

## Cabinet

**Tuesday, 5th November, 2019  
6.00 - 7.15 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), Flo Clucas (Cabinet Member Healthy Lifestyles), Rowena Hay (Cabinet Member Finance), Alex Hegenbarth (Cabinet Member Corporate Services), Peter Jeffries (Cabinet Member Housing) and Andrew McKinlay (Cabinet Member Development and Safety)

## Minutes

- 1. APOLOGIES**  
Apologies were received from Councillor Coleman.
- 2. DECLARATIONS OF INTEREST**  
There were none.
- 3. MINUTES OF THE LAST MEETING**  
The minutes of the meeting held on 8<sup>th</sup> October 2019 were approved and signed as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**  
**PUBLIC QUESTIONS**

<b>1.</b>	<b>Question from Chris Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	Your report states that "a 20% increase in traffic has been taken as the threshold for an acceptable level of traffic growth." This 20% figure seems a rather arbitrary figure that has just been 'plucked out of the air'. Can you please explain why 19.9% is regarded as acceptable and 20.1% is no longer acceptable?
	<b>Response from Cabinet Member</b>
	<p>The cabinet report at section 3.1 refers directly to the CTP phase 4 update report produced by GCC as the highways authority and notes key highlights of that report on the experimental traffic order at Boots Corner. The full report is also provided at appendix 2.</p> <p>Consequently I refer to section 3.2 of that appendix which explains the methodology for assessing growth with reference to UK government traffic growth forecasts for Cheltenham and experience of a previous closure at Boots Corner in 2009.</p> <p>Given the full explanation provided by the highways authority in the papers, I do not accept that the figure was 'plucked from the air'. As the assessment provides a clear rationale for this threshold I am happy to</p>

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	accept the basis for the analysis and recognise that having a threshold helps us to identify those locations where further investigation and work may be required.
	<b>Supplementary question from Chris Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	The 20% traffic threshold has been broken by 3 roads, which is clearly unacceptable, to use the language of the report. But are you not also concerned about the cumulative impact of all the displaced traffic around town, when so many residential roads are experiencing traffic increases just below the 20% threshold. Does that not concern you?
	<b>Response from Cabinet Member</b>
	<p>The Cabinet Member advised that, as per the Cabinet report, there were 6 roads that had seen an increase in traffic greater than 10%, a significant number of roads had also seen a decrease in traffic and traffic across the town as a whole had decreased.</p> <p>He explained that Gloucestershire County Council had drawn up contingencies for areas which were of concern and mitigation measures would be put in place should the TRO committee and GCC Cabinet agree to make the trail permanent.</p>
<b>2.</b>	<b>Question from Chris Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	Your report although comprehensive and full of detail is not always easy to understand. Please explain which road, post the Boots Corner changes, has experienced the biggest percentage increase in traffic since the 2015 baseline? What measures are proposed to mitigate this increase so that it is less than the 20% level deemed to be acceptable? If the mitigation measures do not reduce the traffic growth to less than 20%, what level will be achieved?
	<b>Response from Cabinet Member</b>
	<p>Again I refer to the GCC report at appendix 2, specifically table 1 which utilises seven-day 24 hour two-way flows as the primary indicator for assessing and comparing the traffic flow at each site, as the scheme is in place 24 hours a day, 7 days a week. This shows a growth of 73% at Winchcombe Street South from November 2015 to March 2019 and is explicitly referred to in the text under 3.3.4.</p> <p>We understand that GCC has explored options for traffic calming on Rodney Road which is the feeder route for this traffic counter, with the aim of mitigating this increase. Our understanding is that the GCC preference is to undertake works once a decision is known on CTP phase 4 as this creates scope for engagement with local residents and businesses before deciding upon 'permanent' rather than temporary changes to best reflect the high profile of the High Street here.</p> <p>As the report highlights traffic levels are generally falling reflecting modal shift and changing work patterns, so what level will be achieved as behaviours change is difficult to forecast and will depend on the type of interventions supported.</p>
	<b>Supplementary question from Chris Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>

