

# Council

Meeting date: 23 February 2024

## Member Questions (11 total)

### 1. Question from Councillor Paul Baker to Cabinet Member for Finance and Assets, Councillor Peter Jeffries

It is right that the Council is looking to increase Council tax on empty residential properties unless there are extenuating circumstances. I am equally concerned that the Council should be charging business rates on empty commercial property, be that retail or industrial. Empty properties represent a wasted opportunity and owners must be encouraged and cajoled to let them, even if it means reducing rents.

I understand no business rates are payable for the first three months that a property is empty but after that the full charge will be levied whether the property is empty or not. Members will all be aware of empty properties in their area, in the High Street; I know of one in Swindon Road which has been empty for as long as I can remember, and there will be others.

I understand that there are exemptions such as listed buildings, properties owned by charities, and buildings with a rateable value under £2,900, but can the Cabinet Member assure me that, where we can, full business rates are being levied on qualifying empty commercial properties?

#### **Cabinet Member response:**

I thank Councillor Baker for his question. It is correct that the Council is looking to charge a higher level of council tax on residential properties treated as second homes. We already charge higher council tax on long term empty properties and I welcome the change in legislation allowing us to do the same on second homes. Charging the higher level of council tax will encourage all owners to consider bringing their properties in to use as much needed homes and generate additional council tax income. There will be some exemptions for extenuating circumstances. We don't have the details yet but these will be applied before the increased charges start in April 2025.

With regards to business premises, regrettably the council doesn't have any power to increase the level of business rates on empty properties so can't use this as a tool to incentivise owners to bring their business properties in to use.

Legislation dictates that an exemption must be given when properties first become empty. Industrial premises are exempt for 6 months and all other types of premises, such as retail or offices get 3 months. The business rates team monitor all business properties. They collect lots of information and make checks including inspecting

properties before deciding, in line with what the rules say, whether occupied or empty rates should be charged. Where properties are classed as empty and not exempt, such as listed properties then yes empty business rates are being charged.

## **2. Question from Councillor Tim Harman to the Leader, Councillor Rowena Hay**

The closure of Cavendish House and the uncertainty over its future poses a challenge for the Promenade and the Town Centre . The Leader has stated that this is an opportunity and I hope she is right. The decision by this Council to possibly sell the Municipal offices is another factor increasing uncertainty.

Does the Council have any plan to respond to these challenges, working with the business community to promote the Town centre in the short and medium term while the uncertainty remains?

### **Cabinet Member response:**

I thank Councillor Harman for his question, and he will be familiar with the loss of high-profile names from the High Street, with the latest being Bodyshop entering administration. However, it is not a doom and gloom picture as referenced in the recent article in the The Guardian which describes Cheltenham as “the handsome town centre streets are bustling, business seems to be, if not booming, then not exactly in existential crisis”, this alongside the recent announcement that M&S are investing in their high performing high street premises just goes to show that there is more positives than negatives.

High Streets are evolving and as a Council, we are best placed to help facilitate the changes needed to ensure Cheltenham continues to maintain its place as a destination, supporting our businesses, communities and expanding our visitor base. Whilst change brings uncertainty it also brings opportunity, as reflected in our Corporate Plan which identifies supporting the high street and increasing town centre living as key drivers.

Cheltenham attracted almost 2 million visitors in 2022 (latest data set) and the town is a popular destination for local, regional and national visitors’ thanks, in part, to extensive promotional activity carried out by the council and other stakeholders. Landlords and agents cite a high demand from incoming businesses for shop units in the town, particularly in key streets where the footfall is high, and while there have been a small number of longer-term vacancies, empty units in Cheltenham in the main experience active churn when users vacate.

In 2023 we agreed the Cheltenham Vacant Units Action Plan, with its key objectives being to:

- Understand the current and ongoing position of empty shops in the town centre.
- Encourage the conversion of empty and underused space to maximise brownfield residential development.

- Take enforcement against unsightly empty premises to clear up our town centre.
- Work with landlords, agents, and town centre businesses to ensure that stakeholders understand key issues facing town centre development.
- Encourage flexibility of the planning system and future strategic planning to bring more residential accommodation to the town centre.
- Identify opportunities for meanwhile use where appropriate.
- Highlight opportunities for regeneration and recognise the value of key development sites within the town acting as a catalyst for lasting change.

