

# Cheltenham Borough Council

## Cabinet

## Minutes

**Meeting date:** 11 July 2023

**Meeting time:** 6.00 – 7.15pm

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**In attendance:**

**Councillors:**

Rowena Hay, Peter Jeffries, Victoria Atherstone, Flo Clucas, Mike Collins, Iain Dobie, Martin Horwood and Alisha Lewis

**Also in attendance:**

Gareth Edmundson (Chief Executive) and Paul Jones (Executive Director of Finance, Assets and Regeneration), Helen Down (Head of Place Marketing and Inward Investment), Councillor Willingham (as Chair of Scrutiny Task Group).

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### **1 Apologies**

Apologies were received from Councillor Wilkinson.

### **2 Declarations of interest**

The Leader suggested that all Members had a collective non-pecuniary interest in Agenda item 11, Recommended allocations of neighbourhood Community Infrastructure Levy funds

### **3 Minutes of the last meeting**

The minutes of the meeting held on 13 June 2023 were approved and signed as a true record.

### **4 Public and Member Questions and Petitions**

Two public questions had been received.

## **1. Question from Mr Steven Thomas to Cabinet Member for Climate Emergency, Councillor Alisha Lewis**

Cheltenham 2030 details very radical plans to completely change the town in a way that has never been seen before. I see as well there are considerations to turn Cheltenham into a ULEZ like Bath and Birmingham. Please detail the consultations that you have carried out with the general public, and where you have obtained their consent.

### **Response from Cabinet Member**

This particular issue falls outside the jurisdiction of the Borough Council, as we are not the designated highways authority. Those powers are held by Gloucestershire County Council, to whom this question might be more constructively addressed. It is not currently the intention of Cheltenham Borough Council to lobby GCC for such a scheme. Instead, our discussions with our colleagues at the County Council revolve around enhancing local cycle infrastructure, delivering EV charging infrastructure, and ensuring the provision of reliable low-cost bus services that align with the needs of Cheltenham's residents and businesses.

Cheltenham Borough Council is committed to promoting sustainable travel options and is working collaboratively with our residents and partners to achieve our goals. We are proud of the projects we are currently leading on in this area, including our upcoming town centre Cycle Hub. We have consulted extensively with the public on this scheme, including a survey and a survey results social event hosted in partnership with Cheltenham Zero. We were delighted to share the constructive work we are undertaking to support sustainable travel, from EV chargers to staff cycling schemes, at our recent Sustainable Travel Showcase.

### **Supplementary question from Mr Thomas**

What is the official definition of a climate emergency? If the Cabinet Member cannot define it, how can we know when it has ended?

### **Response from Cabinet Member**

It would be worth referring back to Council motion declaring a climate emergency, which demonstrates that the council's position is broadly based on the substantial impact that anthropomorphic-based climate change is having on our planet, our environment and our local green spaces, and on the planet's future. Our position would be that if this were to change, we would have to review the motion, but so far we are seeing increased human-based climate change so I cannot see any reason why we are likely to rescind that motion.

## **2. Question from Mr Steven Thomas to Cabinet Member for Waste, Recycling and Street Services, Councillor Iain Dobie**

Has the sewage leak into Pittville Park lake been addressed, which has killed lots of fish? Have you spoken with the water company that is likely responsible for causing this to ensure it does not happen again.

### **Response from Cabinet Member**

There has not been a sewage leak into Pittville Lake.

Recently we experienced a spike in fish deaths due to climatic conditions. The long dry spell we had, combined with brief storms, caused sudden oxygen loss in parts of the lake. The 'splash aerators' that we have in the lakes to help oxygenate the water minimised these losses.

Simultaneously, the Environment Agency (EA) reported an unprecedented number of similar occurrences across the country.

Our Green Space team subsequently mitigated the situation by extending the time periods that the splash aerators were in operation.

This is a complicated matter and is not one which the council can address single-handedly. The high temperatures that we experienced in June (the highest since records began in 1884) are very likely linked to climate change.

We will continue to work with the EA and, where appropriate, Severn Trent Water, to try to minimise the issues highlighted.

### **Supplementary question from Mr Thomas**

The temperature in the UK didn't rise above 32.2 degrees in June, and the highest recorded temperature in Cheltenham was 37.1 degrees in 1990, with subsequent storms which didn't result in dead fish. There are hot, dry spells followed by storms every summer. Can the Member explain why this should cause oxygen loss?