	<p>Your answer makes clear that Winchcombe Street South is the road most affected by the Boots Corner trial, with an increase in traffic of 73%, way beyond the 20% threshold figure. The report cleverly disguises this 73% figure, which is only obvious when you read Table 1 in detail. Also, Figure 5 fails to show the 20% threshold point for Winchcombe Street South, further hiding the fact that it is breached to such a large extent.</p> <p>This road and Rodney Road are now ‘accidents waiting to happen’, given their proximity to John Lewis and the maximum concentration of shoppers milling around. Given this is such a high-profile road in the centre of town, why are you not more concerned about whether it is even feasible to mitigate such a large traffic increase down to the 20% threshold level?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>The Cabinet Member agreed that the increase in traffic flow on Winchcombe Street was significant, however, reasoned that the percentage increase was so great as levels of traffic on the road were low initially. Nonetheless, he agreed that the increased levels were unacceptable and confirmed that GCC were drawing up mitigation measures to address the issue. He advised that Phillip Williams, the Lead Commissioner at GCC had considerable information on this should it be requested.</p>
<p><b>3.</b></p>	<p><b>Question from Alan McDougall to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>
	<p>While the cut off 20% increase in traffic flow stated in reports is seen as “credible and acceptable” to both Councils, a figure agreed by a closed body of experts, it is however unacceptable to residents affected by the dispersement traffic fallout from the Boots Corner trial closure. The justification for the Boots Corner trial closure is based on a required significant reduction of traffic flows, but more importantly on reduced NO2 levels it suggests that any increase on residential roads traffic is therefore equally unjustified, dangerous and unacceptable.</p> <p>A nonetheless significant increase in traffic volumes in Clarence Square (15%) where traffic flow monitors in both Clarence Square and Monson Avenue have been put in place, however, there are no NO2 monitors and evidence has not been provided.</p> <p>The official 2019.11.05 CAB Cheltenham Transport Plan appendix 3 air quality report concludes that “<i>from the data considered (above) is that the CTP Ph.4 has made very little difference, either positive or negative to air pollution levels across the town. This is probably not surprising, as the scheme was not explicitly designed as a project to improve air quality</i>”.</p> <p>As the Councils cannot argue for clean air in one town centre area at the expense of another residential area, can the Council(s) evidence that there has been a reduction to previously monitored NO2 levels in support of public safety in <u>all</u> affected areas?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>The CTP air quality data is collected by the CBC environmental health team and the air quality report is set out at appendix 3 in full.</p>

	<p>Cheltenham has an extremely comprehensive air quality collection regime that complies with the council's legal duties. This does not extend to air quality monitoring in every street in the town. The team have extensive understanding of monitoring and monitors sites where they anticipate problems to occur based upon a range of factors including traffic flows, width of streets, and ability for pollution to disperse.</p> <p>The report does not show clean air in one area at the expense of another area, but rather a gradual reduction in NO levels over time which mirrors the general reduction in traffic, less polluting vehicles, modal shift and changing work patterns. The area wide benefits of this should not be underestimated however we will continue to focus upon the persistent long term challenges at Poole Way which existed long before the trial. The planned traffic signal works by GCC along the A4019 in the next financial year should help alleviate this challenge.</p>
<p><b>4.</b></p>	<p><b>Question from Alan McDougall to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>
	<p>It is quite understandable that John Lewis will show their position on the High Street as a success otherwise they would not be in business and is based on their business model irrespective of the trial closure. It is also true that The Brewery Quarter will have a significant uplift in footfall due to the adjacency of the NCP car park, benefit from debt fuelled investment from the Restaurant Group, Mitchell and Butler etc., but more importantly from the coincidental major new access created through to the High Street.</p> <p>Given the fact that in general High Street retail sales are down significantly and casual dining is not sustainable at present levels can CBC provide a detailed response regarding:</p> <p>a) What was the projected sales target, not just footfall numbers, given by John Lewis Partnership to the Council pre-agreement, pre-opening and pre-June 2018 compared to figures quoted around October 2019?</p> <p>b) In terms of risk assessment and due diligence, does the Council consider the fiscal debt of all the parent companies currently based in The Brewery to be acceptable?</p> <p>c) As the Council supports east-west/west-east footfall in the High Street as a benefit over the demise of the more unique retail differences in The Promenade and other surrounding streets, can they please publish like-for-like figures specific to those areas before and since the BC trial closure in order to show that benefit footfall and sales have not just migrated to the High Street?</p>
	<p><b>Response from Cabinet Member</b></p>
	<p>a) The data requested is not available to this Council and will have to be requested directly from John Lewis and partners, although I suspect it will be commercially sensitive and unavailable.</p> <p>b) This council does not undertake due diligence assessments of organisations operating in the Brewery or wider town other than for properties owned by the Council, where covenant strength is a material factor in any lease determination.</p>

