

Cheltenham Borough Council

Cabinet

Minutes

Meeting date: 19 December 2023

Meeting time: 6.00 pm - 7.02 pm

In attendance:

Councillors:

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

Also in attendance:

Claire Hughes (Corporate Director and Monitoring Officer), Gareth Edmundson (Chief Executive) and Paul Jones (Executive Director of Finance, Assets and Regeneration)

1 Apologies

Apologies were received from Councillor Collins.

2 Declarations of interest

There were none.

3 Minutes of the last meeting

The minutes of the meeting held on 05 December were approved as a true record and signed accordingly.

4 Public and Member Questions and Petitions

Two public questions had been received, as follows:

- 1. Question from Mr David Redgewell to Cabinet Member for Customer and Regulatory Services, Councillor Martin Horwood**

The large increase in graffiti and tags on public and private buildings and bus shelters all around the town is making the town centre look uncared for and feel unsafe, especially at night. What action is the council taking, in partnership with the police, bus companies, and other agencies, to catch the people responsible for this criminal damage?

Cabinet Member response

The council adopted a [new graffiti policy](#) this year. We also [increased the fine](#) for graffiti offences from £150 to £500.

This policy has a dual purpose:

1. Clarifying roles and responsibilities and the council's enforcement approach to dealing with unwanted graffiti and tags; and
2. Clarifying the council's requirements on businesses and residents on the removal of unwanted graffiti and tags on property they are responsible for.

Catching people responsible for graffiti and tags is a difficult and complex task because they purposely operate under the cover of darkness and in areas not covered by surveillance. However, council officers are proactive in both pursuing all lines of enquiries and evidence that they can obtain.

This includes, for example, proactive operations with the police, scrutinising CCTV footage where this is available and gathering information on serial taggers to build up intelligence around their activities (including online).

Where there is sufficient evidence to prosecute offenders, the council will always seek to do so because we recognise the adverse impact this sort of crime has on communities.

It is important that people report graffiti because it helps officers build an intelligence and an evidence base that helps with catching people who blight the town with their unlawful graffiti and tags.

Supplementary question

What, if any, prosecutions have taken place as a result of criminal damage on buildings and businesses in Cheltenham over the last few months?

Cabinet Member response

Thank you your question and for attending the meeting. I do not have the figure to hand, but will ask the officer to get the information from the court or the police and share it via email.

2. Question from Mr David Redgewell to Cabinet Member for Customer and Regulatory Service, Councillor Martin Horwood

Does Cheltenham Borough Council have a cleaning budget, as other councils in the area do, to remove graffiti and tagging, including at the Royal Well bus station? Is there a service level agreement with Ubico, and would the council consider serving notice on building owners to clean the graffiti on their buildings?

Cabinet Member response

There is a service level agreement (SLA) between the council and Ubico. The SLA outlines the duties Ubico is responsible for including, amongst other things, graffiti removal. Ubico's work to remove graffiti on behalf of the council is funded through the contract sum agreed by the council as part of the budget setting process. Individual requests for graffiti removal are actioned in accordance with Ubico's agreed prioritisation process.

Neighbourhood Officers, employed by the council, also have funding available to deal with small areas of graffiti that does not require a response by Ubico.

Under the newly adopted graffiti policy, the council does specify the timescales for removal and consequences for not doing so. The policy stipulates:

- **Priority 1 - Offensive** - Must be removed within 14 days of receiving formal notice from the authority requesting removal.
- **Priority 2 - Other** - Must be removed within 28 days of receiving formal notice from the authority requesting removal.

Failure to action this process may result in a Community Protection Notice (CPN) being issued.

There policy makes some provision for delays caused by factors outside resident's and businesses' control.

Supplementary question

Graffiti and tagging are out of control in Cheltenham, and worse than in other towns and cities in the area. Is there a proper budget to deal with the problem and what money is being put aside for cleaning contractors to clean it off immediately, as the county council does? Removing it immediately and then serving notice is more effective than serving notice first and then removing the graffiti.

Cabinet Member response

As set out in the original response, the council has a significant budget set aside for the Neighbourhood and Public Protection Teams to tackle anti-social behaviour, including graffiti, as well as a service level agreement with Ubico. However, the council can't be responsible for removing all graffiti on private buildings in Cheltenham, which are the responsibility of the owners. I will ask officers to look into the situation in Bristol and Bath, but am not sure that it would even be legal for council workers to go onto private property to remove graffiti.