### **Response from Cabinet Member**

Having lived in Cheltenham for a long time, I remember 1976 and 1990, when the then-highest temperature was recorded in Cheltenham, but this was just one day rather than a prolonged period. I am assured by staff responsible for parks, gardens, watercourses and lakes, that extreme temperature occurrences in limited areas of water have an effect on the ability of the water to carry oxygen. We brought in experts to look at the situation for the fish population before the hot weather spells, and were assured that they were healthy, but analysts have confirmed that oxygen levels were reduced as a result of the high temperatures in June, and we must listen to those experts. There is consensus among most people that there is a climate crisis, and this is taken seriously by the council.

## **5 Scrutiny Task Group report - Tackling Multiple Deprivation**

The Chair of the Scrutiny Task Group introduced the report, and began by thanking witnesses, officers, the Democratic Services team and members of the task group. In particular, he thanked Harry Mayo and Councillor Payne for their support with this piece of work. He said the report highlighted the stark divide between the haves and have-nots in the borough, with some areas statistically among the 10% most deprived areas in the country, and the council needs to focus on those areas to help them thrive.

The report presents 21 recommendations across diverse portfolios, and with objectives linking back to the Forward Plan. Much of the work is already being undertaken, and he would like to apply an outcome-based accountability model to measure what has been done and how lives have improved as a result.

He recognised that delivering a large number of recommendations with limited resources was daunting and that there were no quick fixes, but we have to start somewhere, and the delivery documents must be living documents which can change over time. In the first instance, he suggested targeting some of the activities, doing them well, and seeing the positive difference they make to communities. The report recognises that, as a lower tier authority, there are many areas CBC cannot tackle but can only hope to influence, and therefore asked Members to use their influence to lobby and encourage others – CBH, GCC, the Gloucestershire Constabulary, NHS, MP – to hold them to account, and also use the Local Government Authority to lobby central government for other changes in legislation.

With the current cost of living crisis, he realises this is doubly difficult, and said we need innovative low or no-cost strategies, urging Cabinet to look at partnering initiatives with GCC TBC and Cotswold DC.

The Leader offered massive thanks to all who took part in this great report which has thrown a lot of light on matters. She said CBC is already doing a great deal, but here is an opportunity to measure progress and report back to Overview and Scrutiny in a year's time.

The Cabinet Member for Finance and Assets said many of these questions have been asked over the years but not in such detail, There are many issues CBC cannot solve, but should do its best to alleviate, and do all it can, through partnership work where necessary. He wholeheartedly supports the report.

The Cabinet Member for Housing was particularly drawn to the recommendations around housing and the link to working with CBH. She said some of the points were already being addressed and she was looking forward to working with the Scrutiny Working Group to monitor and track progress.

The Cabinet Member for Climate Emergency also congratulated Councillor Willingham and the team on a fantastic report, and put on record her thanks to the climate team, who are determined to look at how the climate budget can be invested in communities, tackling challenges such as fuel poverty and deprivation. So far, they have managed to protect community infrastructure such as churches and community centres, and are helping to tackle fuel poverty, working towards Net Zero council homes, with the dual impact of making homes warmer and cheaper and also reducing emissions.

The Cabinet Member for Safety and Communities thanked Councillor Willingham as leader of the team, saying this report built on work already done with No Child Left Behind, the Large Enterprise Action Group, food network and partners across Cheltenham, while also looking to the future. She said the cost of living crisis is causing real difficulties for ordinary people in all communities, and as winter approaches, this will get a lot worse. She also thanked officers who worked through communities and with organisations to make things happen, giving more people hope for the future and a belief in CBC's ability to get things done.

The Cabinet Member for Customer and Regulatory Services also thanked the Scrutiny Working Group for this welcome and sobering report, saying that inequality wasn't just found in different parts of Cheltenham, but also in close proximity within the same area. He welcomed the emphasis in the report on signposting and communication, as help is often available if people only knew where to ask. He was pleased that help could be found on line and via social media, but that there were other options for the many people with internet access.

The Leader thanked Councillor Willingham for attending, and looked forward to a progress report in a year's time. She asked that Cabinet's thanks be conveyed to the cross-party working group and all officers involved in the report.

## **6 Housing, Homelessness and Rough Sleeping Strategy**

The Cabinet Member for Housing presented her report, thanking housing officers at CBC and CBH for producing the updated strategy, which highlights progress made over the last 12 months and priorities for the coming years. She reported good progress, despite many challenges, and emphasised the importance of effective collaboration with partners, including CBH, other registered providers, the voluntary sector, county council, health services and neighbouring district authorities.