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	<p>c) Again sales are not a matter of public record so I am unable to advise. Footfall data for side streets does not exist so I am unable to provide further assistance,</p> <p>However there was no intention of favouring one part of the town centre over another. The success of any town centre depends upon the vibrancy and mix of the offer and Cheltenham, whilst suffering from certain 'brand' losses like every town centre continues to attract new names – Oliver Bonas, Urban Outfitters, the Alchemist – and equally continues to benefit from investment as demonstrated at the Quadrangle and 111-117 High Street.</p>
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## MEMBER QUESTIONS

<b>1.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>The impact on air quality, both at Boots Corner and elsewhere in the town arising from the trial closure, is of concern to many residents. The figures in the report paint a rosy picture.</p> <p>However, at a seminar held in the Council Chamber prior to the trial commencing, concern was expressed by Members cross party that there was limited data available at that stage to form a starting point.</p> <p>Is the Cabinet Member confident that there is an adequate pre-trial basis of data from key sites to enable a valid statistical comparison with the current situation, and does he have any concerns about any specific locations?</p>
	<b>Response from Cabinet Member</b>
	<p>The environmental health team have produced a comprehensive report based not only on recent but long term changes and patterns, with some data as far back as 1993. On this basis I am confident of the data produced by CBC staff and believe that the extensive monitoring programme can be relied upon.</p> <p>This report essentially shows that the current trial has been benign in terms of air quality; no major spikes up or down. Rather what they have evidenced is a gradual long term improvement across the town reflecting lower emissions from vehicles, falling traffic volumes (as highlighted by GCC), modal shift and changing work patterns.</p> <p>They clearly cite the long term challenge on the A4019 at Poole Way and we are hopeful that the planned GCC interventions in new, smarter, signals in 2020 will assist with that problem.</p>
	<b>Supplementary question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>Questioned whether the Cabinet Member was confident that adequate pre trial data was available and as such, whether that all the keys sites were valid in terms of comparisons?</p>
	<b>Response from Cabinet Member</b>
	<p>The Cabinet Member confirmed that CBC are obliged to monitor air pollution levels on behalf of DEFRA. 20 sites had been recommended for monitoring and an additional 10-15 sites had been included in order to try and assess the impact of CTP Phase 4 on the air quality of the local</p>

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	<p>area.</p> <p>He explained that the scale of Cheltenham's air quality monitoring was amongst some of the highest in the County and he was confident that adequate air monitoring had taken place before the trail.</p> <p>He highlighted that the traffic volumes across Cheltenham between 2008 and 2015 had decreased by approximately 13% and they were continuing to fall and in 2018, traffic volumes across Cheltenham were approximately 20% lower than they were in 2008.</p>
<b>2.</b>	<b>Question from Councillor Tim Harman to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>
	<p>The Public Convenience Provision report includes a proposal to close the Bath Terrace Public Toilets in my Ward. Can the Cabinet Member specify what consultation has taken place with the Bath Road Traders and their response?</p> <p>Can he also confirm whether likely alternative community provision would be available to members of the public who might not be customers of the premises involved?</p>
	<b>Response from Cabinet Member</b>
	<p>The council has been consulting on proposals to improve access to wcs by exploring a community partnership initiative with commercial businesses which aims to access more and better maintained wcs with longer opening hours. The initial feedback from the consultation and dialogue with Gloucester City Council has given the council confidence that a community partnership scheme can be developed in Cheltenham. As a result the Cabinet is due to consider a report which proposes the closure of 3 council run wcs subject to an alternate community partnership scheme being delivered which would deliver savings to offset the cost of a new wc facility at Sandford Park and the cost of the new changing places facility in Pittville Park.</p> <p>The Bath Road Traders were consulted but did not respond, however, following a Cabinet decision further targeted consultation will take place in the Bath Road to develop a community partnership scheme ahead of any final decision.</p> <p>The purpose of a community partnership scheme is to sign up businesses to allow people to use their wcs even if they are not making a purchase.</p>
	<b>Supplementary question from Councillor Tim Harman to Cabinet Member Finance, Councillor Rowena Hay</b>
	<p>He questioned whether the Cabinet Member would be happy for him to be involved in meetings with the Bath Road traders in order to assist the process.</p>
	<b>Response from Cabinet Member</b>
	<p>The Cabinet Member explained that Bath Road traders had already been contacted, however, they hadn't responded to the consultation process. As per the Cabinet report, specific consultation was taking place with local businesses and traders and she could see no reason why Members couldn't be involved in the process. The intention was to consult with</p>

