

## Cabinet

**Tuesday, 3rd March, 2020  
6.00 - 6.50 pm**

<b>Attendees</b>	
<b>Councillors:</b>	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)
<b>Also in attendance:</b>	Sarah Farooqi, Tim Atkins and Gareth Edmundson, Chief Executive

## Minutes

**1. APOLOGIES**

Councillor Clucas

**2. DECLARATIONS OF INTEREST**

There were none.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 11 February were approved and signed as a correct record.

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

There were none.

**5. EVENTS SCRUTINY TASK GROUP REPORT**

The Chair of the Scrutiny Task Group was invited to address Cabinet.

He reported that the Overview and Scrutiny Committee endorsed both the Scrutiny Task Group report and the minority report. He elaborated and explained that the minority report focussed on one of the issues which affected the majority of residents and it was hoped that this would be taken seriously.

The Leader thanked the Scrutiny Task Group for its report and explained that the Cabinet Member Healthy Lifestyles would fully consider the recommendations and formally respond in due course by bringing a report to Cabinet. Cheltenham hosted many successful events and it was important that all relevant factors were taken into consideration during the process.

### RESOLVED THAT

- 1. The findings and recommendations of the Scrutiny Task Group Report provided at Appendix 2 be noted;**

2. **The Scrutiny Task Group Minority Report provided at Appendix 3 be noted.**
3. **A formal Cabinet response to the reports be brought back to a future meeting of Cabinet.**

**6. GLOUCESTERSHIRE LOCAL TRANSPORT PLAN - DRAFT FOR CONSULTATION**

The Cabinet Member Development and Safety introduced the report. In his opinion the Local Transport Plan was out of step with the Joint Core Strategy and the Cheltenham Plan. In addition he felt that it did not address climate change or other significant issues such as those addressed in the Connecting Cheltenham commission.

He referred to the detailed points raised by the consultation as contained in Appendices 2 and 3 of the report.

The Cabinet Member explained that the summary of priorities in Appendix 3 represented a synthesis of the more detailed schedule of comments from CBC to the LTP consultation and reflected the positive stakeholder engagement generated through the Systra 'Connecting Cheltenham' commission and reflected the GCC engagement session with elected members and stakeholders. Concern was expressed that the Local Transport Plan was not sufficiently addressing these issues

Finally, he believed that the Local Transport Plan represented a real opportunity to put a marker down. Significant changes lay ahead and there was a need to think more radically if we were to succeed.

The Leader added that the key thing was for the County Council to take leadership on the issues and hoped that the recommendations of CBC would be taken on board. The County Council had regretfully become involved in the JCS rather late in terms of transport and this was a fundamental part of the future for Gloucestershire.

**RESOLVED THAT**

1. **The Cheltenham Borough Council's representations to Gloucestershire's Local Transport Plan (2015 – 2041) draft for consultation (as set out in appendices 2 and appendix 3), be agreed.**
2. **Authority be delegated to the Director of Planning to formally submit Cheltenham Borough Councils representations no later than 26th March 2020.**

**7. HOUSING REVENUE ACCOUNT - GARAGE STRATEGY**

The Cabinet Member Housing introduced the report and referred to the development and use of garage sites for much needed affordable accommodation in the borough. To date 13 former garage sites had been developed to provide 41 affordable housing units. Recognising that this was a resource intensive programme, the operational board had looked at the strategy and how developing potentially a further 35 garage sites

could be progressed against the established operational criteria.

**The Cabinet Member explained that the recommendations of the report set out the key milestones during which decisions/approvals would be taken in relation to the progression of any proposed sites. He referred Members to Appendix 2 of the report detailing how the sites were spread across the town.**

Finally, the Cabinet Member Housing highlighted that this was a good use of land-advocating the brownfield first approach. Whilst small, these represented much needed areas for housing.

## **RESOLVED THAT**

1. the garage strategy at Appendix 2 be approved
2. It be noted that :-
  - 2.1 the Head of Property Services, in consultation with the Cabinet Member – Housing will agree which sites will be taken forward for the further feasibility work as outlined above in the Executive Summary
  - 2.2 following the feasibility work, the Cabinet Member – Housing will receive recommendations from the Head of Property Services to approve those garage sites which should be developed as affordable housing to be owned by the Authority (subject to planning permission and costs being within budget)
  - 2.3 following identification of the garages sites pursuant to recommendation 2.2, CBH, on behalf of the Authority, will apply for planning permission and conduct procurements to select contractors to carry out the design and construction of the new housing
  - 2.4. subject to the tenders for the construction of the new housing being within the budgets approved by full Council and the receipt of planning permission, the Cabinet Member – Housing will approve the change of use of the garage sites to use for the provision of new Council owned affordable housing and will authorise the award of the contracts to the successful bidders where contracts are in excess of £100,000
  - 2.5 if the feasibility work identifies uses for the garage sites other than affordable housing to be owned by the Authority, a further report(s) will be prepared for approval by Cabinet or the Lead Member as required by the Constitution
3. Authority be delegated to the Executive Director – Finance and Assets, in consultation with the Cabinet Member Housing to:-
  - 3.1 submit and accept bids to Homes England for grant funding to support the delivery of new build schemes
  - 3.2 agree the tenure of the affordable housing that will be delivered on

individual sites

**4. Authority be delegated to the Head of Property, in consultation with the Borough Solicitor, to take all necessary steps and undertake all necessary procedures, including entering into any legal agreements and contracts which do not exceed £100,000 or other documentation as may be required to implement or facilitate the developments**