5 General Fund Revenue and Capital – Interim Budget Proposals 2024/25 for Consultation

The Leader explained that Agenda items 5 and 6 would be taken in reverse order, at the request of the Cabinet Member for Finance and Assets.

The Cabinet Member for Finance and Assets introduced his report, and began by reflecting on the economic challenges the council has faced when setting the budget, which have created additional pressure on savings and efficiencies while costs continue to increase:

- inflation – reduced from a 40-year high of 11.1% last December to 4.6% in November, but still above the government's 3% target;
- the Bank of England base rate now at 5.25%, creating significant pressure on temporary borrowing;
- energy prices still double what they were pre-2022;
- government confirmation that our funding and referendum principals on council tax will be below inflation.

Through this turbulence, the council has continued to drive forward its aims and priorities, as set out in the new Corporate Plan, approved in February:

- making Cheltenham the cyber capital of the UK;
- our commitment to make our Council and our town net carbon zero by 2030;
- investment in the sustainable economic growth of the town centre;
- delivery of more housing across the town;
- continued support of our most vulnerable communities through the No Child Left Behind initiatives.

He said that this has not been easy and the challenges will undoubtedly continue into the 2024. The latest budget monitoring report for the current year reported a £700,000 overspend against a budget that already had some of the longer-term inflationary pressures built into it, but where last year we had healthy general balances to support the pressures caused by the cost of living emergency, these are finite and our breathing space now sits at £1.4m.

He told Members that the Local Government Provisional Finance Settlement, released the previous day, places greater reliance on local tax generation and our own commerciality to enable us to balance the budget next year. To do this, we will continue to deliver projects and initiatives which create the savings and efficiencies while delivering core services and our key priorities. Some of these are already in progress – including the process to bring our housing services back in-house, taking informed and realistic decisions about areas of discretionary spend, and developing propositions to generate more commercial income. He said we cannot stop there and need to continue with this work – in particular a detailed review of our environmental services which is the largest area of spend in our budget.

He ended by recommending the budget proposals that allow us to continue to work towards our priorities, whilst protecting our financial sustainability and resilience. If agreed, these will be published for consultation, running until 26 January.

In response to questions, the Cabinet Member for Finance and Assets confirmed that:

- it is disheartening that Cheltenham is in the bottom 20 councils to receive government funding. The Local Government Association is lobbying hard against the lack of investment in local authorities across the country, which amounts to about £4billion;
- priorities for West Cheltenham include young people, jobs and future prosperity, and CBC has committed £140-150m to this project. The government has recently announced £20m funding for it, approximately one-seventh of the total cost.

RESOLVED THAT:

- 1. the interim budget proposals for consultation are approved, including a proposed council tax for the services provided by Cheltenham Borough Council. The proposed Council tax for 2024/25 represents an increase of 2.99% a year for a Band D property, subject to conclusion of the consultation on the Local Government Provisional Finance Settlement;**
- 2. the schedule of target savings and income generation at Appendix 3 is noted;**
- 3. the growth proposals at Appendix 4 are approved;**
- 4. the proposed capital programme at Appendix 6, as outlined in Section 13, is approved;**
- 5. authority is delegated to the Executive Director Finance, Assets and Regeneration, in consultation with the Cabinet Member for Finance and Assets, to determine and approve any additional material that may be needed to support the presentation of the interim budget proposals for public consultation;**
- 6. consultation responses are sought by 26 January 2024.**

6 Housing Revenue Account - Revised Forecast 2023/24 and Interim Budget Proposals 2024/25 for consultation

The Cabinet Member for Finance and Assets introduced his report, saying that the proposals will be published for consultation, which will run until 26 January. He said the economic challenges outlined earlier continue to put financial pressure on our Housing Revenue Account (HRA), but with confirmation of national rent policy for 2024/25, along with the downward movement in inflation from the peak in 2022, the longer-term position of the HRA has started to show signs of improvement.

He said last year's commitment to continue to grow the HRA and invest in new and existing homes for the benefit of our residents and communities, despite the financial challenges, has proved to be the right approach, and the budget proposals now put forward will maintain and deliver on our ambition to provide a housing service with

residents at the centre of decision-making, delivering high-quality new homes, reinvesting in existing homes and neighbourhoods, and delivering value for money.