	<p>the traders again to see if they could come to an arrangement.</p> <p>She highlight that businesses would be compensated for signing up to the scheme and the intention was to offer an improved service to members of the public.</p> <p>She was happy to pass on the suggestion to the Cabinet Member Clean and Green Environment.</p>
<b>3.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development &amp; Safety, Councillor Andrew McKinlay</b>
	To provide information around road safety statistics pre- and post-Boots Corner closure on affected roads.
	<b>Response from Cabinet Member</b>
	The county council receives information from the police on injury collisions which it publishes on its web site. Data are analysed over a three year period as the number of such collisions is low and some fluctuation can be expected within statistical tolerances. Information on injury collisions in the town centre is currently being collated for publication within the papers to be considered by the Traffic Regulation Committee in December.
<b>4.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development &amp; Safety, Councillor Andrew McKinlay</b>
	To provide an assessment of the impact of the Clarence Parade / Clarence Street two-way changes.
	Response from Cabinet Member
	<p>The GCC component of the report makes a very specific claim in its opening paragraph which I repeat here.</p> <p>The traffic data collected during March 2019 suggests the closure of Clarence Street as part of the Cheltenham Transport Plan Experimental Traffic Regulation Order is having only a limited effect on the wider traffic network.</p>
<b>5.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development &amp; Safety, Councillor Andrew McKinlay</b>
	To ask what plans have been considered to address the increase in traffic now driving along the High Street, between Rodney Rd and Winchcombe St.
	<b>Response from Cabinet Member</b>
	We understand that GCC have considered options for traffic calming on Rodney Road which is the feeder route for the Winchcombe Street South traffic counter. Such traffic calming is also likely to have a deterrent effect on the number of users. Our understanding is that the GCC preference is to undertake works once a decision is known on CTP phase 4 as this creates scope for more appropriate 'permanent' rather than 'temporary' works.
<b>6.</b>	<b>Question from Councillor Matt Babbage to Cabinet Member Development &amp; Safety, Councillor Andrew McKinlay</b>
	To provide an update on plans for a bus station in Cheltenham.
	<b>Response from Cabinet Member</b>
	CBC has just completed the Connecting Cheltenham commission by Systra. This itself will feed into the GCC Local Transport Plan review which we understand will have a fundamental shift in emphasis towards

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	<p>sustainable transport with a particular emphasis on public transport. All of which accords with the Connecting Cheltenham key messages.</p> <p>We believe that GCC will be recommending, subject to public consultation a number of interchange points around the town to encourage modal shift.</p> <p>In the light of this I am not sure that a single bus station for Cheltenham is necessarily the right solution. We do however understand that as part of both the Systra work and LTP review, Stagecoach are keen to explore options for re-routing certain town centre services but this depends upon the outcome of the CTP phase 4 trial.</p>
<b>7.</b>	<b>Question from Councillor Matt Babbage to the Leader, Councillor Steve Jordan</b>
	To provide an update on any discussions with Gloucestershire LEP regarding a bus station in Cheltenham.
	<b>Response from Cabinet Member</b>
	Given the response to Qu 6 above, it would be premature to be engaging in any discussions until an agreed solution had been established.

## **5. RESPONDING TO THE CLIMATE EMERGENCY**

The Cabinet Member Corporates Services introduced the report, he explained that in February 2019, Full Council unanimously called on the Cabinet to declare a Climate Emergency and had requested that a report be brought back with the local actions that the Council intended to take to address the emergency. The report outlined the actions needed and an indicative timetable, as well as the initial resources required. On 14<sup>th</sup> October 2019, Full Council unanimously endorsed the recommendations as outlined in the report.

The Cabinet Member thanked Councillor Wilkinson for bringing such an important motion forward.

The Leader highlighted the key role that the council had to play in terms of leadership on such an important topic and welcomed the recommendations in the report. He acknowledged that an additional £150,000 was needed to facilitate the initiatives and that maximising community input was paramount. He further noted that one of the key objectives of the Cheltenham Transport Plan was to encourage modal shift which was essential in tackling climate change.

