

Council

Meeting date: 23 February 2024

Public Questions (11 total)

1. Question from Mr Steven Thomas to the Leader, Councillor Rowena Hay

As a Cheltenham resident who was born here, I am very concerned about the Cheltenham / Gloucester / Tewkesbury “Super City” which will become one of the largest cities in the UK: <https://www.glos2050.com/>

The public consultation that was carried out in 2018 showed that the public are not in support of this, and despite the council saying that that there are no plans for this to happen, the development taking place in West Cheltenham contradicts this. First, we have the Cyber Park which will give rise to approximately 3,000 – 4,000 new homes: <https://www.bbc.com/news/uk-england-gloucestershire-67474592>

Secondly, plans were announced a few weeks ago for an additional 4,000 homes in Elm Park: <https://www.bbc.com/news/uk-england-gloucestershire-67522618>

Both of these developments would fuel an exponential rise in the population of Cheltenham, taking it from the “Centre Of The Cotswolds” to a larger super urban development much akin to what is being proposed in the “2050 Super City”.

I listened to the entirety of the council meeting on the 11th December 2023, and heard many concerning quotes being thrown around by members of the council:

“We mustn’t lose the ambition to spread the load”, and “Tewkesbury has far more ability to build”. (in reference to housing).

“We ***have made the commitment***, *but have to test*” (in respect to developing on the Green Belt), which implies the decision to develop has already been made.

Cheltenham, Gloucester and Tewkesbury each have their own unique heritage, so why is there such a push to rapidly redevelop them into something that the public do not want? This is not just my opinion, but one that is shared by many others who have lived here all our lives and are proud of our cultural history. It seems to all of us that Cheltenham Borough Council are going full steam ahead with the Super City but are trying not to overtly call it that in any of the meetings or refer to it as such through the Joint Core Strategy between the three councils.

Cabinet Member response:

I would like to thank Mr Thomas for his question which I will answer in two parts.

The first part of the question relates to the adopted Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS), approved in 2017. The sites referenced, Elms Park and West Cheltenham, are both strategic allocations which were allocated for development through the preparation of the JCS. This plan forms part of the statutory development Plan for Cheltenham and was the subject of statutory public consultation together with an independent examination in public. The evidence base which informed the preparation of this plan can be viewed via the following link <https://www.jointcorestrategy.org>.

To respond to the second part of the question. In line with the council's statutory duty to keep its development plan up to date we have refreshed our approach to plan making and this was the report debated at council on 11th December. At that meeting the council confirmed the preparation of Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP) and our ongoing commitment to work with our partners Gloucester and Tewkesbury. I will not set out the detail of that report again here as the background is available via the council report which can be viewed via the following link

[https://democracy.cheltenham.gov.uk/documents/s46064/Cheltenham Gloucester Tewkesbury Strategic Local Plan Consultation.pdf](https://democracy.cheltenham.gov.uk/documents/s46064/Cheltenham_Gloucester_Tewkesbury_Strategic_Local_Plan_Consultation.pdf). I will however highlight the importance all three councils place on recognising the unique character each district has and the importance of recognising and ensuring appropriate local policies are in place as we prepare the SLP. For Cheltenham, heritage, as you have pointed out is a good example of this, as are other local issues such as local green space.

As a point of reference, the 2050 vision was essentially a conversation across a range of partners which originated in 2017 around a commitment to look at the longer-term challenges facing the county, and to consider what changes might be needed to address those challenges to deliver improved outcomes for future generations. The University of Gloucestershire facilitated the 2050 vision study, and it was subject to wider public consultation focussed around what was considered large scale transformational projects. Whilst this is relevant as part of the wider evidence base in preparing development plans, it is only one element. In addition, it represents a point in time. Since that time the councils of Gloucestershire have prepared and agreed a Gloucestershire Statement of Common Ground, this includes a series of 37 very broad and high level agreements dealing with a range of environmental issues and land use matters including addressing the climate and ecological emergencies, housing and economic needs, the Green Belt, transport provision, the natural environment and green infrastructure, health and social infrastructure, infrastructure delivery and minerals and waste. This was approved by Cheltenham Borough Council on 18 July 2022 and can be viewed via the following link

<https://democracy.cheltenham.gov.uk/ielIssueDetails.aspx?IId=24877&PlanId=0&Opt=3#A121584>

The SLP is currently subject to public consultation, and I would very much encourage you to get involved in that process. All details can be found via the following link <https://strategiclocalplan.org/>. The consultation includes a variety of in-person and online events and full details can be found under the events page of the strategic local plan website.