The Cabinet Member for Housing thanked the Cabinet Member for Finance and Assets and officers at CBC and CBH for the report, and wondered how important government funding for social housing decarbonisation was? This has reduced with the second wave from 60% to 40%, but the improvements, (such as cavity wall and loft insulation, heat pumps and double glazing) not only improve lifestyles but also make homes more energy-efficient and lower energy bills. The council has already invested £1.4m in Wave 1, but there is still much to do and the improvements are costly.

The Cabinet Member for Finance and Assets shared these concerns, and confirmed that funding from central government is uniquely important in helping tenants and residents all around the country who are suffering from fuel poverty and the cost of living crisis. Without it, the council will have to pay for all the improvements, which takes funds away from other priorities, such as house-building. He was not convinced that the government was fully committed to tackling fuel poverty and decarbonisation of homes, but said CBC tends to carry on with this work in spite of that.

The Cabinet Member for Housing commented that the report is very insightful and shows the breadth of services the council provides through the HRA, from building new homes, to supporting residents with advice on finance and how to make efficiencies in their homes.

The Cabinet Member for Finance and Assets agreed that local government finance has been a roller coaster for the last 12 months, and thanked finance officers again for their work. He was pleased to commend the report to Members.

RESOLVED THAT:

- 1. the interim HRA budget proposals for 2023-24 (shown at Appendix 2) for consultation, including a proposed rent increase of 7.7% and changes to other rents and charges as detailed within the report, is approved;**
- 2. the proposed HRA capital programme for consultation, as shown at Appendix 3, and the detailed capital programme in Appendix 4, is approved;**
- 3. the revised HRA forecast for 2023-24 is noted;**
- 4. authority is delegated to the Executive Director for Finance, Assets and Regeneration, in consultation with the Cabinet Member for Finance and Assets, to determine and approve any additional material that may be needed to support the presentation of the interim budget proposals for consultation;**

5. consultation responses are sought by 31 January 2024.

7 Infrastructure Funding Statement (IFS) Requirements

The Cabinet Member for Customer and Regulatory Services introduced his report, which was made up of three documents – the CIL report, the S106 report, and the infrastructure list – as a matter of record and in compliance with legislation.

Summarising the headline figures, he said CBC received £1.35m in CIL contributions in the year to 31 March 2023, with £67.5k put towards administration costs, currently pooled with Tewkesbury Borough Council, and £51.5k raised for 15% of the overall pot in unparished areas of town to create a pot of £127k with the previous years' monies. A community-led bidding process has now been instituted, with over £100k allocated to community projects in 2023. A further £151,867 has been allocated to Charlton Kings, Leckhampton with Warden Hill, and Prestbury parish councils, and is being spent on local necessities such as drainage systems and fencing.

He said the final 80% of the pot – over £1m – has been pooled with Gloucester and Tewkesbury to form the strategic infrastructure pot. The interim list of possible projects is now much broader than previously, and includes social projects, green transport measures, and health infrastructure as well as road works – a massive improvement on previous years and testament to the benefits of joint working.

Also, in fulfilment of a promise to Council last year, this was voted on and approved at last week's Council meeting, ensuring accountability, which provides important reassurance with pooled money. The council will continue to pool funds for strategic infrastructure with Gloucester and Tewkesbury.

S106 financial contributions amount to over £1m, which is largely being devoted to affordable housing – 29 units were built last year, with agreements for a further 156 in place. This is a crucial part of the delivery of the council's pledge to help people in Cheltenham find accommodation they can afford.

He said the overall picture is very positive, with money being spent on great neighbourhood projects, by parish councils and the borough, affordable housing being delivered and administration costs being covered, all with full democratic accountability. He hoped that this emerging system would be preserved by the government.

The Cabinet Member for Housing felt that the report was thorough, interesting and transparent, showing where the money was being invested. She thanked the Cabinet Member for Customer and Regulatory Services for including a covering letter about allocations to non-parished areas through the neighbourhood funding pot, and wondered whether this would be included in next year's full infrastructure funding statement. The Cabinet Member for Customer and Regulatory Services was not sure if this was a statutory requirement, but welcomed the suggestion and committed to including full details in next year's report, through an open and transparent cross-party process.

He thanked Tracey Birkinshaw, Paul Hardiman, and other officers who have worked on this technical and complicated piece of work.

