

Cabinet

**Tuesday, 12th July, 2022
6.00 - 6.55 pm**

Attendees

Councillors: Rowena Hay (Leader of the Council), Peter Jeffries (Deputy Leader and Cabinet Member Finance & Assets), Victoria Atherstone (Cabinet Member Housing), Flo Clucas (Cabinet Member Safety & Communities), Mike Collins (Cabinet Member Cyber, Regeneration and Commercial Income), Martin Horwood (Cabinet Member Customer & Regulatory Services), Alisha Lewis (Cabinet Member Climate Emergency) and Max Wilkinson (Cabinet Member Economic Development, Culture, Tourism and Wellbeing)

Also in attendance: Howard Norris, Paul Jones, Harry Mayo, Bev Thomas, Gemma Bell, Tracey Birkinshaw, Steve Slater, Martin Stacy and Councillor Diggory Seacome

Minutes

- 1. APOLOGIES**
Apologies were received from Cllr. Dobie.
- 2. DECLARATIONS OF INTEREST**
There were none.
- 3. MINUTES OF THE LAST MEETING**
The minutes of the 5th April meeting were approved as a correct record.
- 4. PUBLIC AND MEMBER QUESTIONS AND PETITIONS**
Member Questions

1.	Question from Councillor Tabi Joy to Cabinet Member Customer & Regulatory Services, Councillor Martin Horwood
	<p>The council (and the public) should be aware that Cheltenham's Air Quality Action Plan expired in 2019. Questions chasing the preparation of the new AQAP have been asked at the January 2020 Cabinet; the February 2021 Council; the April 2021 Cabinet; and most recently at Cabinet in February 2022.</p> <p>At the Cabinet meeting on 15 February 2022, Cllr Max Wilkinson said that the long-delayed new Air Quality Action Plan would be published before the end of March 2022.</p> <p>I can't see any reference to it on the council website: <u><i>When will the AQAP</i></u></p>

	<u>be published?</u>
	Response from Cabinet Member
	<p>I thank Cllr Joy for her question as she highlights the issue of air quality in Cheltenham, which is a priority for me as it was for the previous cabinet portfolio holder, Cllr Wilkinson.</p> <p>In 2020 the council had examined data from 21 sites across Cheltenham, consulted with Defra and agreed to change the statutory Air Quality Management Area (AQMA) to rightly focus on the relatively small area where the Air Quality Objective of 40µg/m³ for NO₂ was being exceeded. Therefore, the earlier Cheltenham Air Quality Action Plan was made obsolete by changes to the Air Quality Management Area. This follows common practice by other boroughs such as Sutton and Brighton. However, it did then require a new statutory Air Quality Action Plan focussed on that most polluted area in the vicinity of Swindon Road, Poole Way and the Lower High Street but at a time when all staff were under pressure during the pandemic.</p> <p>Clean Air Cheltenham have nevertheless lobbied for a town wide plan and we agree with them. Air quality affects us all and WHO have recently recommended much lower threshold levels not only for nitrous oxides but for particulate matter as well.</p> <p>So we are maintaining air quality monitoring beyond the statutory AQMA and Cllr Wilkinson told Clean Air Cheltenham in June last year that we would go beyond the statutory minimum, produce a town wide plan, engage with the county council highways authority to tackle the major cause of air pollution which is traffic, and also with other partners like the NHS and local business. But, he rightly pointed out that this path “would take a little longer” and this has indeed proved to be the case.</p> <p>Cllr Wilkinson did say in February 2022, that he anticipated both the statutory AQMA action plan and the wider strategy would be published together and that this might happen in March but this has not proved possible. A lot of work has been done for us by consultants but given portfolio changes at both officer and cabinet level, new WHO guidelines and possible changes in levels of pollution as we recover from the pandemic, I would now like to take the time to review this area and make sure that the town-wide plan is right rather than produce an earlier but more limited document. I’m sure I will have all colleagues’ support in doing it right rather than too quickly.</p> <p>But in the meantime, Cllr Joy can be reassured that we continue to monitor air pollution levels across Cheltenham which are overwhelmingly within the Air Quality Objective level, that we continue to engage with Gloucestershire County Council to pursue strategies such as the cleaner transport plans set out in the Connecting Cheltenham report and that we will do everything in our power and resources to make the air that we all breathe cleaner and safer.</p>
	Supplementary question
	Today I had a query from a constituent living in a council-run flat on