The Cabinet Member for Cyber, Regeneration and Commercial Income thanked the Cabinet Member for Housing and officers for an interesting report, saying that reading this long and complex report was made easier by the use of infographics.

Having presented the last strategy in a previous Cabinet role, the Cabinet Member for Finance and Assets said it was interesting to see such great progress, reduction in homelessness, and partnership working. He said it was concerning that the figures had not improved regarding rough sleepers, and was worried that the proposed renters reform bill may make the problem worse – in the last 12 months, unaffordable increases in rent were the main reason for loss of accommodation in the private sector. He said the government needed to do something positive here, but thanked the Cabinet Member for Housing, Martin Stacy and other officers and partners for their hard work.

### **RESOLVED THAT:**

- 1. the Housing, Homelessness & Rough Sleeping Strategy 2023-28 is approved;**
- 2. the Tenancy Strategy 2023-28 is approved.**

## **7 In partnership with Cheltenham BID - Vacant Units and Town Centre Land Use Efficiency**

In the absence of the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing, the Leader read out an introduction from him, which highlighted the following:

- high streets and town centres and the demand for retail space are changing, not just because of recent economic woes but because of on-line shopping and conversion of retail space to warehouse use for online retailers such as Amazon;
- local areas can either do nothing or adapt their approach and make the best use of what they have; this report is part of CBC's response;
- an audit by a national high streets expert has shown that Cheltenham's High Street and retail environment is performing relatively well, with lower-than-average vacancy rate and new retailers moving in, although we cannot afford to be complacent;
- the report's recommendations will feed into the action plan later in the year, which will include enabling more residential accommodation in the town centre by converting underused space into new homes, utilising brownfield sites in an environmentally and economically sustainable way;
- regular discussion with commercial landlords and agents to get units let, bringing people together, using planning regulations imaginatively to re-zone some parts of the town centre will feed into future strategic plans;
- while these changes are not always easy to contemplate, and may not be easy to achieve with units owned by investors, but must be planned and embraced in a sensible and pragmatic way;
- the report is the start of a journey to keep the town centre prosperous, with a vibrant mix of retail, leisure and housing. The formal action plan will be brought to Cabinet for discussion in the autumn.

The Leader thanked the Cabinet Member for Economic Development, Culture, Tourism and Wellbeing for his report, agreeing that it is good to come up with a plan to tackle the empty shops in Cheltenham.

The Head of Place Marketing and Inward Investment said the action plan will take a holistic view of the town centre, businesses and landlords, with proactive measures to ensure all partners work together, and that any actions will sit alongside measures to increase visitor numbers. She looks forward to updating Cabinet in September.

The Cabinet Member for Cyber, Regeneration and Commercial Income noted that Cheltenham's vacant unit rate is lower than the national average, with only 28 in the

study area, of which all but 10 are currently in the process of being let or refurbished. This is good news for the town and he looks forward to the update.

The Cabinet Member for Finance and Assets said this is a difficult problem, but doing nothing is clearly not an option. Cheltenham attracts good businesses at present, but needs to do something before real problems arise.

The Leader thanked officers, and asked that the Cabinet's thanks be passed on to the BID, which has worked really hard. She said a lot of effort has gone into tracking down who owns many of the buildings, with many overseas landlords and pension funds, but a more proactive and dogmatic approach is paying off.

**RESOLVED THAT:**

- 1. the findings of the review of vacant premises in five town centre streets - Cambray Place, The Strand, High Street, The Promenade and Montpellier – are noted;**
- 2. the council is recommended, in partnership with Cheltenham BID and with engagement from the Cheltenham Economic Advisory Board, to develop an action plan to be presented back to Cabinet in September 2023 setting out how the recommendations will be delivered in partnership with local business organisations.**
- 3. the council is recommended to work proactively with other organisations and developers, as well as through its own powers and resources, to enable and support more town centre living in unused and underused spaces to provide much needed accommodation and increase footfall to the high street.**
- 4. the council, as local planning authority, is recommended to continue to apply national and local planning policies in dealing with the impact of structural changes in the high street, and can look to develop helpful future planning policies, including the promotion of conversion to residential uses to maximise brownfield development and increase efficiency in land use.**

## **8 Disposal of Municipal Offices**

The Executive Director for Finance, Assets and Regeneration said the report would be debated and the decision made at the next meeting of full Council. As Members are aware, the future of the Municipal Offices has been discussed for decades, during which time the council has undergone several changes in shape and size, the latest being the outcome of the Covid lockdown and the introduction of agile and online working. Some internal work has taken place, and the conversation has continued between councillors, working groups and stakeholder groups across the town. He thanked the Civic Society, Architects' Panel, Local History Society, Chamber of Commerce, BID and all in the community sector for their input, and hoped that colleagues would support their recommendations.

