

Cabinet

Tuesday, 10th July, 2018
6.00 - 7.05 pm

Attendees	
Councillors:	Steve Jordan (Leader of the Council), Chris Coleman (Cabinet Member Clean and Green Environment), Rowena Hay (Cabinet Member Finance), Alex Hegenbarth (Cabinet Member Corporate Services), Peter Jeffries (Cabinet Member Housing) and Andrew McKinlay (Cabinet Member Development and Safety)
Also in attendance	Councillor Matt Babbage

Minutes

1. APOLOGIES

Councillor Flo Clucas

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 12 June were approved and signed as a correct record.

4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS

None.

5. HOUSING AND HOMELESSNESS STRATEGY

The Cabinet Member Housing introduced the report which set out how the council intended to meet the housing needs of the communities within Cheltenham over the next five years. The vision was to increase the availability, quality, suitability and affordability of accommodation, and to create communities that were safer, stronger and healthier. It focused on homelessness which was not a particular problem in the town but it acknowledged that people came into the borough and there were measures that could be put in place to address this.

The action plan was ongoing and at September Cabinet a report would be brought on housing investment- a cabinet working group monitored this. He explained that councillors elected in May 2018 had inputted into the conversation around the strategy which was comprehensive and broad ranging and included both what was currently undertaken and aspirations for the future. It was a manifesto commitment to invest in housing in the town. Primary focus was young people and families, particularly those in private rented accommodation to ensure the security and quality of accommodation was adequate.

Finally the Leader stated that this strategy was massively significant for the town and the council was committed to making it work. He wished to thank all those who had been involved in producing the strategy. Affordability remained a big issue nationally and this was a key part of getting something to work for Cheltenham.

RESOLVED THAT

The Housing & Homelessness Strategy 2018-23 be adopted.

6. FOOD SAFETY SERVICE PLAN

The Cabinet Member Development and Safety introduced the report and explained that the council was required to produce a Food Safety Service Plan under the Framework Agreement with the Food Standards Agency. Local Authorities were required to consider and approve the Plan to help ensure local transparency and accountability.

The Food Safety Service Plan was the Council's expression of commitment to the delivery of an improving cost effective and efficient regulatory food service. It was an annual operational plan, giving details of how Cheltenham was going to execute its statutory food safety functions within the Public Protection service.

The Cabinet Member reported that it had been a successful year and there was sufficient resource in place to deliver the plan. He then highlighted the following:

- As at 31 March 97% of rated food businesses in Cheltenham were broadly compliant
- 847/876 food businesses in the town were rated 3 or higher for food which represented a 7 % increase on last year
- The overall intervention rate of 92.7 % interventions against the authority's self-set target of 100% was a significant achievement

This therefore reflected a successful year in terms of oversight and complied with all the necessary standards.

RESOLVED THAT

The food safety service plan for 2018-19 be approved.

7. AWARD OF A RENT SUPPORT GRANT TO A CHELTENHAM VOLUNTARY AND COMMUNITY SECTOR ORGANISATION

The Cabinet Member Finance introduced the report and explained that the council enabled voluntary and community sector to rent its properties through offering a rent support grant scheme. Applications were scored against four criteria with the amount of subsidy awarded being proportionate to the degree to which the applicant met the criteria.

Applications for rent support grants had been received from Hesters Way Neighbourhood Project for two properties, one for the Neighbourhood Charity Shop in Hesters Way Road and The Living in Devon Avenue as shown in appendix 2 & 3.

RESOLVED THAT

1. the following rent support grants be approved :

Applicant	Recommended rent support grant
Hesters Way Neighbourhood Project Neighbourhood Charity Shop 16-18 Hesters Way Road	A rent support grant of 36% of current market rent totalling £2,160 per annum.
Hesters Way Neighbourhood Project The Living Room Rowanfield Exchange	A rent support grant of 62% of the current market rent totalling £2,790

2. the Strategy and Engagement Manager be authorised to enter into rent support grant agreements with the applicants.

8. **FINANCIAL OUTTURN 2017/18 AND BUDGET MONITORING TO JUNE 2018**
The Cabinet Member Finance introduced the report which highlighted the Council's financial performance for the previous year which set out the General Fund and Housing Revenue Account (HRA) revenue and capital outturn position for 2017/18. The information contained within the report had been used to prepare the Council's Statement of Accounts for 2017/18.

She explained that 2017/18 had been another challenging year for balancing the books due to continued Government funding arrangements and changes, together with the economic climate, which presented ongoing concern for the council's budgets.

She highlighted the following :

- An underspend of £403k had been achieved due to the hard work and sound financial management by officers and partners via savings, reducing costs and generating income where possible. This would be transferred to the budget strategy support reserve pending decisions for its use in 2018/19 and future years.
- **Waste and Recycling-exceptional, one-off expenditure had been incurred due to the implementation of the new regime**
- **Cemetery and Crematorium-there had been a loss of income due to problems with the current facility but the new build remained on track and within budget**
- **There had been an increase in returns from investments**
- **There was a proposal to support the Christmas lights with match funding from the Business Improvement District**
- One carry forward request supported by Cabinet and for Council approval was £7k to allow for identity cards and software to be

integrated in the new sound system.