**8. LOCAL DISCRETIONARY BUSINESS RATES RELIEF SCHEMES**

The Cabinet Member Finance introduced the report and explained that the Local Revaluation Support had been available since 2017/18 to help businesses facing large increases in rates bills due to the 2017 revaluation. The Government allocated a specific sum of money to billing authorities for each of the four years 2017/18 to 2020/21 to fund a locally designed relief scheme.

2020/21 was the final year of funding for Local Revaluation Support Relief with just £7,700 being available to distribute to businesses. Those businesses in receipt of any other mandatory or discretionary reliefs, including those funded by the Government would be excluded from this scheme. This left about 120 businesses locally to share the £7,700.

Approval was now being sought to award the relief in line with the funding available and the scheme conditions as outlined in appendix 2.

The Cabinet Member Finance reported that in the budget statement on 29 October 2018 the Government announced that it would provide business rates discounts for retail properties for the financial years 2019/20 and 2020/21. In 2019/20 the discounts apply to occupied properties being used for retail purposes with a rateable value of less than £51,000. The value of discount is one third of the full rates payable, to be applied after other reliefs. The Government has confirmed that for 2020/21 the level of discount was being increased to 50% of the rates payable after all other reliefs and extended the criteria to include music venues and cinemas. She reported that the discount was now available to shops, bars, pubs, café's, restaurants, coffee shops and takeaways. It also included those properties being used for services such as travel agents, hair dressers, dry cleaners and shoe repairs.

The Cabinet Member Finance reported that on 22 January 2020 the Government announced its intention to provide a £1,000 business rate discount to pubs. The discount was a one year measure for 2020/21 only and would apply to pubs with a rateable value of less than 100,000, subject to state aid rules. The discount would be fully funded by the Government and was to be awarded in line with the detailed guidance in Appendix 4.

Finally, she paid particular thanks to the authority's Revenues and Benefits Team who had worked hard to use as much as possible of this money from government to support smaller businesses.

The Leader also wished to put on record his thanks to staff for maximising the amount allocated. Whilst the funding was welcome, it did however not represent a real replacement for a complete overhaul of the business rates scheme which he hoped would be progressed by government.

## RESOLVED THAT

1. the increase in the business rates retail discount scheme for 2020/21 as detailed in appendix 2 and the detailed guidance in appendix 3 be approved.
2. the local discretionary revaluation support scheme for 2020/21 in accordance with section 2 of this report and appendix 2 be approved.
3. the continuation of the Supporting Small Businesses Relief Scheme in accordance appendix 2 be approved.
4. the Pub Discount scheme for 2020/21 in line with appendix 2 and the detailed guidance in appendix 4 be approved.
5. the Executive Director Finance and Assets, in consultation with the Cabinet Member Finance, be authorised to reset the percentage relief level for local revaluation support in respect of 2020/21 if necessary.
6. Due to the volume of cases, delegate decisions relating to the application of these reliefs be delegated to the Head of Revenues and Benefits and officers in the Business Rates team. In the case of a dispute reconsideration is to be made by the Executive Director Finance and Assets.

## 9. **CYBER CENTRAL PROCUREMENT/ROUTE TO MARKET**

The Cabinet Member Development and Safety introduced the report and stated that Cyber Central represented the most important development this council had ever undertaken. The report sought authority for the council to start its search for a development partner to bring forward the land acquired at West Cheltenham for development. The vision was for the site to deliver a campus that integrated high-tech workplaces with leading academic facilities, exemplar homes and leisure uses.

**He reported that in advance of formal procurement process the council had been engaged in a series of soft market testing interviews relating to Cyber Central. These sought feedback on the approach and procurement process from a range of key operators, investors and developers in the market. This feedback had been used in formulating the delivery strategy for the project.**

The Cabinet Member referred to the procurement programme as outlined in paragraph 4.1 of the report and emphasised that there was a tight timescale starting in mid April with the selected preferred bidder to be announced in a year's time at the latest.

He emphasised that the council was looking to retain a significant level of control of the development which would require high levels of sustainability and build quality and would create attractive jobs.

He emphasised that this was a vital scheme for the future of the town.

Finally, the Leader added that he was keen for the project to progress, acknowledging that this was a complicated process.

