated on the plan in Appendix 2 be agreed for the sum of £740,000 (which will be shared equally by the 3 parties i.e. £246,666 each) for the purpose of building a new doctors' surgery**
- 2. the disposal at £640,000 ( £213,333 each ) be agreed if the developer subsequently discovers that the land is contaminated.**
- 3. the Head of Property in consultation with the Borough Solicitor and the Acting Head of Asset Management for Gloucester City Council be authorised to conclude the necessary negotiations and terms and enter into documents as are appropriate to complete the disposal.**

#### **6. REQUEST FOR RENT SUBSIDY FROM GLOUCESTERSHIRE MENTORING AND SUPPORT CIC AND APPROVAL TO DISPOSE OF PUBLIC OPEN SPACE**

The Cabinet Member Finance introduced the report and explained that the Council had been asked by Gloucestershire Mentoring and Support (GMAS) to consider a rent subsidy for part of the Ron Smith Pavilion, Springbank and a 20 year lease under the council's Thirds Sector Policy. The building had stood vacant for some time and GMAS was proposing to run a community café during the day and a youth club in the evenings for which planning permission had been gained. She highlighted the high need for youth provision in Springbank which had been impacted by the county council cuts four years ago. The application had been submitted to an officer panel and satisfied 4 of the council's key objectives and, as a result, an 80 % rent subsidy was proposed.

The Cabinet Member Finance then reported that subsequent to this request GMAS was asking Cabinet to consider a two year rent free period. This was in addition to the 80 % rent subsidy. She explained that GMAS was proposing to carry out a number of works to the building, including new doors, security shutters and internal fitting to make it suitable for a café. These works were estimated at £15 000 and were to be completed within 6 months of the term commencement. It was proposed that a 2 year rent free period be granted in order to assist them with the financial outlay which would be incurred. She

asked Cabinet to support an additional recommendation that was specific to this application and the proposed investment as follows :

“Agrees to an initial 2 years rent free as further support to GMAS to enable them to carry out minor works to the building.”

The local ward member for Springbank welcomed the proposal which would provide more security and a dedicated space for youth in the area. Discussions had taken place with organisations in the area and there was support for a long term youth café.

#### **RESOLVED THAT**

- 1. the recommendations of the 3rd Sector Panel be accepted and a rent only reduction of 80% be authorised against the lease between Cheltenham Borough Council and GMAS.**
- 2. the land and buildings that are highlighted in red be declared surplus to GMAS for a term of 20 years**
- 3. an initial 2 years rent free as further support to GMAS be granted to enable them to carry out minor works to the building.**
- 4. authority be delegated to the Head of Property and Asset Management, in consultation with the Borough Solicitor, to agree the terms of the lease and to agree the terms of any future rent review.**

#### **7. REQUEST FOR RENT SUBSIDY FROM CHARLTON KINGS YOUTH AND COMMUNITY CENTRE**

The Cabinet Member Finance introduced the report and explained that a request from Charlton Kings Youth and Community Centre (CKYCC) had been received under the third sector policy for a reduction in their rent. The application had been considered twice by the council's third sector panel and was found to meet two of the objectives as set out in paragraph 2.1 of the report. As a registered charity it was also eligible for a further 20 %. She highlighted that the report was also considered at the Asset Management Working Group on 16 June.

#### **RESOLVED THAT**

**the recommendations of the 3<sup>rd</sup> Sector Panel be accepted and the Director of Resources and Projects be authorised to administer a rent reduction of 60% against the lease between Cheltenham Borough Council and Charlton Kings Youth and Community Centre.**

#### **8. REVIEW OF THE COUNCIL'S PERFORMANCE AT END OF 2015-16**

The Leader introduced the report which reviewed the corporate performance of the organisation at the end of the financial year 2015-16. It had been a good year despite difficult circumstances. Where targets were not met was mostly out of the council's control. The report had been submitted to overview and scrutiny for consideration and they had expressed their concern with regard to the increase in homelessness in the town. This increase reflected the national picture and potential causes could include the changes to the benefits system. A homelessness scrutiny task group would be set up to better understand the issues.

## **RESOLVED THAT**

**the review of performance in 2015-16 be endorsed**

### **9. GREENSPACE DEVELOPMENT PLAY AREA ASSESSMENT AND CAPITAL IMPROVEMENT PROGRAMME 2016 TO 2021**

The Cabinet Member Clean and Green Environment introduced the report which sought agreement for a five year enhancement and improvement programme with capital expenditure for play areas of Cheltenham. He explained that capital sums have been previously approved and allocated for this use at budget setting. The focus of foreseeable work has been on health and safety, play value, inclusivity, and play assessment in terms of overall look and feel.