The Cabinet Member Housing wished to refer Members to section 12 of the report and the reduction in bad debt requirement due to the late roll out of universal credit. He highlighted that this would still be needed.

The Leader reiterated the thanks to officers and welcomed the contribution of the BID to host a Christmas lights switch on event.

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 2017/18 resulting in a saving (after carry forward requests) of £403,179.
2. Approve £7,000 of carry forward requests (requiring member approval) at Appendix 5.
3. Approve the use of the budget saving of £403,179 as detailed in Section 3.
4. Approve a further allocation of £15k towards Contactless Donation Points, funded via a contribution from the Homelessness earmarked reserve, as detailed in para 8.2.
5. Approve a 2018/19 contract fee adjustment of £200,000 to Ubico Ltd, funded from General Balances, as detailed in para 13.5.
6. Note the annual treasury management report at Appendix 7 and approve the actual 2017/18 prudential and treasury indicators.
7. Note the capital programme outturn position as detailed in Appendix 8 and approve the carry forward of unspent budgets into 2018/19 (section 7).
8. Note the position in respect of Section 106 agreements and partnership funding agreements at Appendix 9 (section 9).
9. Note the outturn position in respect of collection rates for council tax and non-domestic rates for 2017/18 in Appendix 10 (section 10).
10. Notes the outturn position in respect of collection rates for sundry debts for 2017/18 in Appendix 11 (section 11).
11. Receive the financial outturn performance position for the Housing Revenue Account for 2017/18 in Appendices 12 to 13 and approves the carry forward of unspent budgets into 2018/19 (section 12).
12. Note the budget monitoring position to the end of June 2018 (section 13).

9. REVIEW OF THE COUNCIL'S PERFORMANCE AT END OF 2017-18

The Leader introduced the report which summarised how the council performed in regard to the published milestones as set out in the 2017-18 action plan agreed by Council on 27 March 2017.

He highlighted that there was one red milestone which related to the council working with the County Council to develop a sustainable approach to managing highway matters in Cheltenham. He explained that the County had been consulting with all districts in view of the current contract with Amey ending in April 2019. He recognised the positive work the County had undertaken in terms of work on the High Street and Boots Corner and wished that more of this successful collaboration could be undertaken.

The Leader then highlighted that milestones on amber were principally complex projects which were running to tight timescales e.g. paving on the High Street, Community Infrastructure Levy, West Cheltenham.

He informed Cabinet that the report had been submitted to Overview and Scrutiny and issues raised there had been logged in the report.

RESOLVED THAT

The review of performance in 2017-18 be noted.

10. APPROPRIATION OF LAND AT MONKSCROFT VILLAS FROM 'OPEN SPACE' TO HOUSING (AUTHORITY FOR THE APPROPRIATION OF OPEN SPACE)

The Cabinet Member Finance introduced the report which sought a Cabinet decision on incorporating land currently considered General Fund Open Space and to appropriate this to HRA Housing in order to form part of a wider plot area for development. She explained that the site had an access road off Princess Elizabeth Way. The land was held as open space and was not accessed by the public. The appropriation would create additionality when linked to the adjacent Monkscroft site in order to provide new homes for social tenants. She reported that two objections had been received in response to the advertisement of the appropriation but these were not relevant.

RESOLVED THAT

The Head of Property, in consultation with the Cabinet Member Finance and the Borough Solicitor, be authorised to appropriate the site from open space to housing in order to provide additionality when linked with the adjacent Monkscroft villas site in order to provide much needed social housing in Hesters Way Ward.

11. NOMINATIONS TO OUTSIDE BODIES

The Chief Executive introduced the report and explained that following each Selection Council, and at other times when vacancies arose, the Leader/Cabinet took the opportunity to nominate and, in limited cases, appoint persons to various roles within bodies external to the Council. Also the opportunity was taken to nominate persons to other bodies such as Joint Committee and other bodies/groups.

She added that a nomination/appointment to an outside body was referred to Council for determination where consensus on that nomination/appointment could not be achieved between the political Group Leaders.

The Leader highlighted the broad cross party input in to the process. He wished to put on record his thanks to David Lawrence for his contribution on behalf of the council as company director at Gloucestershire Airport.

He added that there was a lack of clarity with regard to the nature of the Hesters Way nominations and this would be resolved at Council.

In terms of the Pates Grammar School Foundation Trust he informed Members that Lloyd Surgenor would be reappointed but he had been asked to defer the second appointment as the Trust would like the council to also consider its nominee.

The Leader explained that the South West Audit Partnership had not been included in this list of nominations but there were two council appointments. Firstly, one at company level which was the Executive Director Finance and Resources and secondly a Member role. In respect of the latter he wished to see the Chair of Audit Committee be appointed to this role.

