

Cheltenham Borough Council Council Minutes

Meeting date: 14 October 2024

Meeting time: 2.30 pm - 3.40 pm

In attendance:

Councillors:

Paul Baker (Chair), Frank Allen, Glenn Andrews, Victoria Atherstone, Adrian Bamford, Dilys Barrell, Jackie Chelin, Barbara Clark, Flo Clucas, Mike Collins, Ashleigh Davies, Chris Day, Iain Dobie, Jan Foster, Juan Carlos Garcia Clamp, Steve Harvey, Rowena Hay, Sandra Holliday, Martin Horwood, Peter Jeffries, Alisha Lewis, Cathal Lynch, Andy Mutton, Ben Orme, Helen Pemberton, Richard Pineger, Stan Smith, Dr Steve Steinhardt, Izaac Tailford, Julian Tooke, Simon Wheeler and Suzanne Williams

Also in attendance:

Paul Jones (Deputy Chief Executive (Section 151 Officer)), Claire Hughes (Director of Governance and Customer Services and Monitoring Officer), Maizy McCann (Climate Emergency Officer) and Jack Cole (Climate Change Officer)

1 Apologies

Apologies were received from Councillors Barnes, Beale, Boyes, Chandler, Clucas, Joy, Oliver, Sankey and Willingham

2 Declarations of interest

There were none.

3 Minutes of the last meeting

Councillor Pineger asked for Agenda Item 9 to be amended to clarify that the police hold the responsibility for graffiti as it is criminal damage.

RESOLVED (unanimously) THAT

The minutes of the meeting held on 22 July 2024 (as amended) were signed as a correct record.

4 Communications by the Mayor

The Mayor highlighted some of the excellent events he has recently attended in the communities:

- To recognise World Homelessness Day, Caring for Communities and People held an event at Brickhampton Golf Course to launch the new Cheltpods which will be sited in Cheltenham soon. These are self-contained heated pods that can be used overnight by rough sleepers to ensure they are safe and dry. The event included a superb presentation from Ewan Wright and Nigel Potter which showed the strength of the council working in unison with local charities;
- He attended the Durga Puja Hindu festival where they celebrate the triumph of good over evil. It was a magical occasion, full of colour and smiles, that showed the vibrant Hindu community in Cheltenham;
- Celebrated the Next Door Nature project and gardening group in St. Pauls. The local community, Gloucestershire Wildlife Trust and housing colleagues have developed a gardening hub where they can learn skills, and grow and cook their own food;
- Opened the Emmaus Charity Shop in the former Natwest Bank in Bath Road. It is great to have them back in the town as they do wonderful work in the county, providing education and opportunities for homeless people, as well as recycling and reselling goods.

5 Communications by the Leader of the Council

The Leader first wished to congratulate the Chief Executive on the arrival of his second baby.

She then reported that 17 Cheltenham projects were successful in benefiting from the award of 2024 Community Pride funding which comprised a fund of £30k. The Leader was sure that the allocation of this Fund will have a brilliant and positive impact on the town.

The Leader referred to the briefing note attached to the agenda relating to progress of GP surgery provision at strategic sites. She welcomed the positive engagement between officers and the local NHS and provision. She wished to give specific thanks to the Director of Planning and Economic Development for her efforts.

Finally, the Leader informed Council of the significant interest in sale of the Municipal Offices. The council had received compliments in terms of the content of its comprehensive sales information and she wished to thank Avison Young, the agents, and the Development Manager. This was the start of the journey.

6 To receive petitions

There were none.

7 Public Questions

1. Question from Mr David Redgewell to the Leader, Councillor Rowena Hay

The government is looking for regional government authorities and councils to work together on planning, homes, economic development and transport, and in terms of sub-regional authorities, the close working relationship between Tewkesbury, Gloucester and Cheltenham shows that there is a need for more joint working or a unitary authority.

What discussions are taking place between Cheltenham, Gloucestershire, Tewkesbury, Gloucester City, Cotswolds, Stroud, Forest of Dean and South Gloucestershire councils on setting up unitary authorities within Gloucestershire and becoming part of a regional devolution deal with Western Gateway partnership and Western Gateway Transport Board?