The Cabinet Member for Customer and Regulatory Services commended the outstanding report, and particularly liked the sequence of recommendations. He said the Municipal Offices is part of one of the finest terraces in Europe, which the council is committed to preserve, but with empty and underused offices, it is time for the council to move on and the use of the building to change - although sad and a sensitive subject for the town, this is the right path to take. The development brief will ensure that the heritage and beauty of the building is preserved and enhanced, and encourages the imaginative use of the rear of the building, fit for the 21<sup>st</sup> century.

The Leader agreed, with only about 25% of the building occupied by the council, saying it was time that it was revisited in a new way.

### **RESOLVED THAT:**

**Council be recommended to :**

- 1. dispose the Municipal Offices on the open market, in line with our agreed Asset Management Strategy, as the Municipal Offices are now surplus to our operational requirements;**
- 2. commission a development brief for the Municipal Offices which will take a creative and conservation-led approach to the reuse, adaptation and extension of the listed building, its setting and the setting of neighbouring listed buildings and the conservation area;**
- 3. on completion of the development brief, to invite bids for development proposals for the Municipal Offices; and**
- 4. requests that the Cabinet Member for Finance and Assets bring back proposals to Full Council for a final decision on its future use and disposal.**

## **9 Financial Outturn 2022-23**

The Cabinet Member for Finance and Assets said he would present the report more fully to Council on 24 July, but noted that increasing interest rates and inflation had resulted in quite a few variances and pressure on budgets in some areas. Appendix 6 sets out a budgetary position of £101k overspend, drawing on reserves, which is not the best position to be in but is at least stable. He said he and the finance team would be working hard to correct this for next year.

### **RESOLVED THAT:**

- 1. Council receive the financial outturn performance position for the General Fund, and notes that in delivering services in 2022/23, after the application of carry forward requests and following the use earmarked reserves, there was an overspend of £101,294 against the 2022/23 revised budget approved by Council on 20 February 2023;**
- 2. £859,147 of carry forward approved by the Section 151 Officer under delegated powers at Appendix 5 is noted, and £72,000 of carry forward requests which require Member approval is approved;**
- 3. the annual treasury management report at Appendix 7 and the actual 2022/23 prudential and treasury indicators are noted;**
- 4. the capital programme outturn position as detailed in Section 7 of this report and Appendix 8 is noted, and the carry forward of unspent budgets into 2022/23 and the inclusion of two new projects in the 2023/24 capital programme with no additional funding commitment required from the Council is approved;**
- 5. the year end position in respect of Section 106 agreements and partnership funding agreements at Appendix 9 is noted;**
- 6. the outturn position in respect of collection rates for council tax and non-domestic rates for 2022/23 in Appendix 10 is noted;**
- 7. the financial outturn performance position for the Housing Revenue Account for 2022/23 in Appendix 11 is received, and the carry forward of capital budgets from 2022/23 into 2023/24 as set out in Appendix 12 is approved.**

## **10 Disposal of 6 Saville Close**

The Cabinet Member for Finance and Assets thanked officers for their hard work on the report. The property was discussed at a previous Cabinet and the team has worked through the issues, arising from the fact that the property has a unique and dramatic garden, but the plot is now being divided and taken forward as two lots for disposal, to increase its value. The capital receipt will be reinvested in housing priorities and regeneration.

The Cabinet Member for Housing said the report proposed great use of the space for two new homes, and congratulated the Cabinet Member for Finance and Assets and officers for their recommendation.

The Leader recalled the days when the council owned a lot of unused buildings, and it was important when starting on its commercial journey that the council made its assets work for it to support local residents without having to cut any services.

### **RESOLVED THAT:**

- 1. authority is delegated to the Director for Finance & Assets, in consultation with the Cabinet Member for Finance & Assets and Deputy Leader, to dispose of 6 Saville Close in two lots for best consideration and upon such other terms as are deemed appropriate; and**
- 2. the Director for Finance & Assets, in consultation with Deputy Leader and Cabinet Member for Finance & Assets and the Director of One Legal, is authorised to prepare and conclude the necessary legal documentation to reflect the terms negotiated for 6 Saville Close and the separate garden lot.**

## **11 Recommended allocations of neighbourhood Community Infrastructure Levy funds**

The Cabinet Member for Customer and Regulatory Services presented the report, which proposes the distribution of £128k of CIL contributions to a fantastic range of projects in non-parished areas across the town. These show the huge range of creativity and imagination present in the community, with many of the bids submitted by community groups. The whole process has been carried out in an open and transparent way, with an all-party panel looking at all the bids and making recommendations, having checked that these meet our strategic objectives.