RESOLVED THAT:

- 1. The findings of the 'Carbon Neutral Cheltenham Leadership through Stewardship' report and its associated roadmap be considered and endorsed;**
- 2. Provision be made in the 2020/2021 budget to make the resources available to deliver the 2030 roadmap (section 7 of the report);**
- 3. The resources needed to deliver the actions required to meet the 2030 carbon neutrality targets be considered, prioritised and identified;**
- 4. An annual reporting process be developed to effectively track progress;**



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5. **Authority be delegated to the Executive Director People & Change and the Director of Environment, to develop the roadmap into a realistic action plan for project delivery, with appropriate business case development taking account of the impact on the Council's financial position.**

## **6. CHELTENHAM TRANSPORT PLAN**

The Cabinet Member Development and Safety introduced the report, he explained that as the Council had recently declared a climate emergency a number of changes needed to be implemented in order to meet the target. The management of traffic flow and the reduction of vehicle emissions being one of the main ones within the council's remit. Whilst the Cheltenham Transport Plan (CTP) predated the more modern concerns surrounding climate change, he felt that it was timely and an opportunity to address environmental issues.

The phased implementation of the CTP to date had seen positive changes across Cheltenham, including making Albion Street and Oriel Place two-way as well as the re-configuration of Royal Well Road. He highlighted that it was a CBC promoted scheme and GCC were acting as the agent.

He confirmed that Phase 4 of the plan had seen a reduction in traffic around Boots Corner by 85% and had only had a limited impact on the highways network as a whole. The main roads affected as evidence at section 3.6 of the report were being reviewed and options considered to address the increases in traffic flow. Pedestrian footfall around Boots Corner had increased by 130%, and there was a 140% increase in the number of wheelchair/mobility scooter users in the area. Similarly, there had been a 4% increase in bus usage compared with a national average decrease.

He acknowledged that the number of vacant shop units was at 8%, which was invariably higher than they would like, however, this was still below the national average of 12%. He highlighted that that the retail market was under significant pressure due to a range of changing economic factors and that a number of retailers who had opted to withdraw from other towns had chosen to remain in Cheltenham. Knight Frank had also ranked Cheltenham town centre 9 out of 200 nationally in terms of investment.

He felt that overall the trial had been a success as could be evidenced by a range of indicators including the increased connectivity, decreased car usage, the major boost to the economy of the town centre and Brewery Quarter as well as the improved environmental standards in the town centre in terms of air quality. The GGC report set out detailed information regarding traffic monitoring and highlighted any areas of concern and proposed mitigation measures. The alternative to making the scheme permanent would be to allow 10,000 cars back through the town centre everyday. He reasoned that the majority of these were not shopping in the centre but using it to get across town.

Following questions from Members, the Cabinet Member confirmed that GCC, as the transport authority, were responsible for gathering the data regarding

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traffic flows. All the monitoring work that had been undertaken had been checked and verified to ensure it was accurate. The only data that was collected by CBC was the air quality data as stipulated by DEFRA.

Cabinet Members reasoned that the thought of having an additional 10,000 cars back through the town centre each day now seemed unfathomable. They stressed that doing nothing was not an option and that other towns such as Bath and Bristol were also taking measures to reduce traffic through the town centre. They acknowledged that improvements still needed to be made but felt that the proposals would be beneficial for future generations. They noted that the retail market was generally struggling nationally and globally and that footfall figures around Boots Corner had actually increased considerably. Cabinet Members highlighted that the scheme had been funded by the sustainable transport fund in order to create modal shift and tackle climate change. They further noted that Sat Nav could not be amended unless the scheme was made permanent and so there was a necessity to make a decision as soon as possible.

RESOLVED THAT:

- 1. In light of the economic and other evidence, and based upon GCC traffic flow data, CBC air quality data, and wider considerations, the GCC Traffic Regulation Order Committee (TRO) and GCC Cabinet be urged to make the Experimental Traffic Regulation Order (phase 4) of the Cheltenham Transport Plan permanent;**
- 2. The Managing Director Place & Growth be authorised to write to GCC and the TRO committee to make CBC's position clear.**

## **7. WEST CHELTENHAM/CYBER CENTRAL UPDATE REPORT**

The Cabinet Member Development and Safety introduced the report, he explained that the scheme was arguably the most important scheme to come before the council in 50 years. The council had already made a significant investment by purchasing 45 hectares of land but still had a huge amount of work to do in terms of bringing the project forward in collaboration with partners and other agencies.