	<p>Swindon Road, relating to my question on air quality management. Over the last few years (excluding the expected decrease in 2021), the air pollution level has been only half a percentage point underneath the legally enforceable threshold of 40. There is a serious issue with air quality on Swindon Road and in other monitored areas, and is particularly bad this hot weather. Has the council received permission or approval from DEFRA for the extended delay referred to in the Cabinet Member's answer, beyond the legal requirement for a new AQAP to be in place within 12 months of the previous one expiring?</p>
Response from Cabinet Member	
	<p>Thank you for your supplementary question on an issue we are all concerned about. It is not quite correct to say that the previous AQAP expired – in effect, it became out of date at our own request, following the example of councils like Brighton and Sutton, in consultation with DEFRA, designating a smaller AQMA focusing on the worst affected part of the town. This had the effect of making the previous plan obsolete. They could have just produced a plan for that one area, but Clean Air Cheltenham (along with Cllr. Wilkinson and I) were keen on developing a town-wide plan. This will be delivered, though it is taking some time to cross the Ts and dot the Is.</p> <p>In response to your specific query about DEFRA, I don't have the answer to hand but will seek a proper technical response from officers. They have been consulting with DEFRA, and it's partly at DEFRA's suggestion that we've taken this approach. We must be alert to air quality and work with all stakeholders. It is clear that key element is traffic (i.e. a county council responsibility) so their cooperation is essential. It is important to take time and get this right rather than rushing it.</p>

5. FINANCIAL OUTTURN 2021/22

The Cabinet Member Finance and Assets introduced the report, which covered the financial outturn from the budget approved in February 2021, and would go on to Council on 18th July. The outturn position as of 31st March 2022 reported an underspend of £229,116 against the revised budget. He acknowledged the current cost of living emergency, which paragraphs 2.5 and 2.6 made reference to. £60k of the underspend had been set aside to support Cheltenham's Food Network, with the remainder moved to general balances. During increasingly unpredictable economic and political times, they needed to focus on staff delivering core services and the four key priorities of Cyber Central, their £180m housing investment program, Net Zero Cheltenham and No Child Left Behind.

The Cabinet Member Safety and Communities highlighted the positive impact of the council's investment program, in particular the delivery of 2,000 food parcels to vulnerable families. In addition to this, she had recently spoken to a young person who wanted to get involved in finance but did not have access to the pathway to do so. She was delighted that the Executive Director Finance, Assets and Regeneration had invited them to do work experience, an invaluable opportunity that may well lead to a career in finance in the future.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

Council be recommended to:

1. Receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that in delivering services in 2021/22, there was an underspend of £229,116 against the budget approved by Council on 21 February 2021;
2. Note £656,218 of carry forward approved by the Section 151 Officer under delegated powers at Appendix 5 and approves £48,500 of carry forward which require Member approval;
3. Approve the proposal for the use of the underspend after the carry forward requests outlined in Section 3 of this report and delegate authority to the Executive Director of Finance and Assets in consultation with the Lead Member for Finance and Assets to ensure the underspend is used in line with this proposal in Section 2.8;
4. Note the annual treasury management report at Appendix 7 and note the actual 2021/22 prudential and treasury indicators;
5. Note the capital programme outturn position as detailed in Section 6 and Appendix 8, approve the carry forward of unspent budgets into 2022/23 and the inclusion of two new projects in the 2022/23 capital programme with a funding commitment of £50k;
6. Note the year end position in respect of Section 106 and CIL agreements and partnership funding agreements at Appendix 9;
7. Note the outturn position in respect of collection rates for council tax and non-domestic rates for 2021/22 in Appendix 10;
8. Receive the financial outturn performance position for the Housing Revenue Account for 2021/22 in Appendix 11 and approve the carry forward of capital budgets in 2022/23 as set out in Appendix 12.

6. HOUSING, HOMELESSNESS & ROUGH SLEEPING STRATEGY 2018-23 - ACTION PLAN UPDATE 2022

The Cabinet Member Housing introduced the report, thanking officers for their hard work in putting it together. The strategy set out their vision and priorities in order to achieve four key outcomes, namely increasing the provision of affordable housing; making best use of existing housing and improving our neighbourhoods, tackling homelessness and rough sleeping; and improving the health and wellbeing of our communities. The strategy was originally approved by Cabinet in July 2018, and was a living document that was updated annually to reflect changing challenges and opportunities. This report sought to review the most notable achievements and look forward to the future.

71 new affordable homes had been provided during 2021/22, 69% of which were delivered over and above what would have been delivered through market forces alone. They were continuing to identify new sites for more CBC-owned affordable housing and had a strong pipeline of 366 affordable homes. That figure would continue to improve, and she was confident they would reach their pipeline target of 500 affordable homes by the end of the year. They were expecting to allocate approximately £17m from the Housing Revenue Account on new affordable homes for the period 2022/23, and were projecting further investment of c.£50m over the following 2 years to March 2025. This was in addition to the Golden Valley Development in West Cheltenham, which would see the provision of over 3,000 new homes, 35% of which would be affordable.