#### **RESOLVED THAT**

1. the procurement route to market as set out below be approved :
  - a. **The Council seek a delivery partner with skills and experience of a Master Developer;**
  - b. **The delivery partner is secured for all of the Council's ownership and it is intended there is no separation of the commercial and residential elements of the proposed scheme;**
  - c. **The structure of the agreement is likely to be delivered through a Development Agreement or a Joint Venture, to be defined during dialogue with bidders;**
  - d. **Due to the Council's objectives and need to retain a degree of control over the development, the opportunity will need to be procured following EU procurement rules and it is recommended the Competitive Dialogue procedure is followed; and**
  - e. **Flexibility is built into the procurement and contract in order to allow for delivery over a lengthy time period, where there will be changes in policies, legislation and market conditions.**
2. the draft timetable for procurement noting key stages and time allowed be noted.
3. Authority be delegated to the Managing Director Place and Growth, in consultation with the Cabinet Member Development & Safety and Executive Director Finance and Assets to make key decisions through the dialogue and shortlisting stages of the procurement process. The final decision on the preferred bidder will be a decision of Cabinet prior to any contract close.

#### **10. CAPITAL, INVESTMENT, TREASURY AND MRP STRATEGIES AND STATEMENTS 2020/21**

The Cabinet Member Finance introduced the report and explained that the purpose of the Council's Capital Strategy was to document the principles and framework that underpinned its longer-term capital investment and expenditure proposals. The Capital Strategy was a new requirement for councils to produce from April 2018 following the publication of the revised Prudential Code for Capital Finance in Local Authorities 2018.

The Cabinet Member Finance elaborated that Cheltenham Borough Council's Capital Strategy formed a key part of the council's overall Corporate Planning

Framework. It provided a mechanism by which the council's capital investment and financing decisions can be aligned with the Council's overarching corporate priorities and objectives over a medium term planning horizon.

The Strategy set the framework for all aspects of the council's capital expenditure; including planning, prioritisation, management and funding. The Strategy had direct links to the Council's Asset Management Strategy, Commercial Strategy, Investment Strategy and Treasury Management Strategy and formed a key part of the Council's Medium Term Financial Strategy. In December 2017, CIPFA published updates to the Prudential Code and The Treasury Management Code of Practice. The new Prudential Code required the Council to approve a Capital Strategy on an annual basis in advance of the forthcoming financial year. The Ministry of Housing, Communities and Local Government (MHCLG) have also updated statutory guidance on treasury management which has resulted in changes to the Treasury Management Strategy and the introduction of a separate Investment Strategy. For 2020/21 a new set of strategic documents require Council approval. This was scheduled to take place on Monday 23 March.

**RESOLVED THAT**

Council be recommended to consider and approve the following :

- The Capital Strategy 2020/21 at Appendix 2
- The Investment Strategy 2020/21 at Appendix 3
- The Treasury Management Strategy Statement 2020/21 at Appendix 4
- The Minimum Revenue Provision (MRP) Statement 2020/21 at Appendix 5

**11. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Development and Safety informed the meeting of ongoing work with Gloucestershire County Council, the Police and partner councils with regard to the Cheltenham Festival. The aim of this work was to ensure that public safety was maximised.

The Cabinet Member Finance reported that last week Folk to Folk were welcomed into the Municipal Offices as occupants of the building. She looked forward to working collaboratively with them as CBC was the first local authority to invest in Folk to Folk lending.

Finally the Leader reported on COVID 19. Whilst CBC was not the lead organisation it would play a supporting role if and when it broadened out to the wider community.

As an authority the use of technology and home working would be maximised to ensure minimal disruption to services. CBC was broadly dependent on central advice via the Chief Medical Officer and government. The NHS was the lead agency.

**12. CABINET MEMBER DECISIONS**

Cabinet Member Clean and Green	<b>Procurement of Tractors and Mowers</b>	<a href="https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1322">https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1322</a>

Environment		
Cabinet Member Finance	<b>To award the supply of energy to CBC to the WME</b>	<a href="https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1324">https://democracy.cheltenham.gov.uk/ieDecisionDetails.aspx?ID=1324</a>

**13. 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 paragraphs 3 and 5, 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)**

**Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings**

**14. HOUSING REVENUE ACCOUNT - ACQUISITION OF MONKSCROFT  
SCHOOL SITE**

**The Cabinet Member Housing introduced the report which sought approval for the acquisition of the Monkscroft School site for the purpose of developing a wholly affordable housing scheme. He wished to thank officers from both CBC and CBH for their work on this matter.**

The Leader welcomed the acquisition which would potentially facilitate further regeneration in the West Cheltenham area.

**RESOLVED THAT**

**The recommendations be approved.**

**15. A PROPERTY MATTER**

The Cabinet Member Finance introduced the report which sought Cabinet’s approval for investment into a proposed development in the town to facilitate its delivery.

**RESOLVED THAT**

**The recommendations be approved.**

**16. A LEGAL MATTER**

The Cabinet Member Finance introduced the report and provided Members with the background to the issue.

Members then discussed the proposal.

The Head of Law was invited to address Cabinet to update Members.

**RESOLVED THAT**

**The recommendations be approved.**

**Chair**