He explained that West Cheltenham is a strategic Joint Core strategy (JCS) allocation that allows for the delivery of around 1,100 homes. The aim is for Cheltenham to attract local and international talent to a vibrant new sustainable community and continue as the cyber capital of the UK.

He explained that the programme, as set out in the report, is complex and challenging and that the council were assembling a multidisciplinary high skilled team of officers and external advisors to deliver the project. A joint programme board had also been established between Tewkesbury Borough Council and CBC to promote and drive forward the vision and growth potential. He acknowledged the significant cost of a project of this scale but explained that the costs would be mitigated through partnership arrangements with a future delivery partner. The Council had also successfully targeted external funding

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and the project had been promoted by a number of members of government including the Secretary of State and local MPs.

Cabinet Members felt that the project showcased the potential for a town of Cheltenham's size and had the potential to become an exemplar for environmental and sustainable development. They further acknowledged that the site was one of the strategic housing delivery sites for affordable housing and the provision of housing would assist in addressing issues with Cheltenham's 5 –year land supply. A Cabinet Member highlighted that the County loses between 400/500 young people a year and stressed the importance of providing not just housing and jobs but a cultural offer in order to retain young people to the area.

The Cabinet Member Development and Safety explained that they were still in the process of drawing up the masterplan and that whilst the detail was yet to emerge the intention was to create an area where people could live and shop with great transport links. He explained that because the council own a chunk of the site, they can have considerable more input in to the plans.

RESOLVED THAT:

**1. Continued support to the ongoing Cyber Central work programme be approved, to include:**

- **delivery vehicle / route to market for development / investment partner(s)**
- **further land assembly**
- **land management**
- **collaboration with landowners**
- **collaboration with Tewkesbury Borough Council, other public sector stakeholders and government agencies**
- **occupier requirements**
- **progression of Garden Communities programme**

**2. The spend to date on the Cyber Central Programme and the projected financial position until the end of 2020 be noted;**

**3. Authority be delegated to the Managing Director Place and Growth, in consultation with the relevant Cabinet Member and the Executive Director of Finance and Assets, to approve and submit planning applications to the relevant planning authorities.**

**8. LEASE RENEWAL - SANDFORD PARKS LIDO**

The Cabinet Member Finance introduced the report, she explained that Sandford Lido Limited approached the Council to seek an early surrender of their current lease and requested a new lease for a term of 35 years. The approach was so they could more easily secure funding and grants required to carry out improvements and much needed larger repairs and modernisation.

She highlighted that the council had followed due process as set out in legislation and that failure to do so would have put the council at risk of challenge from other third sector groups and charities renting council property.

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She confirmed that draft heads of terms had now been agreed between the Council and the Lido. The lease will follow the same basis as the current one, with the main differences being the current lease is for a term of 25 years, whereas the proposed new lease will be for 35 years, she proposed that the user clause would be for sporting, social, and recreational activities and other activities that the Council may permit at its absolute discretion and as a public car park. The lease would now also include provisions aimed at the Lido being financially accessible for all.

She proposed that the Lido Trust would pay a nominal rent of £5 per year and retain every pound of car parking income up to £365,000 - a figure in excess of the current income generated by the car park. In a further boost, the Trust would retain 50% of all revenue above £365,000

The Council sought two independent specialist advisors in order to help with the renewal process and to help agree appropriate new terms for the lease. The Cabinet Member thanked all those involved in the process, particularly Rebecca Conway and the Lido Trustees.

The Leader thanked all those who had been involved in the process to date and acknowledged the need to follow due process.

#### **RESOLVED THAT:**

- 1. An early surrender of the lease to SLL be agreed, and a new lease be granted for a term of 35 years of the land shown edged red on the attached plan, on the rental basis set out in the report;**
- 2. Authority be delegated to the Executive Director of Finance and Assets in consultation with the Borough Solicitor, to agree the remaining terms of the lease and conclude the surrender and grant of a new lease.**

#### **9. THE FUTURE OF PUBLIC CONVENIENCE PROVISION – CONSULTATION OUTPUT**

The Cabinet Member Finance introduced the report, she explained that in May 2019 a report was submitted to Asset Management Working Group (AMWG) that detailed the current situation with regard to the Authority's public toilets and four options for how the Authority might manage the amenity in the future. The options were to:

- Retain and invest in the facilities currently operational;
- Close all facilities and seek a community partnership initiative to provide public access to alternative facilities;
- Retain selective facilities and seek a community partnership initiative to provide public access to alternative facilities; or
- Retain and invest in the facilities currently operational and introduce charging.

