

## **Cabinet**

**Tuesday, 5th December, 2017**  
**6.00 - 6.40 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Rowena Hay (Cabinet Member Finance), Peter Jeffries (Cabinet Member Housing) and Andrew McKinlay (Cabinet Member Development and Safety)
<b>Also in attendance:</b>	Councillor Wendy Flynn

## **Minutes**

### **1. APOLOGIES**

Apologies were received from Councillors Coleman and Whyborn.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **3. MINUTES OF THE LAST MEETING**

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

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

There were none.

### **5. PUBLIC ART STRATEGY**

The Cabinet Member Healthy Lifestyles introduced the report and explained that the Public Art Strategy had been produced to support the delivery of the Corporate Strategy 2017-18 and Place Making. Current resources and skills were not available in the council to deliver the action plan set out in the Public Art Strategy and a public space curator was essential to enable the strategy to be realised.

The Cabinet Member said that this was a meaningful document which aimed to utilise incoming funding better. It represented a good step forward and was an opportunity to refresh the Public Art Panel to ensure that all the relevant sectors of Cheltenham were represented. She added that there was the potential to have an arts coordinator for 3 days which would be part funded by the Arts Council. There was more work to be done and all the relevant people were involved to assist in that process.

A Member welcomed widening the review of the Public Arts Panel and wished to thank all those who had been engaged in its work thus far who had kept the best interests of the town in the fore when making their decisions. She acknowledged that it was time to refresh and reengage and the town would benefit from new ideas. She looked forward to seeing further strenuous efforts

in harnessing the potential in this area and making it more meaningful to those who lived here.

Finally the Leader added his thanks to all those who had been involved in bringing the strategy to Cabinet.

#### **RESOLVED THAT**

**the action plan set out in the Public Art Strategy be supported including investigations into the creation of a public space curator post, working with Cheltenham Trust to consider options for funding of that post.**

#### **6. TREASURY MID-TERM REPORT 2017/18**

The Cabinet Member Finance introduced the report and reminded Members that the council operated a balanced budget. The treasury management operation ensured that cash flow was adequately planned with surplus monies invested in low risk counterparties. Another important function was the funding of the capital plans assessing and ensuring that the borrowing needs could be met in order to fund the capital programme.

She wished to put on record her thanks to officers and advisors and informed that the outturn position for 2017/18 was anticipated to be above the budget, at £45,500

She then informed Members that the Treasury Management Panel had considered the report on 20 November and endorsed it for onward recommendation to Cabinet and Council.

#### **RESOLVED THAT Cabinet be recommended to**

**note the contents of the summary report of the treasury management activity during the first six months of 2017/18.**

#### **7. COUNCIL TAX PREMIUM ON LONG-TERM EMPTY HOMES**

The Cabinet Member Finance introduced the report and reminded Members that the Local Government Finance Acts of 2003 and 2012 introduced some amendments to the 1992 finance act, giving discretionary powers for councils to set the level of council tax discount on empty properties and that this council had already used its discretionary powers to set discount levels in respect of empty properties and second homes which were detailed in appendix 2.

The Cabinet Member Finance went on to say that the 2012 act also introduced the empty homes premium allowing councils to charge an additional 50% council tax in respect of class C properties which had been empty and unfurnished for more than 2 years. She reported that in the Autumn Statement the chancellor announced that the government were proposing to increase the amount from 50% to 100% which this council may like to consider when the details came forward.

The decisions made so far supported this council's strategy to bring empty homes back into use more quickly and generate additional council tax income, however she stated that the additional income was less important than the principal of encouraging empty homes being brought back into use. She stated that as of October this year 80 properties had been empty for more than 2 years and the additional council tax income for CBC would amount to £7,300.00.

The Cabinet Member then referred to information published by DCLG in October 2016 which showed that 287 out of 326 councils were charging this premium. In Gloucestershire this premium had currently been introduced by Stroud and Cotswold district councils.

The Cabinet Member Housing paid tribute to the hard work of the Empty Homes and Revenues and Benefits teams in preventing more properties falling on to the empty homes list.

Finally, the Leader added that the use if this was one small lever to provide an incentive for property owners to bring empty homes back into use was to be welcomed.

**RESOLVED THAT Council be recommended to**

**Determine that the Council Tax Empty Homes Premium of 50% is implemented from 1st April 2018 in respect of properties which have been unoccupied and unfurnished for more than 2 years.**

**8. APPLICATION FOR DESIGNATION OF A NEIGHBOURHOOD AREA AND NEIGHBOURHOOD FORUM BY THE HESTERS WAY NEIGHBOURHOOD DEVELOPMENT FORUM**

The Cabinet Member Development and Safety introduced the report and explained that the council had received an application to designate a neighbourhood plan area and designate the Hesters Way Neighbourhood Development Forum as the neighbourhood forum for that area. This application had been assessed against the requirements set out in the legislation and was considered to meet them to enable designation of the neighbourhood area and of the neighbourhood forum. The council's Neighbourhood Planning Protocol had been used to guide officers in assessing the application.

The Cabinet Member Development and Safety added that the Neighbourhood Forum represented a significant voice in the development of neighbourhoods particularly given the JCS proposals. He referred Members to the map of the area in appendix 3 and the constitution in appendix 4.

The Leader welcomed the proposals and hoped that as well as looking at their own individual areas neighbourhood forums would work more closely together.