What submission has Cheltenham Borough Council made to the Secretary of State for Transport or the Deputy Prime Minister and Secretary of State for Housing and Local Government as part of the Western Gateway deal on a regional devolution?

Leader's response:

I'd like to thank Mr Redgewell for his question.

There are no current conversations between Gloucestershire councils that Cheltenham Borough Council is involved in that are discussing local government reorganisation to become a unitary. Cheltenham Borough Council has always worked in partnership with local authorities. We are a joint owner of Ubico, who provide waste and recycling services, we are part of a shared legal service, and we take our full part in a range of cross Gloucestershire committees and forums such as the City Region Board and Climate Leadership Gloucestershire. Due to partnership working, Cheltenham Borough Council's view is that local government reorganisation is not necessary. This has been a view shared by other Gloucestershire authorities.

With regard to devolution, previously Cheltenham Borough Council supported a level 2 devolution deal being proposed to government but, as of yet, government have chosen not to progress it at this time. However, the government is expected to publish a new devolution framework in the coming months and we wait to see the content of that framework before having further discussions. We remain interested in exploring a further devolution deal and alongside all Gloucestershire councils we have submitted an expression of interest to simply register our interest in exploring a future deal.

In a supplementary question, Mr Redgewell asked what work the Gloucestershire districts had carried out in relation to a submission to the Ministry of Housing, Communities and Local Government which was due by 30 Sept. He expressed disappointment at the apparent lack of cooperation.

In response, the Leader confirmed that the council was working closely with the county. As a group, the districts and GCC had expressed an interest in a devolution deal and be treated as Gloucestershire by the required deadline. However, since the government had not been forthcoming in providing any detail, the group had resubmitted their level 2 devolution deal request. If this was not what was required, the group was keen to hear more from Government.

2. Question from Mr Tim Harman to Cabinet Member for Major Developments and Housing Delivery, Councillor Peter Jeffries

It is good that the MX project has finally been completed. Can I ask the relevant Cabinet Member for the final cost of the project and how much this varies from the original budget for the project?

Cabinet Member's response:

The budget for the original scope of the MX project was £4,259,809 when it was first submitted for planning permission in 2019. This was part funded by a £3.5m Government grant and the design at this stage was based on the hub being built from 31 shipping containers.

However, since this date the design of the building has changed substantially, and the completed building is a permanent structure on a much bigger footprint and much better able to fuel business growth in Cheltenham than the original proposal.

The final approved cost of the delivery of the MX hub is £9.267m however given the changes in design over the past five years, this is not a like for like comparison with the original budget. Full Council were presented with annual updates on the project and any budget uplift was approved as part of the key decisions in the relevant reports.

In a supplementary question, Tim Harman asked that in view of the significant over spend, had the project been subject to external audit and if not, would the council consider commissioning one?

In response, the Cabinet Member for Major Projects and Housing Delivery stated that he did not agree with the premise of the supplementary question but explained that full Council had been kept up to date in detail on budgets throughout the project.

8 Member Questions

1. Question from Councillor Tabi Joy to Cabinet Member for Planning and Building Control, Councillor Mike Collins

Does CBC have a policy on Rural Exception Sites? If so, how can it be found, and are we acting on GRCC's recommendations?

[Potential Rural Exception Sites wanted for small affordable housing developments in rural areas. - News & Events - GRCC](#)

Cabinet Member's response:

I thank Councillor Joy for her question.

Rural exception sites are located on the edge of rural settlements, and are usually small in size, as is recognised within the provided note from Gloucestershire Rural Community Council (GRCC). Rural exception sites are not allocated within the Development Plan and would not normally be used for housing. The [National Planning Policy Framework](#) sets out that the purpose of such sites is to enable the building of affordable homes in rural areas with the aim of addressing local housing need.

The Joint Core Strategy (2017), which covers Cheltenham Borough, Gloucester City and Tewkesbury Borough has a number of policies that refer to rural exception sites. These are policies SD10: Residential Development and SD12: Affordable Housing. Point 7 of Policy SD12 states *"In certain circumstances, where there is clear evidence of a local housing need that cannot be met elsewhere, affordable housing will be permitted on rural exception sites. A rural exception site must be within, or on the edge of, a rural settlement. It should be of a scale well related to the settlement both functionally and in terms of design"*.