In many ways, Cheltenham bucks trends seen nationally, with increasing visitor numbers and a lower than average vacancy rate for town centre units. Nonetheless, the action plan seeks to address vacancies and improve the town centre by focussing on identifying vacancies, improving the look and feel of vacant units, and promoting opportunities to potential occupiers.

Engagement with the business community is key and active and ongoing engagement takes place with key stakeholders, for example Cheltenham BID, Cheltenham Chamber of Commerce and the Federation of Small Business alongside our ongoing interactions with agents, landlords and developers. Our strong relationships are demonstrated in the recent vacant units piece which was co-commissioned with the Cheltenham BID.

Turning specifically to Cavendish House, Canada Life is the landowner and I am sure you will have seen their press release following the announcement of the closure of the store that makes their commitment to bringing forward a solution that supports the vitality and viability of the High Street.

The council is proactively engaging with Canada Life to support them in this transition phase. While any decisions about short, medium or longer-term occupation of the building sit with Canada Life, the council has offered to support where possible. Discussions are ongoing and more information will be shared about next steps in due course.

The planning team is currently in pre application engagement with the agent representing Canada Life with the expectation that an application will be presented shortly. This application has the opportunity to bring forward a development that will include much needed town centre homes alongside retail and leisure, reflecting the priorities of our corporate plan in respect of regeneration and investment in the town centre.

In the medium term we are developing the Cheltenham, Gloucester and Tewkesbury Strategic and Local Plan (SLP) and I encourage you to engage in that process. The SLP brings a fresh opportunity to ensure we build flexibility into our longer-term planning policies and ensure they are fit for the future.

Turning to the Municipal Office, Councillor Harman will be aware that the Council only utilise a small percentage of the space. Its use and occupancy numbers have been in continual decline for a number of years which has been rapidly accelerated by the COVID pandemic. New opportunity and activity relating to the Municipal Offices has the ability to enhance the vibrancy of the town and contribute to securing the towns economic future, the opposite of the effects of our diminished occupation.

The town is in a period of rapid transition and the Municipal Offices is part of the new chapter. Our Council will remain in the town, continuing to provide its services, so the outcomes of disposal allow for rebirth, growth, economic stability and vitality.

### **3. Question from Councillor Tim Harman to the Cabinet Member for Customer and Regulatory Services, Councillor Martin Horwood**

When will the Council's policy on sexual entertainment venues next be considered and when it is, can I be assured that the whole Council vote on it?

#### **Cabinet Member response:**

I thank Councillor Harman for his question. The sexual entertainment venue policy is scheduled for a review this year. The work on the policy review is likely to commence summer 2024.

Under Cheltenham's constitution, the adoption of the sexual entertainment venue policy is an executive function that is the responsibility of Cabinet. Cabinet can decide to provide Council with an opportunity to debate the revised policy.

A change to the constitution to amend the decision level can, of course, be proposed although the current constitution was reviewed and agreed only last year.

The Cabinet decision will in any case be subject to the normal call-in process that may also provide Council with an opportunity to consider the policy adoption decision.

It is important to point out that licensing decisions and policy operate under a framework of law set by Parliament and also that licensing decisions on individual applications remain the responsibility of the Licensing Committee.

### **4. Question from Councillor Stephan Fifield to Cabinet Member for Finance and Assets, Councillor Peter Jeffries**

Could the Cabinet member please clarify whether, considering a petition has been submitted and will be debated at the March Council Meeting, that Idsall Drive Car Park will be taken off the market while its future is decided?

#### **Cabinet Member response:**

Thank you for the question Cllr Fifield.

Interactions with our communities are always welcomed, even in the form of a petition. At the time of writing this response to your question I have not seen the petition or read the petition statement. Also, I have not had any correspondence from the petition organiser, or relevant ward councillors in relation to the petition.

For clarity the car park has been advertised for sale on the open market and the deadline for the submission of bids for the land was 9 February 2024. The submissions have already been reviewed and the sales process has begun with the preferred bidder.