**RESOLVED THAT**

- 1. the designation of the Hesters Way Neighbourhood Development Forum area (the current Hesters Way Ward) be approved for the purpose of preparing a Neighbourhood Development Plan.**

2. **the designation of the Hesters Way Neighbourhood Development Forum as neighbourhood forum as defined by the Localism Act 2011 be approved.**

**9. REVISED FINANCING ARRANGEMENTS FOR IMPROVEMENTS TO LEISURE-AT-CHELTHENHAM**

The Cabinet Member Healthy Lifestyles introduced the report which sought Cabinet approval of the revised programme of improvements to Leisure-at-Cheltenham.

She explained that further to Council's decision in March 2017 to agree the proposed works and financing arrangements the Cheltenham Trust had worked with its development partner Alliance Leisure Services to advance the scheme within the agreed financial framework. After work to further define the project it was clear that project costs would be higher but that these would be mitigated by a greater impact for customers and increases in income against a revised business plan. The original model presented to Council was based on the Trust delivering the project through a loan from the council. This method of project delivery would have incurred VAT which meant fewer improvements would have been delivered. A preferred method was now proposed whereby the council contracted Alliance Leisure Services. In doing so the VAT would be recoverable and the project would deliver greater public benefit for the cost incurred. The revised report thus provided cost certainty on the main project and the benefits were laid out in paragraph 2.7 of the report. This would provide not only a good facility but also addressed the council's concerns on financing and the future of Leisure-at-Cheltenham as a growing concern.

The Leader added that this had been a long and complicated process and thanked all those who had been involved.

**RESOLVED THAT**

1. the revised programme of improvements to Leisure-at-Cheltenham as set out in section 3 of this report be approved.
2. Authority be delegated to the Director Resources and Corporate Projects in consultation with the Cabinet Member Healthy Lifestyles and the Borough Solicitor to enter into a contract with Alliance Leisure Services and any other legal agreements and processes necessary to progress the scheme whilst safeguarding the Council's interest.

Council be recommended to :

3. **Subject to the conditions in section 7 being met, authorise the Section 151 Officer, in consultation with the Cabinet Member Finance, to seek prudential borrowing of up to £2.236m at an**

interest rate of 2% per annum to fund the improvements to Leisure-at-Cheltenham as detailed in Section 3 of this report;

4. Authorise the Section 151 Officer, in consultation with the Cabinet Member Healthy Lifestyles, to agree the most advantageous repayment methodology to reclaim the cost of the borrowing from the Cheltenham Trust;

#### 10. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Development and Safety informed Members that the 20s plenty consultation ended on 4 December and he was pleased to report that it had received 755 responses. These would be considered in establishing how to take the proposals forward.

The Leader informed that last week the Gloucestershire Economic Growth Joint Committee had met and agreed to recruit a planning coordinator for Gloucestershire which would encourage a more proactive approach to the planning process. He informed that the funding strategy for the LEP core funding had been determined following the withdrawal by the County Council of its funding. There would now be match funding from the pooled business rates.

The Leader also reported that the launch of Marketing Cheltenham had gone well and encouraged all Members to watch the video marking the launch.

#### 11. CABINET MEMBER DECISIONS SINCE THE LAST MEETING

Cabinet Member Development and Safety	Revised Public Spaces Protection Order to address ticket touting during key horse racing events and protect the public from anti-social behaviour that is having or likely to have a detrimental effect on the quality of life of those
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#### 12. 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 paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

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

#### 13. PROPERTY ACQUISITIONS

The Cabinet Member Finance introduced the exempt report regarding an opportunity which had arisen for a potential commercial property acquisition. Cabinet's approval of the business case and supporting information was now being sought prior to Council's consideration of the budget allocation.

She explained that many Councils were facing a tough and complex set of pressures – funding cuts, rising demand for services with increased costs associated with its provision and economic growth challenges. Further spending cuts were inevitable and likely to be in the next two months with the Local Government settlement and the decision on new homes bonus.

Demographic and economic pressures on authorities and their services were increasing so the question was how could local authorities transform themselves to respond to the pressures they faced. The current thinking of Government was to make councils become less reliant on Revenue Support Grant and other centrally controlled grant funding. It was therefore this Cabinet's aspiration to become financially sustainable by 2021-2022. This was one of the reasons why she had requested the Chief Finance Officer to write a commercial strategy that would be submitted to Cabinet on 12 December for approval.

Many councils were facing an increasing need for reinvestment in resources and services, ranging from community cohesion, health and social care to education and infrastructure. The status quo would only lead to service reduction. Councils would need to have a relentless focus on generating additional sources of revenue income as government grant continued to fall and interest rates remained low. The Cabinet Member believed that the focus, where market conditions allowed, should be on areas such as investments in the commercial property portfolio and regeneration through both direct and indirect investment to boost local economic activity.

She provided Members with more details of the property under discussion. With any property investment the need to assess the options and criteria was paramount and the financial objectives and revenue delivery of this potential acquisition had been assessed and that the prescribed target yield met expectations. She went on to address the issue of risks and explained how the risks associated with this proposed acquisition had been identified and scored appropriately. She concluded that commercialisation was the route to maintain and enhance service delivery.

The Cabinet Member Finance informed Members that Asset Management Working Group were consulted on the proposal on 27 November and were supportive of the acquisition.

The Cabinet Member then advised that since circulation of the report an additional financial projection had been developed and was tabled to Members. As a result recommendation 2.1 was amended. Members supported the amendment.

Members then raised questions on the report and responses were given.

## **RESOLVED THAT**

**The recommendations be approved as amended.**

**Chairman**

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