This increase in the delivery of affordable housing in Cheltenham was part of a wider £180m housing investment plan. As part of this plan, CBH had acquired, refurbished and let 13 high quality homes in the private rented sector at St George's Place in the town centre. They were also investing in new net zero carbon homes, with planning permission now granted at 320 Swindon Road for 24 highly energy efficient new homes.

In addition to this, they had improved the safety of more than 847 households in the private sector in Cheltenham, while three long term empty homes had also been brought back into use. Due to recent organisational improvements, the council was in a better position to explore options for the use of Compulsory Purchase Orders, with the aim of bringing the most difficult properties back into use. Through the Warm & Well scheme, which provides free, impartial home energy efficiency advice to fight fuel poverty, they had undertaken 88 energy efficiency measures across 70 properties in Cheltenham, leading to estimated lifetime savings of 1,871 tonnes of carbon, and reductions in energy bills.

Despite the significant impact of the pandemic on the sector, CBH had also ensured that their replacement doors and window programme would be completed by March 2023. Improvement so far had contributed to a further uplift in the SAP rating of their homes to 73.02, compared with 72.02 in 2019, and exceeding the average SAP rating of 69 for local authority housing stock. CBC (via CBH) also secured approximately £780k grant following a successful bid earlier this year to Wave 1 of the government's Social Housing Decarbonisation Fund Demonstrator Project, and helped 26 households to downsize from family-sized CBC accommodation via Cheltenham's Help to Move Scheme. In total, 30 unused bedrooms had been freed up for larger families under this initiative.

She continued by highlighting the topics of homelessness and of rough sleeping. Cheltenham was proud to be a town of sanctuary, and continued to resource all that was necessary to help displaced families from Afghanistan and the Ukraine to feel welcomed and settled in their new homes and communities. The measures required to end rough sleeping were complex, and required significant collaboration with partners across the county. Over the past 12 months, they had reviewed and strengthened their partnership arrangements, with Cheltenham's Housing Strategy & Partnership Manager now leading the county-wide Programme Management Partnership, involving District Authorities, the County Council, the Police and Crime Commissioner and Health. This partnership was responsible for the commissioning, monitoring and review of all jointly-commissioned rough sleeping services.

This year, the government had announced there would be a three year funding bid opportunity to support the delivery of rough sleeping services from July 2022. Districts from across the county had submitted a joint bid for approximately £2.9m. If successful, this funding would enable key services for rough sleepers to be commissioned across the county through to March 2025, providing much-needed certainty for commissioners and providers alike. In 2021/22 there were 216 households whose homelessness was either prevented or relieved, compared with 145 households during 2017/18, prior to the implementation of the Homelessness Reduction Act and CBC's Housing, Homelessness & Rough Sleeping Strategy. Cheltenham's Housing Options Service was one of the few homelessness services that also included a much-valued Benefits and Money Adviser. During the last 12 months alone, CBC's

adviser had generated an additional £1.4m for low-income households in Cheltenham. This year, they had also recommissioned the Advice and Inclusion Service, which began providing debt, benefits, financial inclusion and housing rights advice to Cheltenham residents on behalf of CBC from April 2022.

Finally, she highlighted the actions taken to improve the health and wellbeing of communities, including tackling antisocial behaviour (ASB). CBC had successfully resolved all 68 cases of ASB during 2021/22, while CBH's Employment Initiatives Service had enabled 127 people to access training locally and helped a further 93 people into work. A new Home-Sharing Scheme bringing together older people with spare rooms and people in need of affordable accommodation was being supported with their Health and Social Care partners. They were also continuing to invest in Cheltenham's park homes and had insulated a further 24 park homes this year. CBC's Lifeline Alarm service had carried out 173 new installations over the last 12 months, taking the total number of customers to 1,036 across Cheltenham. 64 Disabled Facilities Grants had supported major adaptations to people's homes, plus a further 10 discretionary grants which had enabled disabled or frail people to remain in their homes. Appendix 2 of the report provided a detailed breakdown of the range of activities that would be undertaken during 2022/23 and beyond in order to support the strategy.

The Cabinet Member Finance and Assets was impressed by the huge volume of activity taking place behind the scenes to tackle housing and homelessness issues. The report demonstrated the value of partnership working, and the need for it to continue. He placed on record his thanks to all the partners and organisations involved.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The Housing, Homelessness & Rough Sleeping Strategy Action Plan Update for 2022 be approved.