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In July Cabinet approved the recommendation to adopt a strategy to guide future decision making with regard to public conveniences and the recommendation that a consultation exercise be undertaken in respect of option 3, "to retain selective facilities and seek a community partnership initiative to provide public access to alternative facilities".

She highlighted that a changing places facility had been installed in Pittville Park and they were looking at another site in the town centre to support those with significant needs. This could potentially be in Regent Arcade and so would allow access into the evening once the new cinema complex was open.

She stressed that the council were keen to improve access to better facilities which were available for longer hours and had explored various options including the option for a community partnership scheme. This would involve local business allowing the public to freely use public conveniences in their premises even if individuals do not make a purchase and the council would pay a fee to the business premises to include them in the scheme.

The review had concluded that the council should:

- Retain wcs in parks where there is high usage and invest in these facilities including a brand new facility in Sandford park;
- Close 2 very poor the town centre facilities (Royal Well, Imperial gardens) subject to accessing alternative facilities via a community partnership scheme; and
- Close Bath Terrace and introduce a community partnership scheme on the Bath road subject to accessing alternative facilities via a community partnership scheme.

She stressed that they would not close any toilets unless they could secure partners to be involved in the community partnership scheme.

#### **RESOLVED THAT:**

- 1. Selected facilities be retained and selected facilities be closed subject to achieving access to alternative appropriate facilities via a community partnership scheme as recommended in the report at paragraph 4.4 and subject to a post implementation review after 1 year;**
- 2. A community partnership initiative be developed to provide public access to appropriate alternative facilities;**
- 3. Authority be delegated to the Head of Property and Asset Management (in consultation with the Cabinet Member Clean and Green Environment, and the Cabinet Member Finance) to implement public convenience asset investment and rationalisation in line with potential opportunities raised in the report, including approval of Heads of Terms for any agreements or transactions involving third parties;**
- 4. Authority be delegated to the Borough Solicitor to complete such documents as she considers appropriate to implement the Heads of Terms agreed in accordance with Resolution 3.**

## **10. LOCAL COUNCIL TAX SUPPORT SCHEME FOR 2020/21**

The Cabinet Member Finance introduced the report, she explained that since 2013 the council had been required to set its local council tax support scheme each year for working age people. She advised that council tax support for pensioners is not localised and continues to be provided for by a national scheme.

She explained that council tax support costs 5.6m annually and the cost is met by the council and the precepting authorities. Government funding for the scheme had reduced by 10% in 2013/14 and had since been rolled in to revenue support grant. She advised that CBC no longer receives a revenue support grant and so must fund its share of the cost of the scheme.

She confirmed that the council tax support scheme introduced for 2019/20 is based on 5 income bands with the highest band providing support at 100% of the council tax liability, then reducing to 80%,60%,40% and 20% as household income increased. One of the main aims of the scheme was to continue to provide 100% support to the most vulnerable and those with the lowest income. She advised that officers had been monitoring the 2019/20 council tax support scheme and the impact of Universal Credit, and as a result some changes were being proposed to the scheme for 2020/21. A consultation had been undertaken in respect of these proposals and the results were included at appendix 4 of the report.

She advised that the proposed changes were supported by the majority of responses to the consultation and were as follows:

- Increase the income disregard for each disabled child from £65 to £100 per week to provide additional support to families with disabled children;
- Ignore the Limited Work Capability allowance which will ensure that certain customers continue to receive the maximum support when they transition to Universal Credit; and
- Increase the income levels for each band slightly to keep pace with moderate increases in pay or welfare benefits.

The changes being proposed would ensure that support continued for the most vulnerable residents, although they would increase the cost by an estimated £90k. Moving to the scheme based on income bands in 2019/20 had reduced the total cost of the scheme in excess of the estimated £420,000, based on the current caseload. The estimated savings would continue to be achieved with the introduction of the proposed changes to the scheme for 2020/21.

Cabinet Members thanked both officers and the Cabinet Member Finance for all their essential work in supporting vulnerable people within the community.