RESOLVED THAT:

- 1. the publication of the Infrastructure Funding Statement (IFS) relating to the financial year ending 31st March 2023 by 31st December 2023 is approved;**
- 2. the publication of the Annual CIL Rate Summary Statement alongside it by the 31st December 2023 is noted;**
- 3. the Infrastructure List and decision to approve this by Council on 11 December 2023 is noted.**

8 Publica Review

The Leader introduced her report, reminding Members that, following a peer review at Cotswold District Council, an external company was brought in to review the services provided by Publica to the partnership of Cotswold, West Oxfordshire, Cheltenham Borough, and Forest of Dean councils. The assessment of information can be found at Appendix 2 of the report, but the key recommendation was that the majority of services should be returned to councils – although these do not include the services provided to CBC.

She said it will, however, mean significant changes and have a large-scale impact on the existing company and the remaining services that Publica delivers to CBC – if it continues to exist as a Teckal company with fewer services, this will result in a reduced turnover which will, in turn, limit the extent to which it can trade commercially, making it less cost-effective. CBC's strategic finance and HR services are no longer provided by Publica, but while it continues to provide ICT services, the proposed changes will increase the risk that these services may be impacted and result in prolonged instability.

To mitigate the risk, she said that it was recommended that officers undertake a review of Publica services, and bring forward decisions where needed to ensure that the risks are mitigated. The potential options are listed in the report, and include remaining with Publica, bringing everything back in house, investigating an alternative Teckal company to maintain the economies of scale, moving services to a council-shared service arrangement across Gloucestershire, or outsourcing to an external provider. Whatever the decision, we need to be aware of potential risks in the future which will need to be addressed as times move on.

The Cabinet Member for Finance and Assets remembered the inception of Publica, and said there had been many crises over the years since. He said the report was an interesting read and agreed that it was important to be aware of the risks.

The Leader concluded that it was important to note that as times move on, the council needs to evolve with the changing circumstances, to continue to deliver the best possible services to residents.

RESOLVED THAT:

- 1. the report by Human Engine in Appendix 2 is noted. It is also noted that the recommendations within the report do not immediately impact the current services provided by Publica to CBC within the scope of the proposed changes;**
- 2. the Chief Executive and Corporate Director (Monitoring Officer) will undertake appropriate due diligence and risk mitigation on the proposed changes to Publica to support the Leader as shareholder to take the necessary shareholder decisions in partnership with Cotswold District Council, Forest of Dean District Council and West Oxfordshire District Council in implementing the recommendations of the report.**
- 3. in recognition of the fact that the Human Engine report (Appendix 2) proposes significant changes to Publica and the services it provides to predominantly Cotswold District Council (CDC), Forest of Dean District Council (FoDDC) and West Oxfordshire District Council (WODC), to mitigate risks and ensure that service provision is improved and maintained, responsibility is delegated to the Chief Executive and the Director for Finance, Assets and Regeneration to undertake appropriate service reviews of the remaining Publica services provided to CBC with a view to making recommendations to the Leader and Cabinet where necessary on the future delivery of those services.**

9 Safeguarding Policy Review and Update

The Cabinet Member for Safety and Communities thanked Tracy Brown, who is doing a great job as safeguarding officer, and Councillor Chelin, the council's safeguarding champion. She said the report has been updated as Human Resources (HR) came back into CBC, to ensure that it reflected policy, and has been through HR, Licensing and Procurement to enable those parts of the council to reflect on its contents and make suggestions as to any improvements.

She went on to say a safeguarding policy is necessary because it affects us all. The policy is up-to-date, clear and allows people to access the necessary information. She hopes that it can be inserted into any policy brought forward for training councillors, allowing everyone to act in the best interests of all the people of Cheltenham.

The Cabinet Member for Finance and Assets said this is an important policy – effective, simple and crucial – and that in view of the large numbers of vulnerable adults and children, spreading awareness of the issues in the policy and how to

report them is essential. He agreed that the training aspect is important, and thanked the Cabinet Member for Safety and Communities for bringing the policy forward this evening.

The Leader stressed the importance of not only having these policies in place but also ensuring that they are revisited, reviewed and refreshed on a regular basis, to move with the times.

The Cabinet Member for Climate Emergency said the report is excellent, as it explains how the processes work to people who have not been involved in these issues before, making it simple to grasp and understand – which isn't always the case with safeguarding goals. She thanked officers and the Cabinet Member for Safety and Communities for their incredible work in making this policy.

RESOLVED THAT:

- 1. the revised safeguarding policy is adopted;**
- 2. authority is delegated to the Director of Communities and Economic Development, in consultation with Cabinet Member for Communities and Safety, to agree updates to the policy as we transition our housing services.**

10 Briefing from Cabinet Members

The Leader invited Members to present any briefings they wanted to share.