2. Question from Mr Peter Frings to the Leader, Councillor Rowena Hay

Cheltenham Borough Council has a non-exec director on the Board of Gloucestershire Airport to represent and safeguard the interests of local residents and the council. From July 2018 to March 2023, this was Roger Whyborn. From 31 March 2023, it has been Adrian Bamford.

The accounts for the airport over the last 6 financial years (2018 to 2023) show consistently declining operational profitability. Over this period, if property revaluations and the notional loss on the disposal of the third runway are excluded, the airport has made a loss of £4.8m over this period.

If instead you include all the property valuation adjustments including the third runway, the loss over the 6 year period is £4.1m. These figures would be even higher if it were not for a one-off boost to turnover in 2023, which I presume is from the sale of the long leasehold on CGX Connect business park.

Aircraft movements were 80k in 2018 declining to 61k in 2023.

What interventions or actions have the non-exec directors representing CBC on the Gloucestershire Airport's board taken over the last 6 years to address the long-term decline in the financial health of the airport; if any were taken, were these reported back to council officers and the Cabinet? Please provide dates and summary of each intervention.

Cabinet Member response

Thank you for your question.

Whilst the Council nominates one of its members to be a non-executive director on the Board of Gloucestershire Airport, once appointed, that director is required by law to hold office according to the constitution of the company.

This means that once the appointment has been confirmed, the member takes on all the responsibilities of that position, and their duty when acting as a director is to the company, and not to their appointing council. They must therefore act in accordance with what they consider necessary to promote the success of the company.

In light of this the Council is unable to provide information in relation to any actions that the non-executive director may have taken in relation to their role on the Board of Gloucestershire Airport.

3. Question from Mr Peter Frings to the Leader, Councillor Rowena Hay

On 23 December 2021, in answer to an enquiry, the CBC Customer Relations and Information Officer gave me the following information in writing about the airport:

“Further to your question we can confirm that Gloucestershire Airport’s proposal at the December 2020 meeting contained no suggestion that any increase in aviation flights was envisaged or proposed, whether that was for private flights or the introduction of any public passenger flights.

The number of flights permitted are covered by the ‘Green Policy’ which stipulates both the number of flights permitted and hours of operation. The number of flights and out of hours flights is governed by the original planning permission for the runway safety project as set out below:

16: *The Airport shall be limited to Code 2 Runway operations as defined by the Civil Aviation Authority.*

17: *the number of air movements at the airport shall not exclude 95,000 a year (excluding police, emergency and military-related flights)*

18: *the airport’s main hours of operation shall be restricted to between the hours of 0830 – 1930 with no more than 1.5% of movements per annum outside of these hours (excluding police, emergency and military flights, and those arriving late for operational reasons).*

19: *The number of movements between the hours of 23.00 and 6.00 shall be limited to 100 per calendar year (excluding police, emergency and military-related flight).”*

Can the council confirm that all these conditions on the operation of the airport will be maintained in the event of the airport being sold?

Cabinet Member response

Thank you for your question.

These are operational matters for Tewkesbury Borough Council, as planning authority, and the Civil Aviation Authority to decide and enforce in their statutory capacities.

However, the councils are taking legal advice on the nature and structure of legal covenants that can be imposed on a sale to safeguard the future operation of the airport.

4. Question from Phillip Angell to the Leader, Councillor Rowena Hay

Councillor Rowena Hay was quoted on the Gloucestershire Airport in December 2023 saying “...the timing is now right for both councils to bring in a new owner to

take it (the airport) forward”. However, when the Council’s most recent draft statement of accounts was published in June 2023, it stated on page 62 that the 50% of shares in Gloucestershire Airport held by the council “are not held for trading and there are no plans to dispose of them”. When was the decision to sell the airport taken, which councillors were involved in this decision, and what prompted the sudden change of strategy?

Cabinet Member response

Thank you for your question Mr. Angell.

The decision to approve the exit strategy for the Council’s shareholding in Gloucestershire Airport was made by Full Council on 7th December 2020 and is a matter of public record.

<https://democracy.cheltenham.gov.uk/mgAi.aspx?ID=19148>

Full delegation was approved whereby the Executive Director Finance and Assets (in consultation with the relevant Cabinet Member for Gloucestershire Airport Limited and the Borough Solicitor) be authorised to take such actions and make such arrangements as are necessary for the implementation of the recommendations within that report including such legal processes and agreements as are necessary.

In September 2023, alongside the Leader at Gloucester City Council, we formally exercised that delegation and informed the Board of Gloucestershire Airport Limited that it was both Council’s intention to dispose of our interests at Gloucestershire Airport and that our intention was to formally bring the sale to the market.