**RESOLVED THAT:**

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1. **The outcome of the consultation on proposals to change the Local Council Tax Support scheme in Appendix 4 be noted;**
2. **The council tax support scheme for working age customers in Appendix 2 and summarised in Appendix 3 as the preferred option for 2020/21 be approved;**
3. **It be recommended that Council approves the proposed Local Council Tax Support Scheme for working age customers for 2020/21.**

#### **11. BUDGET MONITORING REPORT 2019/20 - POSITION AS AT SEPTEMBER 2019**

The Cabinet Member Finance introduced the report, she explained that the report provided Members with an update on the Council's current financial position for the financial year 2019/20.

She highlighted that the key revenue variances related to Ubico, waste and recycling, salary variances, car parking and planning as shown in table 2.1 of the report. This amounted to a predicted overspend of £7k.

The main reasons for the variances were as follows:

- Ubico were currently forecasting an underspend of £265k. This was due to a £50K saving on the staff budget for grounds maintenance and £215k from a delay in the procurement of vehicles scheduled for replacement in 2019/20. This was simply as a result of the timing of the vehicle purchases and would not be continued into 2020/21.
- For the Waste and Recycling area, there was a £305k overspend and the majority of this was a savings target of £200k which was anticipated through service redesigns, efficiencies and investment in new vehicles. She highlighted that any savings from service delivery changes and efficiencies had been offset by the introduction of an additional refuse round in June 2019. The remaining overspend was due to an anticipated £60k shortfall in recycling credits income due to lower than budgeted tonnages of recycling material collected and an anticipated overspend of £50k on the disposal cost of recycled wood. This was due to higher than budgeted volumes of wood and a delay in the procurement of a new disposal contractor.
- There would be an estimated £120k income surplus for car parking in 2019/20. However, as a result of additional staffing costs being incurred and increased pay by phone and card charges, the total estimated surplus for car parking for 2019/20 was £60k.
- There would be a reduction in the Planning income received in 2019/20 as there had been a reduction in applications.

She further advised that the revenue account is currently showing a net surplus of 72K and the HRA capital expenditures is in line with the current approved budget. Similarly, the collection of council tax and business rates income as at

[Type text]

the end of September 2019, the projected outturn for 2019/20 and the outstanding sundry debt were all in line with the norm for this time of the year.

**RESOLVED THAT:**

**1. The contents of this report be noted, including the key projected variances to the 2018/19 budget and the expected delivery of services within budget.**

**12. BRIEFING FROM CABINET MEMBERS**

The Cabinet Members gave the following updates:

- The Cabinet Member Healthy Lifestyles confirmed that the first draw of the Cheltenham Lottery would take place on Saturday 9<sup>th</sup> November. 35 local organisations had signed up and this was expected to grow. The council were also working on developing a cultural strategy for Cheltenham and as part of this were looking at the children's festival for next year. She explained that she had been invited to speak about the work that Cheltenham was doing in terms of the no child left behind project, West Cheltenham development and the climate emergency at conferences in both Paris and Moscow. She stressed that this was paid for by organisations and national bodies. With regards to Cheltenham hospital, she thanked REACH for the work they had done in ensuring that Cheltenham would have an A&E.
- The Cabinet Member Finance explained that a joint press release had gone out regarding the Lido lease.
- The Cabinet Member Housing advised that they were undertaking a count on behalf of Central Government on the number of people sleeping rough in Cheltenham and would brief colleagues on the figures accordingly.
- The Leader advised that there was to be a Members' safety briefing taking place, which was particularly pertinent given the General Election.

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

<b>Cabinet Member</b>	<b>Decision</b>	<b>Link</b>
Development & Safety	Approve the revised Sexual Entertainment Venue Policy for consultation	<a href="https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1270">https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1270</a>
Finance	To pay £22,361 to the Cheltenham Playhouse theatre company to support the next phase of the redevelopment of the theatre.	<a href="https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1282">https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1282</a>
Leader	To authorise the Head of	<a href="https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1282">https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1282</a>



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	Property & Asset Management, Property Services to take decisions to purchase dwellings which he considers to be suitable for use as affordable housing.	<a href="http://ov.uk/ieDecisionDetails.aspx?ID=1281">ov.uk/ieDecisionDetails.aspx?ID=1281</a>
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**Chairman**

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