RESOLVED THAT

- 1. Cabinet make nominations/appointments to the outside bodies as set out in Appendix 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;**
 - **Cabinet/the Leader reserves the right at any time to withdraw/terminate a nomination/appointment which it has made; and**
 - **a nomination/appointment to an outside body is referred to Council for determination where consensus on that nomination/appointment cannot be achieved between the political Group Leaders**
- 2. Cabinet makes appointments to joint committees as set out in Appendix 2B; and**
- 3. Cabinet notes the Cabinet Member responsibilities for the bodies/groups listed in Appendix 2C.**
- 4. The nominations/appointments Cleeve Common Trust and Friends of Leckhampton Hill be referred to Council for determination as consensus cannot be achieved between all the political groups on the council.**

12. ARLE NURSERY STRATEGIC REVIEW

The Cabinet Member Finance introduced the report which considered the business case for retaining Arle Nursery site, selling it or developing it to be a fully-fledged garden centre for the public. Each option assessed the community, economic, environmental, legal, HR and technological implications. A detailed financial assessment of each option was also provided. The recommendation supported the delivery of additional affordable housing units which was a priority for the Cabinet.

Thanks were given to Mark Sheldon and Emma Morgan for their work on this project.

The Leader added that discussions on the site had taken place over some time and a mixed public realm planting scheme had been agreed in December 2017. The decision to dispose of the nursery was a logical one and opening up the possibility for housing was vital for the town.

RESOLVED THAT

1. Option 2 be approved i.e. dispose of Arle Nursery site, and procure the plants for our public realm planting externally; and
2. the Head of Property and Asset Management, in consultation with the Cabinet Member Finance, be authorised to determine the most appropriate means of disposing of the property (in one or more parts) in order to obtain best consideration, and to enter into such negotiations as he considers necessary to achieve that outcome
3. the Executive Director, Finance and Assets, in consultation with the Cabinet Member Finance, be authorised to accept an offer (or offers, if sold in more than one part) for the purchase of the property (in one or more parts) which in his reasonable opinion (following receipt of supporting professional advice) represents the best consideration that can reasonably be obtained for the site overall;
4. the Borough Solicitor be authorised to conclude such documents as she considers reasonably necessary or advisable to reflect the terms agreed under paragraph 3 above

13. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Development and Safety referred to the health and safety briefing note included in the agenda pack. He explained that a formal report was presented to Cabinet every 3 years. To note was the fact that commercial services were now offered, demand for which was on the increase.

The Cabinet Member Clean and Green Environment referred to the County Council's incinerator project and explained that prior to the construction of the incinerator discussions had taken place on how waste would be transported to the site. The Joint Waste Team had advised that a waste transfer station would be provided and therefore waste collection vehicles would not be required to

travel to junction 12 of the M5. The consistent advice received was key to the service redesign of the waste and recycling service in Cheltenham and vehicle procurement as vehicles were purchased on the basis that they would not leave the borough. The County Council cabinet were now however discussing a plan for direct delivery of waste. He expressed his anger at the suggestion that CBC would bear the cost of this particularly given the inaccurate advice it had received. He therefore sought legal advice which allowed him to move the following motion at the Joint Waste Committee meeting on 19 June :

“Having received the report from the Joint Waste Team the Joint Waste Committee agree that the direct delivery of waste from Tewkesbury Borough and Cheltenham Borough Councils to Javelin Park is not a viable option either financially, practically or environmentally.

We recommend that Gloucestershire County Council ensure that all districts have appropriate waste transfer arrangements in place for each district in advance of the hot commissioning of Javelin Park.”

He informed that all other voting districts favoured the motion and he urged the County council to abandon their plan for direct delivery. In addition he explained that a review of the operation of household recycling centres was underway from which the Joint Waste committee had excluded the Swindon Road site. The plan was to limit the operating times of their sites which would have a direct impact on the cost of running the operation at the Depot due to additional trade.

The Cabinet Member Clean and Green Environment explained that the new build at the Cemetery and Crematorium was on time and on budget and he wished to put on record his thanks to officers and all those involved in the project.

The Cabinet Member Development and Safety referred to the closure of Boots Corner on 28 June. Amey staff had been on site initially but drivers were ignoring the TRO and driving through albeit in a reducing number. Discussions had taken place with the County council on how to address this and formal proposals to improve signage and bringing forward warning letters and fines would be forthcoming. Concern had been expressed on social media that the public were not heeding the advice. On a positive note there appeared to be very little adverse impact on major routes of the displacement of traffic. It was early days but it was a promising start.

On behalf of the Cabinet Member Healthy Lifestyles the Cabinet Member Finance updated Members on the progress of the Town Hall development as since council allocated £2.2 million much consultation and work had taken place. There were now five options - concepts which required further consideration. The Cabinet Member wished to put on record her thanks to everyone involved.

14. CABINET MEMBER DECISIONS TAKEN SINCE THE LAST MEETING OF CABINET

Leader	Ubico Business Plan 2018-
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	2019
Cabinet Member Healthy Lifestyles	Wilson Opening Hours

15. 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)

16. PROPERTY ACQUISITION

The Cabinet Member Finance introduced the report and explained the background to the proposals. Members considered the proposal and

RESOLVED THAT

The recommendations be approved.

Chairman

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