7. STRONGER WORKING PARTNERSHIP PROGRAMME - PROGRESS REPORT

The Cabinet Member Housing introduced the report, highlighting the progress made within the council's partnership with CBH. The council and CBH had enjoyed a long and successful partnership, with tenant and customer satisfaction remaining high across their stock of 4,000 homes across Cheltenham. It was critical that the partnership continued to evolve and thrive, ensuring they were in the strongest possible position to support tenants, customers and the wider community. By working closely together, their collective capacity and ability to deliver for Cheltenham's communities could be enhanced, in addition to driving efficiencies and improving value for money. Following an independent review by Campbell Tickell, a Cabinet report was agreed in January 2021 developing a program of work setting out opportunities, outcomes, savings and efficiencies. This report, following in the same vein as the last one to Cabinet in November 2021, sought to update Members on the partnership's progress.

The Cabinet Member Cyber, Regeneration and Commercial Income thanked her for bring the report to Cabinet. He was familiar with the topic from his time in the Housing portfolio, and reiterated the value of partnership. It was important to keep in mind that the most important people were tenants and residents.

The Leader added that this was a positive update on where they were on their journey. It was essential to continually improve the service they offered and deliver the highest possible level of customer satisfaction.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The positive progress on outcomes made on the recommendations from the Strategic Housing Review Cabinet Report January 2021 be noted;
2. To drive ongoing continuous improvement and to capitalise on further opportunities to strengthen the successful CBC/CBH partnership in the short, medium and long term:
 - a. the Strengthened Partnership Programme, including existing and future actions and projects be embedded within business planning and priority setting between CBC/CBH as set out in section 6;
 - b. A shared project be undertaken by CBC and CBH to drive continuous improvement in organisational culture to further embed and foster the ethos of partnership working and encourage shared values and behaviours that will deliver future positive change and success that will improve services and value for money for residents, tenants and customers.

8. CHELTENHAM CHRISTMAS ICE RINK

The Cabinet Member Economic Development, Culture, Tourism and Wellbeing introduced the report, describing the 2021 ice rink as a key success as they recovered from the pandemic and lockdowns. This report sought to build on that success and deliver an even better ice rink in 2022. He noted that last year's rink had seen a total of 43,000 visitors, an average of nearly 1,000 a day. Their statistics showed that the majority of visitors were local residents, with more than £14m spent in the local economy during that time, alongside the Christmas market. More than 500 vulnerable families received free or discounted tickets as part of No Child Left Behind. In addition to all this, the scheme had covered its costs, delivering a small surplus of around £5,000.

However, there were some responses which had given people pause for thought. Cllr. Seacome was present at the meeting on behalf of some of the residents who complained, and the Cabinet Member assured him that their concerns had been taken into account. This time around, there would be no diesel generator, and they were seeking a cleaner alternative power supply in keeping with the council's climate change goals. In summary, the report demonstrated their comment to providing wholesome, fun activities at Christmas, as well as a commitment to reducing the impact of those activities.

The Cabinet Member Safety and Communities asked whether the same discounted and free tickets would be available as last year. The Cabinet Member Economic Development, Culture, Tourism and Wellbeing was sure that they would be. Last year's ice rink had delivered a small cash surplus, expected to be much higher this time, and he was confident this would be suitably reinvested.

The Cabinet Member Housing added that it was a shame many people had been unable to enjoy the rink last year due to fears around the Omicron variant, and she was pleased that visitors could attend with more confidence in their safety this year. It would be a huge economic boost to the town in tandem with

the Christmas market. The Cabinet Member Economic Development, Culture, Tourism and Wellbeing agreed that last year they had undertaken an ambitious project and the risk had paid off. This year, people could be much more confident about safety, and they could expect a higher turnout as a result.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. In advance of planning permission being considered by the Planning Committee on (anticipated 18 August 2022), and noting the costs and risks set out in this report, Cheltenham Borough Council agrees to lead the delivery of an Ice Rink in Cheltenham for the 2022 Christmas period;
2. A total potential financial commitment as set out in section 2.22 of this report alongside the income targets be approved;
3. It be noted that officers are progressing procurement, and that the authority to appoint a contractor to provide the Ice Rink be delegated to the Director of Communities and Economic Development, including agreeing the terms of the contract and entrance fees, in consultation with Director of Finance and Assets and the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing.