5. Question from Phillip Angell to the Leader, Councillor Rowena Hay

Gloucester City Council Leader Richard Cook said in a written response (as reported by the BBC) that the full Gloucester City Council had already approved an exit strategy (i.e. sale) for the airport at its meeting on 15 December 2020. Cheltenham Borough Council, in closed session at its December 2020 meeting, approved a multi-million pound loan to refurbish the airport runways. Was Cheltenham Borough Council also aware of an intention to sell the airport at the time at which they agreed in December 2020 to invest in the runway refurbishment? Specifically, was an intention to sell the airport as part of a future exit strategy explicitly mentioned in the proposal documents that Cheltenham Borough councillors saw at that December 2020 meeting?

Cabinet Member response

Thank you for your question Mr. Angell.

As stated in my answer to your previous question, I can confirm that the decision to approve the exit strategy for the Council’s shareholding in Gloucestershire Airport was made by Full Council on 7th December 2020 and is a matter of public record.

<https://democracy.cheltenham.gov.uk/mgAi.aspx?ID=19148>

6. Question from Miriam Frings to the Leader, Councillor Rowena Hay

It appears that a decision to seek a buyer for the airport has been taken very suddenly, possibly triggered by a belated awareness of the steady losses at the airport; or because of a perceived risk to the council's own finances; or as means to get a one-off cash injection to shore up the council's finances. But the airport is a 300 acre prime site, very close to Cheltenham and Gloucester, and could be a huge potential public asset. Will the council engage with all residents over other possible uses for the site, rather than just maintaining an airport for a small number of hobbyists and private jets, or handing the asset over at a fire-sale price to a private developer?

Cabinet Member response

Thank you for your question.

Whilst I accept not all residents may support Gloucestershire Airport, previous studies have found that there is an economic value from having an operational airport, contributing around 475 FTE jobs and £52m of (Gross Valued added) GVA (economic productivity metric that measures the contribution to an economy) to the local area. Closure of the Airport would see these benefits lost from the local area as there would be no alternative for relocation of operators. If the Airport were to cease operations, this could have detrimental consequences for the ability to attract high value companies to the area, including as part of the 'Golden Valley Development'.

The significant investment in the main runway allowed the strategic decision to be taken to close the rarely used north-south runway (thus saving maintenance costs) and release previously sterilised land for development, now known as the CGX Business Park. This will enable significant job creation as part of the economic recovery and be realised through private investment.

A further study concluded that closure of the whole site for housing could deliver net returns of £97 million over a 30 year period but this would require release from Green Belt and could take some time to be realised. Alternative commercial uses would also give rise to the same planning issues and would be likely to realise lower land values.

I can assure the questioner that the Council's finances are robust and sustainable as can be demonstrated from the budget related reports that are on the agenda for today's meeting. If this Council was in need of a one-off cash injection to shore up the council's finances, as the questioner suggests, then I feel it right to point out that we would probably not be selling this prized County asset as an on-going airport.

7. Question from Miriam Frings to the Leader, Councillor Rowena Hay

If offers to buy the airport are received, will the decision as to whether to accept an offer come to full Council or only to the Cabinet?

Cabinet Member response

Thank you for your question.

The decision to approve the exit strategy for the Council's shareholding in Gloucestershire Airport was made by Full Council on 7th December 2020 and is a matter of public record.

<https://democracy.cheltenham.gov.uk/mgAi.aspx?ID=19148>

Full delegation was approved whereby the Executive Director Finance and Assets (in consultation with the relevant Cabinet Member for Gloucestershire Airport Limited and the Borough Solicitor) be authorised to take such actions and make such arrangements as are necessary for the implementation of the recommendations within that report including such legal processes and agreements as are necessary.

Therefore, in line with the delegation above, the decision as to whether to accept an offer will be made by myself and the Leader of Gloucester City Council with support from relevant senior officers at both Councils.

8. Question from Dr Diane Cook to the Leader, Councillor Rowena Hay

80% of aircraft movements at Gloucestershire Airport are from Aero Club flights and private flying (Civil Aviation Authority statistics). The financial accounts of the airport make it clear that the airport is unprofitable in operational terms, and only survives on property and rental income. It is likely that any potential buyer will be much more interested in the development potential of the site, rather than trying to make the airport profitable from aviation activities. Given that the airport falls under Tewkesbury Council in planning terms, neither Cheltenham or Gloucester councils will have any planning control over what happens to the site once it is sold. In these circumstances, does the council intend to impose any covenants on the sale in order to control future development, or to ensure the airport continues to operate its two runways, for example?

Cabinet Member response

Thank you for your question.