In direct response to your question, the site is no longer on the market as the bidding process has closed.

As you rightly point out, this petition will be discussed at the March council meeting, where all the relevant information will be available for Members.

#### **5. Question from Councillor Paul Baker to Cabinet Member for Customer and Regulatory Services, Councillor Martin Horwood**

Firstly let me congratulate UBICO for doing their very best to keep our town centre litter free, sadly it is an impossible task as it appears to me that litter is being dropped with impunity every minute of every day. No sooner is a street picked than it needs picking again, it is a similar story in many of parks where we are indebted to local groups like the Friends of Sandford Park or Pittville Park for carrying out regular litter clearance.

As an authority we rightly take great pride in our town but litter is damaging our reputation, enough is enough. We have CCTV cameras all over the place, occasionally we see a police officer or PCSO and we have our own officers too I understand. Dropping litter is unacceptable, it is lazy and disrespectful of our town and fines can be handed out. Can I ask the Cabinet Member to initiate a crackdown on this behaviour with publicity and fines or consider employing a company to patrol the street and issues fines on our behalf?

#### **Cabinet Member response:**

I thank Councillor Baker for his question. Everybody agrees that littering is a nuisance to society and a blight on our streets when it happens.

As Councillor Baker notes, Ubico is doing a good job at street clearing and cleaning and I would also like to congratulate the many councillors who lead community litter picks in every part of Cheltenham, including 94 year old parish councillor Kit Braunholtz of Leckhampton .

In addition to the work of Ubico, Cheltenham Borough Council has a team of neighbourhood officers who, amongst other things, enforce anti-littering policy

including public engagement but also fines and, if necessary, prosecutions. In addition to their normal foot patrols, the authority also relies on mobile CCTV cameras that are moved around town to target littering and fly tipping hotspots. These deployments have proven effective with public engagement and persuasion first but also over 70 fines issued and 4 successful prosecutions for littering and fly tipping offences. The team already carry out joint operations with the police and other partners, and this will continue.

Last year we dramatically increased the maximum fine for littering in Cheltenham to £500 (up from £150), as soon as government allowed us to do this.

This is our preferred approach rather than employing a third party company who would inevitably charge for their service, would be less flexible than our in-house neighbourhood team and might risk public confidence by an approach which prioritised fine numbers or income over successful outcomes.

As part of the council's organisational restructure, a review of the neighbourhood team is currently being undertaken to re-prioritise the team's work. Littering, along with graffiti and fly posting offences have already been agreed as areas of priority for the team moving forward and the completion of the review, together with the increased fines already in place, would seem to be an opportune time to do as Cllr Baker suggests and launch a publicity campaign to discourage littering and draw attention to the increased risk of very high fines for this anti-social behaviour.

## **6. Question from Councillor Emma Nelson to Cabinet Member for Finance and Assets, Councillor Peter Jeffries**

Given my recent question to Council about parking, I noted with interest the report in Glos Live on Feb 1st stating that Cheltenham Borough Council earned income of £2.5 million from parking fines and pay-and-display charges, net of expenses. The County Council earned £2.8 million, including fines just under £1.8 million. Given the relative sizes of the two organisations how come CBC income was almost equal to GCC and how much of the CBC £2.5 million relates to fines? Where is the £2.5 million shown in the budget figures?

What is the average occupancy of the 11 CBC Town Centre Car Parks (total spaces 1,803)?

### **Cabinet Member response:**

I thank Councillor Nelson for her question. £2.5million is the council's income in 2022/23 from parking fees and fines, after deducting operational costs. £91,000 of this was received from fines. This figure is the operational surplus and is taken from the published Revenue Outturn return submitted to Government.

The income from parking is shown in appendix 3 to the 2022/23 Financial Outturn Report which was considered by this council on 24 July 2023. The figure differs from the £2.5million because it takes account of asset depreciation which is not included in the Government's Revenue Outturn Return.