9. LANSDOWN PLACE LANE CAR PARK

The Cabinet Member Finance and Assets introduced the report, reminding Members that Council and Cabinet had approved the updated Asset Management Strategy in February 2022. The strategy refreshed the council's approach to its assets, focusing on maximising benefits and looking closely at what they were generating or costing. The Lansdown Place Lane Car Park ran at a loss, with its income not sufficient to cover the business rates. It was therefore proposed that, subject to the proper consultation being undertaken, it be removed from the Car Parking Order.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1.
 - a. The process of potential removal of the car park from the council's current Car Parking Order and, subject to the outcome of the proper consultation process, the car park's removal from the Car Parking Order be approved;
 - b. The declaration of the site as a Surplus asset be approved;
 - c. The disposal of the car park in return for a capital receipt be approved;
2. Authority be delegated to the Director of Finance & Assets, in consultation with the Cabinet Member for Finance & Assets, to market and dispose of the property for best consideration and upon such other terms as are deemed appropriate;
3. The Executive Director for Property, Finance & Assets be authorised,

in consultation with the Cabinet Member for Finance & Assets and the Borough Solicitor, to prepare and conclude the necessary legal documentation to reflect the terms negotiated.

10. CABINET APPOINTMENTS TO OUTSIDE BODIES

The Leader introduced the report, noting that since its publication Cllr. Flynn had withdrawn her nomination to Friends of Leckhampton Hill. However, the outstanding issue of Hesters Way Partnership and Sandford Park Lido having more nominations than spaces would be determined by Council on 18th July. A fourth recommendation had been added explaining this.

The Cabinet Member Finance and Assets queried whether he needed to declare an interest as one of the Members nominated in the report. The Monitoring Officer confirmed that he did not.

The Leader moved to the vote, where it was unanimously:

RESOLVED THAT:

1. The nominations/appointments to the outside bodies as set out in Appendix 2A be made, 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;
2. The appointments to joint committees as set out in Appendix 2B be made;
3. The Cabinet Member responsibilities for the bodies/groups listed in Appendix 2C be noted;
4. The nominations/appointments to the West Cheltenham Partnership (formerly Hesters Way Partnership) and Sandford Park Lido be referred to full Council for determination as a consensus cannot be achieved between all the Political Groups of the Council, and, in those circumstances, the matter falls to be decided by the full Council under the terms of the Constitution.

11. BRIEFING FROM CABINET MEMBERS

The Cabinet Member Cyber, Regeneration and Commercial Income reported that on the 12th July, CBC had signed the contract with its development partner for the Golden Valley development. This was the biggest project the council had

ever undertaken, delivering 12,000 jobs and 3,700 houses alongside enormous benefits to the town, its economy and its young people.

The Leader added that there were now a total of 176 refugees from Afghanistan, Syria and Ukraine in the town. 117 sponsors' homes had been inspected out of 145 in total, and a further 214 guests were expected, along with 8 to 10 rematches. Cheltenham was living up to its reputation as a Town of Sanctuary, and she thanked officers for enabling this.

Decisions of Cabinet Members

The Cabinet Member Culture, Wellbeing and Business had taken a decision on 20th April to sign a contract with Watkins Isles Ltd for the maintenance of water features. It was noted that this decision was taken by the previous Cabinet Member for Culture, Wellbeing and Business, and before the portfolio title was changed to Economic Development, Culture, Tourism and Wellbeing.

The Cabinet Member Waste, Recycling and Street Services had taken a decision on 13th May to approve the award of a three year contract (with the option of a two year extension) to Yotta by Ubico Ltd, and to fund Ubico to facilitate implementation costs.

The Cabinet Member Finance and Assets had taken a decision on 13th May to dispose of the council's freehold interest in the Horse & Groom, 30 St. George's Place. He added that this was now completed.

The Leader had taken a decision on 18th May as the council's Ubico shareholder to approve their updated Business Plan.

The Cabinet Member Safety and Communities had taken a decision on 13th June to award a grant of £10k to the Cheltenham Alliance for Race Equity (CARE). She highlighted the excellent work done by this body and thanked Florence Nyasamo-Thomas in particular. CARE worked with numerous organisations across the town, including giving talks to schools, and it was all part of the essential work of achieving equity and equality in Cheltenham.

The Cabinet Member Finance and Assets had taken a decision on 22nd June to approve the Discretionary Council Tax Energy Rebate Scheme for the first phase of applications. He thanked the Revenues and Benefits team for working furiously behind the scenes to ensure funding was distributed promptly.

The Cabinet Member Customer and Regulatory Services had taken a decision on 24th June to approve consultation to see if there were local circumstances when CCTV in vehicles would have either a positive or adverse effect on the safety of taxi and private hire vehicle users. He added that this was part of their commitment to making Cheltenham safer, especially for women and girls, as it could help provide firmer evidence for potential victims. He stressed that at this point this was not a policy proposal, but rather the beginning of consultation into its possible impact.

Chair

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