At this stage the intention is to impose restrictive covenants in respect of the protected zones and the key operational areas that are essential to the day-to-day operation of the airport, in which no development will be permitted (bar operational and infrastructure).

Beyond these areas but within the boundary of the wider site, it is intended that there will be restrictive covenants preventing any development that would be detrimental to the operation of the airport and in any event, no housing development with Use Class C3: Dwelling-houses.

The councils are taking legal and professional advice on this matter and will be exploring further measures to protect the operation of the airport, whilst providing any investor with the maximum flexibility to undertake appropriate commercial development which will support and enhance its ongoing viability.

9. Question from Dr Diane Cook to the Leader, Councillor Rowena Hay

The council voted in July 2019 to declare a climate emergency. Almost five years later, there has been negligible concrete action or progress towards achieving 'net zero' in Cheltenham. The Government Climate Change Committee makes it clear that we must rapidly increase renewable electricity generation, and at the same time dramatically reduce those activities such as aviation which are most harmful in generating CO2 emissions. Aviation, particularly private aviation, has to be curtailed due to the climate emergency. The airport is a failing business, making substantial losses over recent years. The airport runways are a flat site, very close to large numbers of houses in Cheltenham and Gloucester. It is therefore a prime site for a solar farm which could provide clean, renewable electricity for a very substantial number of local homes. If the council is serious about wanting to take climate action, why doesn't it commission a feasibility study on closing down the airport runways, compensating affected businesses on the airport site, and establishing a major solar farm?

Cabinet Member response

I would like to thank Dr Cook for her question to which I would respond as follows:

Climate Emergency Action Plan

When the Council declared a climate emergency in 2019, it drew up an action plan to address emissions and has made good progress in terms of implementation against this. <https://democracy.cheltenham.gov.uk/documents/b12519/Climate%20Emergency%20Review%20-%20updated%20report%2004th-Sep-2023%2018.00%20Overview%20Scrutiny%20Committee.pdf?T=9> Progress is also evident from the Council's own internal carbon footprint calculations (scope 1,2 and 3 emissions) which have continued to fall by 15% per annum from the agreed baseline, in line with the requisite 14% straight line trajectory required to meet the net zero goal.

Airport Closure & Aviation Emission Reduction

The Climate Change Committee estimate the emissions from aviation nationally to be around 7%^[1]. Unfortunately, shutting the airport would likely relocate rather than reduce demand and address associated emissions. In 2022, the government has put in place a Jet Zero Strategy to address emissions associated with air transport. This plan will necessitate a significant increase in the production and use of

^[1] <https://www.theccc.org.uk/publication/2023-progress-report-to-parliament/>

Sustainable Aviation Fuel, alongside new aircraft design (such as the hydrogen planes under development by Zero Avia elsewhere in Gloucestershire).

Locations Suitable for Renewable Energy Generation

The Council are considering suitable locations for renewable energy development within the development of the Strategic and Local Plan (SLP). To support development of the SLP, the Centre for Sustainable Energy were commissioned to deliver a two-part study. Project • Renewable Energy Study (citizenlab.co). This report explores renewable energy potential at a strategic level. Part two of the study, to be conducted following the first stage of public engagement on the new plan (the first Regulation 18 Consultation), will explore area-specific opportunities, and provide recommendations for renewable energy policies.

However, the potential for renewable generation must be balanced against other options for land use. In this case, given the existing businesses located at the airport, rather than being utilised as an energy asset, it is felt that the land is best sold as a going concern, maintaining jobs and growth potential.

10. Question from Gary Clarke to the Leader, Councillor Rowena Hay

In the Council's Draft Statement of Accounts, page 43 states that the Managing Director for Place and Growth left on 31 August 2022, and on page 24 it totals his termination benefits as £264,662. What percentage of this payment was discretionary (i.e. over and above the minimum required by employment law), and how does the council justify a payment of this size, particularly at a time of intense pressure on the council's finances?

Cabinet Member response

I would like to thank Mr Clarke for his question and for considering our draft Statement of Accounts which our finance team work so hard each year to publish by the statutory deadline.

In relation to the exit payment for the Managing Director for Place and Growth, all elements of the payment were calculated in line with statute and no discretionary payments were made.

The payment was approved in line with the Council's constitution as part of the business case for the structure proposed as part of phase one of the Council's organisational review to re-align our resources, this one off payment helped to deliver efficiencies to reinvest and continue delivering the Council's Corporate Priorities.