This process is a very fair way for developers to pay back to the communities their schemes affect, and although the government is considering interrupting or reducing this valuable source of funds, it is currently working well, with more funds will be available in the future through further contributions. One of the recommendations is to undertake a lessons-learnt exercise to make the process even better going forward.

Some of the recommendations are agreements in principle, but are important commitments to help with further funding rounds.

The Cabinet Member for Housing congratulated the Cabinet Member for Customer and Regulatory Services and officers for their hard work and for this new scheme for Cheltenham, which really gives voices to unparished communities, to support a wide range of community-based initiatives. It is unfortunate that, with so many applications, some bids were not successful this time, it is good to note that they have been encouraged to re-apply next time. She was particularly pleased to note that the Public Hearts Defibrillator Campaign funding bid was successful; led by Clare Seed, the group has been proactive over the last couple of years in installing defibrillators in areas of the community where they are most needed.

The Cabinet Member for Cyber, Regeneration and Commercial Income noted that officers felt there were lessons to be learnt, but having spoken to Members in other districts who were not even aware of CIL, felt that CBC is further down the road than some of its neighbours.

The Cabinet Member for Finance and Assets was also pleased about the positive impact that CIL contributions would have on our communities, but was concerned about potential government changes once it realised how much funding was being provided by private developers in this way.

The Cabinet Member for Customer and Regulatory Services thanked Members for their comments, officers for all their work – Tracey Birkinshaw for the initial process, Helen Down for making local communities aware, Richard Gibson for his work on the later stages, and Paul Hardiman, John Spurling and Ewan Wright for drafting a robust response to the government technical guidance. He also thanked all the largely voluntary residents and organisations who submitted bids.

#### **RESOLVED THAT:**

- 1. the endorsed recommendations as set out in Appendix 2 as the priority list of neighbourhood projects for investment are approved;**
- 2. project agreements with the agreed projects are entered into;**
- 3. the intention to launch a second funding round once the neighbourhood Community Infrastructure fund has built up to a sufficient level is supported. The timing of this will be informed by regular monitoring of the fund.**
- 4. a lessons-learnt exercise is undertaken, and any best practice arising is built into future bidding rounds.**

#### **12 Briefing from Cabinet Members**

The Cabinet Member for Climate Emergency said she had the privilege of recently attending the LGA conference as part of the Next Generation Programme, and was able to speak about Cheltenham's climate change projects and share these with

Members from around the country. Although the climate team is small, and it is still early days, it is clear that CBC is punching far above its weight and can be incredibly proud of the work it is doing.

The Cabinet Member for Housing shared three items:

- thanks to the teams working on securing new homes through the Local Authority Housing Fund. The target of 21 new homes for Ukrainian and Afghan families has been set, including a remit to secure a four-bedroomed home, which has now been achieved. At the moment, there are 17 homes in the pipeline, with two completions, so we are well on track to achieve our target;
- a new housing condition survey for the private sector will be launched in the summer, and residents are encouraged to complete this;
- the council has recently been able to support the Cheltenham Paint Festival, through CIL allocations, and in partnership with CBH and following consultation with local residents, two new murals have been commissioned in Orchard Avenue and Dowty Road.

The Leader said also attended the LGA Conference, which this time saw CBC on stage for the second year running. She was proud to be involved in presenting one of its projects, in partnership with the local CyNam group and Sopra Steria IT company, concerned with getting more girls and young women into the cyber tech digital world.

Other Cabinet Members present did not have any updates on this occasion.

### **13 Cabinet Member decisions since last meeting**

Members reported on the following decisions, made since the last Cabinet meeting:

27 June 2023 – Cabinet Member for Customer and Regulatory Services

[To accept £280,370 from the Gloucestershire Strategic Housing partnership to facilitate the funding and installation of new digital Lifeline equipment](#)

11 July 2023 – Cabinet Member for Cyber, Regeneration and Commercial Income

[To submit comments on behalf of Cheltenham Borough Council in relation to additional targeted consultation for the proposed M5 Junction 10 Improvement Scheme, including the Statement of Common Ground](#)

### **14 Local Government Act 1972 - Exempt Business**

**RESOLVED THAT:**

- in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will

**be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely:**

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

**15 Exempt report - a property matter**

Members considered the report and approved the recommendation.