Parking income will depend on factors such as the number and type of parking spaces, the value of fees charges and the number of fines issued but being a much larger organisation doesn't in itself guarantee more parking income. The county council provides on-street parking and although they cover a large geographical area only Cheltenham and Gloucester will generate significant sums, not the rural areas. In fact around two-thirds of the county's on-street parking bays are located in Cheltenham so the majority of the income will come from Cheltenham alone. This Council provides off street parking suitable for long and short stay across 14 car parks. A parking strategy should encourage off-street parking and discourage commuters and shoppers from parking on-street, especially in residential areas, leaving residents generally able to park.

I note with interest that the county makes over 60% (£1.8million) of its income from issuing parking fines whereas this council's approach is to encourage users of our car parks to pay the correct fees, avoiding the need to issue so many fines. In fact, the payment system in Regent Arcade, our largest car park, prevents vehicles from leaving the car park without paying so no enforcement is necessary.

With regards to average occupancy, taking into account that some car parks are busier than others and that usage does change at different times of the year the average occupancy rate across all town centre car parks during daytime hours is about 85%.

#### **7. Question from Councillor Emma Nelson to Cabinet Member for Waste, Recycling and Street Services, Councillor Iain Dobie**

I see from the CBC website that (as of 13th February) the street clearance schedule ends on February 7th. How often is this schedule updated and how is priority decided of which roads need doing? Leckhampton Road could do with attention please!

Also, I believe the Council has two weed ripping machines. How successful are they, and where have they been deployed recently?

#### **Cabinet Member response:**

Thank you for your question which is very timely given the number of councils, like Brighton and Hove, that have recently decided to revert back to, or increase, the use of herbicides to control weeds due to budget pressures.

Following our one weed spray in the spring, weed removal has been taking place across the borough during the year, including in St Marks, Noverton Estate and Prestbury High Street and is also part of the street clearance schedule. Manual weed removal absorbs significant resource and crews are doing their best to maximise the amount of weed removal taking place. Weed rippers are very effective but the manual clearance of weeds is a slower, more expensive and resource intensive way of dealing with weeds currently.

The street clearance schedule is updated on the website as often as possible and was last updated on 16 February 2024. The list of street clearances is set out on the website but the additions since 7 February are:

February 21 2024	Selkirk Street
February 22 2024	Portland Square
February 28 2024	Hewlett Road
February 29 2024	St Stephen's Road

Street clearance work takes place every year from November/December until the end of February and priority is decided following inspections of the roads to determine which roads need clearances along with requests from the public. Roads with greater numbers of trees are usually a higher priority due to leaf fall and flooding risk.

I can assure you that Leckhampton Road has had leaf fall cleared from pavements and road gullies where there are no parked cars. We are however waiting for Gloucestershire County Council to arrange the annual street clearance works for this area to ensure all parked cars are moved and the works normally take 2 or 3 days to complete. Gloucestershire County Council would need to comment on this however there have been various road works in the area which may have delayed the usual street clearance.

#### **8. Question from Councillor Emma Nelson to Cabinet Member for Finance and Assets, Peter Jeffries**

Update on status of old taxi rank site in Royal Well

A while ago, a question was tabled regarding the future of the Royal Well old taxi rank space. Until recently it was used as temporary parking for construction workmen developing a nearby site. I see that it is now a barrier controlled car park for Crescent Place guests. It still seems in need of attention and looks in a sorry state. Who is responsible for maintenance of the site? How much rental is CBC receiving from Crescent Place and what is the duration of the agreement please?

#### **Cabinet Member response:**

I thank Councillor Nelson for her question. In relation to the Royal Well taxi rank, you are correct that this had recently been used as temporary site to support a local business that was undergoing construction. A registered lease is in place with this business for the ongoing use of the site as parking for Crescent Place customers.

Maintenance of the site is the responsibility of the tenant under the lease and recently work has been undertaken to bring the infrastructure in keeping with the Royal Well surroundings.

The Council receive £25,000 per annum for the site and the lease is for a period of 10 years.



### **9. Question from Councillor Emma Nelson to Cabinet Member for Economic Development, Culture, Tourism and Wellbeing, Max Wilkinson**

It is most unfortunate that the recent discovery of RAAC in the ceiling panels at Leisure @ resulted in the temporary closure of the Teaching Pool and Splash Pool, particularly over half-term week; and this coming so soon after the sudden closure of the Pump Room at the end of October due to the need for urgent repairs to plasterwork on the ceiling.