11. Question from Gary Clarke to the Leader, Councillor Rowena Hay

The Draft Statement of Accounts reports that the council's usable reserves at 31 March 2021 were £19m. At 31 March 2022 they were £10m. At 31 March 2023 they

were down to £4m. Commentators are predicting that in the next two years, more and more local councils will be at risk of predicted expenditure exceeding available funds. It appears that CBC has been forced to make substantial inroads into its reserves over the last two years, at a rate which will exhaust the usable reserves during this current financial year. What is the Chief Financial Officer's estimate of the likelihood that CBC will have to issue a section 114 notice within the financial years ending March 2025 and March 2026, and what, if any, asset sales are built into the Chief Financial Officer's planning and predictions over this time period?

Cabinet Member response

I would like to thank Mr Clarke for his question as it raises the profile and specifically, the sustainability of local government finance.

Since 2009/10 this Council has had its core funding from the Government cut by more than 50%. In addition to this, the last multi-year financial settlement from central government was in 2016/17 which gives little opportunity for budget planning afforded to many other areas within the public sector.

The principles of that settlement in 2016/17 saw a shift away from freezing council tax to using council tax to generate additional funding. Reserves were also noted as being one element of an efficiency plan through a voluntary drawdown of reserves as the price for greater certainty for future settlements.

Whilst your analysis on our total reserves, taken from the draft statement of accounts, is correct, I do need to qualify the rationale for these movements. During the pandemic, central government provided significant grants through the business rates system to compensate business for lost income during the various lockdowns. Due to the timing differences between receiving the money from central government and passing these funds to local businesses, these funds were earmarked within our reserves.

As at 31st March 2021, £14.771m was held in the business rates retention equalisation reserve. As at 31st March 2022, this had fallen to £5.985m and at 31st March 2023 it had fallen back to just £23,820. Taking this into account, you will note that our remaining reserves in general have remained constant over the last 3 years, albeit personally I would like our reserves to be higher to ensure we are resilient to shocks such as a pandemic and the recent cost of living crisis.

Having said the above, the Council needs to ensure the right balance when determining the level of its reserves. There appears to be an assumption that having high levels of reserves is a good measure which doesn't necessarily fit well with the equity perspective that councils should not be sitting on high levels of reserves as this is being funded by local taxpayers that are not getting any benefit.

The latter part of your question refers to our Chief Financial Officer's assessment as to whether he believes we are likely to issue a section 114 notice and what assumptions he has made on asset sales and what planning and predictions have been made for the next two financial years.

The Local Government Act 2003 Section 25 includes a specific duty on the Chief Finance Officer (Section 151 Officer) to make a report to the authority when it is considering its annual budget and council tax levels. The report must deal with the robustness of the estimates and the adequacy of the reserves included within the budget. (For the purpose of the Act 'reserves' includes 'general fund balances'.) The Act requires the Council to have due regard to the report in making its decisions at the Council's budget and council tax setting meeting. This report can be found at Appendix 2 to the General Fund budget report which forms part of today's agenda.

I trust you will find comfort from his report which is a comprehensive independent assessment on the robustness of the estimates and the adequacy of the reserves.

12. Question from David Redgewell to Cabinet Member for Finance and Assets, Peter Jeffries

What is the budget for maintenance and improvements to Royal Well bus and coach station, and does this include maintenance of bus stops and shelters in the bus and coach station, CCTV and lighting? Are the charges from bus and coach services departing the bus and coach station - National Express Coaches Limited, Go Ahead Oxford bus company[formally Pulham Coaches], Stagecoach West and tourist coaches, and money from the private car park on site, reinvested in the up-keep of the bus and coach station?

Cabinet Member response

I thank Mr Redgewell for his question. The budget for maintenance and management of the Royal Well bus node for 2024/25 is £9,000, including the utility costs associated with the site. In addition to this there are costs incurred through the Ubico contract for the landscaping, planting and grass cutting of the area.

These costs are covered by the income generated from the service operators who use the site.

However, due to the business rates payable on the site the net cost to the Council of running the site is £21k.

13. Question from David Redgewell to Cabinet Member for Finance and Assets, Councillor Peter Jeffries

In this year's budget, has any money been allocated to improve customer experience and facilities at Cheltenham Spa Royal Well bus and coach station, or into the public realm in Cheltenham Town centre for bus and coach passengers including bus shelters?

Cabinet Member response

I thank Mr Redgewell for his question. The details of the budget for the Royal Well bus node is included in the response to question 12. With regards to wider public realm in

Cheltenham for bus and coach passengers, all other bus shelters including those on the Royal Well Road are owned and managed by the County Council. Whilst we work closely with the County Council on improving the accessible and green transport offer for the town, it is not within our authority to directly invest or improve the existing infrastructure that sits outside our ownership.