The Cabinet Member highlighted some of the play areas for investment :

- the Pump Track at Burrows Fields
- play equipment at Benhall
- £500k of capital funds at the Pittville Park Play Area
- £37 k at Humpty Dumps
- investment in play facilities at Swindon Village
- skate facilities at Clyde Crescent
- recycling of some Pittville Park equipment to be installed at King George V playing field

The Cabinet Member emphasised that this was a living document and having the opportunity to improve the condition of play areas with the support of friends groups and parish councils was valued. There were a large number of play areas across the town which would benefit from the council's allocation of funds and use of S106 allocation as well as potential external funding.

The Cabinet Member wished to place on record his thanks to Adam Reynolds, Green Space Development Manager and his team for their valuable input.

Members welcomed the proposals which they regarded as a positive programme going forward.

## **RESOLVED THAT**

- 1. the programme 'Greenspace Play Assessment and Capital Improvement Programme 2016 – 2021' attached as Appendix 3 be approved, and**
- 2. any changes arising under £10,000 be delegated to the Cabinet Member Clean and Green Environment in consultation with the Director of Planning**

### **10. FINANCIAL OUTTURN 2015-16 AND BUDGET MONITORING REPORT APRIL-JUNE 2016**

The Cabinet Member Finance introduced the report. She said that it had been another challenging year. In December 2015 a possible under-spend of £307 900 was forecasted. In February 2016 Cabinet made recommendations to Council that this be transferred to the Budget Support Reserve which was approved and therefore formed part of the revised budget for 15/16. She went on further to explain that government funding arrangements and changes,

together with the economic climate, presented ongoing concern for this councils budgets, particularly in light of Brexit and the uncertainty surrounding the next steps. It was important that this council looked to grow its economy at the same time as ensuring that it used underspends to support economic growth, the budget strategy reserve and general balances, bearing in mind the Medium Term Financial Strategy.

The Cabinet Member Finance was delighted to inform Members that an underspend of £239,020 had been achieved. She paid tribute to the hard work and sound financial management by officers and reported that this saving had been transferred into the budget strategy support reserve. She welcomed the increased income from car parking, the settlement from the council's deposit in the Icelandic Bank of Glitnir and the fact that the business rate pool had come out of deficit. She reported that the Housing Revenue outturn statement showed a net positive variance and that the capital programme had delivered the boiler scheme ahead of schedule. She highlighted the ongoing costs of the Joint Core Strategy which were within the control of the Government's Inspector.

In response to a question as to whether the council had recovered more than anticipated in terms of its investment in Glitnir bank, the S151 Officer reported that officers had negotiated a deal at a favourable exchange rate of €1.19 but was not aware how we compared to other authorities.

The Cabinet Member Housing welcomed the income received on the HRA account from the Feed in Tariff from PV Installations.

## **RESOLVED THAT**

### **Council be recommended to :**

- 1. 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 2015/16 resulting in a saving (after carry forward requests) of £239,020.**
- 2. Approve £40,000 of carry forward requests (requiring member approval) at Appendix 5.**
- 3. Approve the use of the budget saving of £239,020 as detailed in Section 3.**
- 4. Note the annual treasury management report at Appendix 7 and approve the actual 2015/16 prudential and treasury indicators.**
- 5. Note the capital programme outturn position as detailed in Appendix 8 and approve the carry forward of unspent budgets into 2015/16 (section 7).**
- 6. Note the position in respect of Section 106 agreements and partnership funding agreements at Appendix 9 (section 9).**
- 7. Note the outturn position in respect of collection rates for council tax and non-domestic rates for 2015/16 in Appendix 10 (section 10).**

8. **Note the outturn position in respect of collection rates for sundry debts for 2015/16 in Appendix 11 (section 11).**
9. **Receive the financial outturn performance position for the Housing Revenue Account for 2015/16 in Appendices 12 to 13 and approve the carry forward of unspent budgets into 2016/17 (section 12).**
10. **Note the budget monitoring position to the end of June 2016 (section 13) and approve the budget virement of £60,000.**

**11. REGULATORY AND ENVIRONMENTAL SERVICES - COMMERCIAL TRANSFORMATION PROGRAMME**

The Cabinet Member Development and Safety introduced the report which proposed the next stage of the transformational programme for the Council's regulatory and environmental services. The programme would review all resources to identify options to create a commercially focused, flexible and resilient service. This would enable the delivery for the financial savings over a longer term.

The report highlighted the need for initial investment to support the creation of a business culture, installing mechanisms and processes that allowed more effective performance and financial management. Opportunities would be provided for staff to work across existing functions to deliver the priority workstreams. This flexibility would allow the service to react more readily to the constantly changing financial and economic landscape.