The Cabinet Member for Climate Emergency said that small and medium-sized business-owners with some spare time over the festive period may want to complete an application to the Cheltenham Zero business fund, which will award grants of up to £10k to energy-efficient projects. The closing date is 28 January.

The Cabinet Member for Waste, Recycling and Street Services put on record his thanks to Ubico staff for their work in keeping the town clean and green, particularly over the holiday period, tackling huge mountains of Christmas waste and recycling, as well as coping with changed bin collections.

The Cabinet Member for Safety and Communities shared four items:

- thanks to everyone who recycles their food waste, as in doing so they are helping food banks to receive fresh food - recycling companies donate a portion of their profits;
- the No Child Left Behind strategy board is looking to extend beyond Cheltenham's borders and help the rest of the county long-term. She thanked Tracy Brown and Richard Gibson for their work which allows this to happen;
- thanks to all officers and everyone else for their incredible commitment to the No Child Left Behind organisation, which has now been running for five years;
- the Safety of Women survey is available on the CBC website until the end of January, and women are encouraged to share their experiences.

The Cabinet Member for Housing said that as part of the move to bring housing services back in house, the council is taking the opportunity to ask tenants and leaseholders to help us shape services going forward. A letter has been sent, with instructions on how to complete the survey, which closes on 11 February. She urged people to complete it, reassuring them that all information is shared in strict confidence, managed by an independent organisation and not shared directly with the council. She said people can ask questions at drop-in centres in St Paul's and Hester's Way, and at on-line webinars, all detailed in the letter.

The Cabinet Member for Customer and Regulatory Services shared the news that two new posts are being added to the planning team. A Senior Enforcement Officer will help with the post-pandemic backlog as well as new cases, and a Borough Ecologist will advise on biodiversity net gain rules, and improve policy and practice in nature recovery.

He went on to say that the Secretary of State had made a speech earlier when launching revisions to the National Planning Policy Framework which berated councils for being too slow to deliver housing but simultaneously said he would make it easier for councils to avoid building in the green belt. In fact Cheltenham is delivering 35k houses with Gloucester and Tewkesbury, at the same time protecting the greenbelt and green spaces, but the Cabinet Member for Customer and Regulatory Services was worried that less conscientious councils may use the NPPF revisions as an excuse to not build anything.

The Leader had three items to share:

- at Council last week, CBC approved the Cheltenham-Gloucester-Tewkesbury Strategic and Local Plans to go out for the first round of consultation under Regulation 18. This is an opportunity to gather evidence and hear residents' thoughts on future strategic development. She encouraged everyone to look at and feed into the consultation;
- all district leaders are writing to the Home Secretary regarding the lack of financial support to allow councils to welcome all refugees in the same way that Ukrainian and Afghan refugees have been supported;
- thanks to all officers, led by Louis Krog, who will be on standby over the festive period.

11 Cabinet Member decisions since the last meeting

Members were invited to give details of decisions made since the previous meeting.

The Cabinet Member for Housing said she was proud that Cheltenham is a town of sanctuary which supports refugees and asylum seekers, and told Members that as part of the government's safe route mechanism, CBC has been asked to make a

minimum pledge of accommodation for those coming to the UK through this scheme. She has pledged a minimum of three homes for families, from 2025.

[Minimum pledge to house refugees coming through the government's safe route mechanisms](#)

The Cabinet Member for Waste, Recycling and Street Services said that, as current Chair of the Gloucestershire Resources and Waste Partnership, he could confirm that the interim strategy followed wide consultation, and has already been adopted by Gloucestershire County Council as the waste disposal authority. He regretted that the strategy is interim, in the absence of overdue and much-needed government direction, for example on extended producer responsibility and the wise principle that the polluter should pay.

[Gloucestershire Resources and Waste Partnership Interim Strategy](#)

In the absence of the Cabinet Member for Cyber, Regeneration and Commercial Income, the Leader presented his decision to enter into a contract with Wring Group Ltd to demolish Holmlea Farm on council-owned land to the west of Cheltenham. This was been subject to anti-social behaviour for some time, and the buildings are in large part demolished, but the site will now be made safe. She added that some houses cannot be demolished yet, pending Western Power disconnecting them from the electric mains.

[Contract with Wring Group Ltd for the demolition of Holmlea Farm](#)