Will the Teaching Pool and Splash Pool at Leisure @ be able to re-open as planned w/c 4th March?

#### **Cabinet Member response:**

Thank you to Cllr Nelson for the three questions. RAAC has been found across the country in schools, hospitals and other public buildings like courts, police stations, libraries and public housing. This is not an issue that should be viewed in isolation as something only being experienced in Cheltenham at our leisure centre. I'm sure she would consider asking the government, perhaps via our MP, to setup a national risk register of all public buildings alongside funding from the treasury to help hard-pressed local authorities deal with the issue. As Cllr Nelson will be aware, urgent maintenance costs must come from somewhere and sacrifices will inevitably be made either now, or in the future, as a result of the discovery of RAAC. A national fund is required to mitigate this, as well as the disruption caused to pupils, patients and other users of public buildings across the country. A national ministerial taskforce is undoubtedly required.

In response to Government guidance released in 2023 a full assessment and inspection by specialist contractors confirmed there are ceiling panels containing RAAC in the Teaching Pool and Splashpad which led to the decision to close the Teaching Pool and Splashpad on 24 January. The measures taken to strengthen the panels and ensure the area is made safe for the public has involved aligning multiple different contractors to overcome the additional complexities on operating in a wet side environment. We have experienced some delays with the supply of materials and labour, particularly given that many other public bodies are also requiring these resources to strengthen areas of RAAC in their buildings. The handover of the site back to the Cheltenham Trust is now expected on Friday 15 March. Following that handover, the areas will need to be cleaned and pool water sampling will be undertaken before re-opening. The Trust will be updating their communication to customers this week but is expecting to be re-open for the busy Easter holidays.

### **10. Question from Councillor Emma Nelson to Cabinet Member for Economic Development, Culture, Tourism and Wellbeing, Max Wilkinson**

When will the works at the Pump Room be completed?

How much revenue has Cheltenham Trust lost as a result of the closure of the Pump Room?

**Cabinet Member response:**

I was pleased to visit the Pump Room in person with Cllr Julian Tooke, who has been monitoring this issue closely. We saw the complexity of the specialist work being undertaken to look after such an important heritage asset. The works are due to be completed and the building made fully available to the Cheltenham Trust on Friday 8 March in advance of their busy Cheltenham Festival events. The Council understands the importance of Festival week for the town's economy. Officers have worked hard with staff at the Trust to ensure that they can benefit from what is arguably the most important week of the year for any business. Questions about the finances of The Cheltenham Trust's revenues should be directed to the Trust.

**11. Question from Councillor Emma Nelson to Cabinet Member for Economic Development, Culture, Tourism and Wellbeing, Max Wilkinson**

The recent maintenance issues at two of the Council's and Cheltenham Trust key facilities (Leisure @ and Pittville Pump Room) leads me to ask - what lessons has the council learnt to ensure their other facilities, and indeed these two, are fit for purpose going forward?

**Cabinet Member response:**

While Cllr Nelson has mixed the two cases, it is important that this authority considers these two closures separately as the decision to close each was due to very different issues. One relates to a building that is almost 200 years old, while the other relates to concrete used in a much more modern structure. In both cases, the Council and The Cheltenham Trust prioritised the safety of staff and customers. The two organisations have worked together to ensure the venues are closed for the shortest time possible. The teams are focused on making sure the work is completed in line with the timescales set out above. When the venues are re-opened, this authority will work with the Trust to consider any learnings from the work undertaken, to help inform future maintenance plans.

On a more general level, this authority continues to take a great deal of pride in local facilities such as Leisure@ and the Pittville Pump Room. Indeed, many other authorities would not have retained these buildings in public ownership, given the ongoing squeeze on local council finances. As a member of two principal local authorities, Cllr Nelson is aware of the financial challenges faced by local government and I'm sure she shares our frustration. Cllr Nelson is presumably also aware that a past administration run by a different political party toyed with various ideas for privatising the Pittville Pump Room. However, sound financial management of this Council over many years, alongside a commitment to heritage and partnership working, has enabled the retention of the Pump Room in public ownership and the ongoing function of Leisure@ as a municipal leisure centre.