The Cabinet Member went on to explain that dedicated roles were proposed to support the delivery of key workstreams whilst the review was underway. These would be funded from existing vacancies across the organisation. To enable these cultural changes and commercial focus to become embedded, a transitional period was required before savings were fully realised. This would allow existing functions to be reviewed and assessed against priorities whilst income streams improved, costs reduced and support could be provided to the local economy and the delivery of the emerging Place Strategy.

This invest to save initiative would require the deferral of the £157k saving identified for 2017/18. It also recognised that Executive Board and Cabinet would work with the MD for Place and Development in meeting the longer term economic growth target of £500k by 2019/20, which also needed to be considered in light of the other challenges set out in the MTFs. Given issues currently arising in the economy and the impact of a growing budget deficit within the Council, careful consideration as to how this target was to be delivered would need to be collectively agreed by officers and members as a priority. He said that the proposed cultural shift to a commercially focused organisation would be difficult to achieve with ongoing financial and economic uncertainty. The challenging financial targets set would only be achieved if some resources could be re-focused and re-prioritised to support activities that were more cost effective and/or generated greater financial return. Executive Board and Cabinet should review how this shift could be achieved and which resources and activities were to be identified and refocused to support the delivery of the new service.

The Cabinet Member Development and Safety highlighted the priority workstreams as identified in Section 6 of the report : Business Management/financial performance monitoring; Car Parking; Economic Development/Tourism; Fundraising/Inward Investment; Events; Anti-Social Behaviour/ Homelessness/ Street Begging.

There would be significant improvements in the way regulatory services were delivered making them more cost effective and more efficient.

## **RESOLVED THAT**

- 1. the transformational programme for the Council's regulatory and environmental services as proposed in this paper over an initial two year period be approved and proceeded**
- 2. the Managing Director for Place & Economic Development in consultation with the Cabinet Member for Development and Safety be authorised to drive forward the transformation programme and implement the interim changes to the existing organisational structure to support the refocusing of resources where appropriate.**
- 3. the Managing Director for Place and Economic Development, in consultation with the Cabinet Member for Development and Safety be authorised to develop and implement such income generating / cost recovery initiatives and measures as he considers appropriate to assist in the delivery of the financial targets.**
- 4. the deferral of the £157.5K saving for 2017/18 to 2018/19 be approved.**

## **12. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Healthy Lifestyles informed Members that she had now met the Public Art Officer and explained that there was a proposal to change the configuration of monies which were available for public art. In the short term there was a proposal for public art dedicated to the role of women in Cheltenham.

The Cabinet Member Healthy Lifestyles informed that she was planning to hold a first meeting of a culture partnership in September. Plans for the WW1 commemorations continued to be developed and would involve a range of partners including the twin towns.

The Cabinet Member Development and Safety told Members he had attended a Brexit seminar with the Leader and stakeholders convened by the council. It was a very well attended and positive meeting with those involved looking for extra initiatives and opportunities in the light of Brexit.

The Cabinet Member Housing said that the Gloucestershire Safeguarding Childrens Board Serious case review had now been published and he would be meeting with the HOPS and the Independent chair to discuss the report in detail. He also made reference to the work streams on homelessness and explained that he had requested to sit on the scrutiny task group on homelessness as an observer.

The Cabinet Member Corporate Services said that following discussions with managers of services in his portfolio he wished to highlight that the Elections Manager had highlighted that there had been substantial numbers of late registrations to vote in the recent EU referendum. There remained concern with regard to registration of young people but the council did have a number of measures it could take in terms of obtaining data without breaching data protection. This included asking existing registrants whether anyone else may be residing in their property. The process was subject to funding. Voting was fundamental to democracy so it was important that people were registered and willing to vote.

The Cabinet Member Clean and Green Environment wished to remind Members that the official opening of Pittville Park Play Area would take place on Sunday 17 July at 10.30. He also reminded members of the ongoing consultation on waste and recycling services. The response rate was good and he encouraged all Members to promote the consultation in their wards as it represented an opportunity for residents to shape the future service for the town.

The Leader of the Council announced that the JCS Inspector had now considered the responses from the June meetings of the JCS Councils. The Extraordinary meeting scheduled for 14 September had now been cancelled and it was likely that the review of the main modifications to the JCS would take place in mid-October. In January 2017 the Inspector would consider all representations made on the modifications to enable interested parties to have their say.

**13. CABINET MEMBER DECISIONS TAKEN SINCE THE LAST MEETING**

The Cabinet Member Finance reported that she had taken a Member Decision relating to the disposal of the freehold interest in land at Kingsley Gardens. The Asset Management Working Group had been consulted on this.

**Chairman**