The Cheltenham Plan (2020) refers to the Principal Urban Area which *"marks the limits of Cheltenham town, being the dividing line between built-up/urban areas (the settlement) and non-urban or rural areas (the countryside)"*. There are no policies or references to rural settlements within the Cheltenham Plan, presumably because there are no rural settlements within Cheltenham Borough. Therefore, it is very difficult to envisage any circumstances in which a rural exception site would come forward within Cheltenham Borough.

GRCC's call for potential rural exception sites is more likely to be relevant to some of the other authorities within Gloucestershire. For example, it is noted that within the Tewkesbury Borough Plan (2022) there are references to rural settlements and they also have a specific Policy RES6 Rural Exception Sites.

2. Question from Councillor Tabi Joy to Cabinet Member for Housing and Customer Services, Councillor Flo Clucas

In light of the recent first reading of the Renters Rights Bill, is CBC beginning to take action to identify private landlords for a prospective registry, and formulate information-sharing platforms to ensure adequate protections for renters?

Cabinet Member's response:

I thank Councillor Joy for her question.

Important to say, in the first instance, that the Bill has a long passage ahead of it before receiving Royal Assent next summer. There will be changes to the Bill that will become clear overtime.

Having said that, officers have begun work to plan for the Bill's implementation and the impact the Bill will have on the day-to-day working of the council's work. In relation to the specific question by Councillor Joy, in the Renters Rights Bill, s74 the 'Database operator' is specified currently as either the Secretary of State or person who Secretary of State 'has arranged to be database service operator'. Therefore, the creating and keeping up of a landlord registry is not specified as Local Authority's duty yet.

The Bill also states that the Secretary of State may make regulations as to what information it holds and what functionality it has. At this stage, officers are unable to make any preparations until further information is known or Regulations are put forward by the Secretary of State.

Notwithstanding this, officers working in the Private Sector Housing Team do maintain a list of landlords and agents. Officers will use this list to share information and requirements from the Renters Rights Bill. In addition, the Private Sector Housing Team will update our website with the requirements and links as necessary to advise tenants / landlords of changes and obligations.

Finally, the Private Sector Housing Team officers have identified a provider to assist the team with training and information on the Bill in the lead up to the predicted summer 2025 Royal Assent date to ensure the team is able to respond to the new powers and duties under the act to protect renters in that sector.

3. Question from Councillor Ashleigh Davies to Cabinet Member for Housing and Customer Services, Councillor Flo Clucas

Do we have any statistics and figures on vacant housing in Cheltenham? We appreciate recent efforts to open up vacant business addresses, but we were wondering if there were similar plans for housing too.

Cabinet Member's response:

I thank Councillor Davies for her question.

The council does hold data on vacant properties. The most comprehensive data sits with the Council Tax team who will maintain information on empty properties. The council's private sector housing team also maintains such a list – when vacant properties are reported to the council – but this list is not as comprehensive as the council tax information.

It is also appropriate to report on the outcome of the recent house conditions survey. This report concluded that:

At the time of survey, 49,577 dwellings (95.1%) were occupied^[1], the remaining 2,527 dwellings (4.9%) were vacant. Within the vacant housing stock, 2,388 dwellings (94.5%) have been vacant for under six months and are expected to return to occupancy in the short-term. These include dwellings for sale or rent (1,820 dwellings) and those undergoing repair or modernisation (568 dwellings). 139 vacant dwellings (5.5%) were assessed as vacant for over six months and are generally regarded as problematic in future occupancy terms.

Tackling empty homes is a strategic priority for the council, as recognised in our Housing, Homelessness & Rough Sleeping Strategy 2023-28. Also, an important aim of the house conditions survey is to track progress on work being done to bring properties up to the Decent Homes Standard. These properties include those vacant due to hazards that cannot be re-occupied as a consequence.

In 2011:

- 3,352 dwellings (7.5%) exhibit Category 1 hazards within the HHSRS.
- 8,757 dwellings (19.7%) exhibit high level Category 2 hazards within the HHSRS.

In 2024:

- 526 dwellings (1.1%) exhibit Category 1 hazards within the Housing Health and Safety Rating System (HHSRS); and
- 1,091 dwellings (2.2%) fail to provide a reasonable degree of thermal comfort.

This authority's work, plans and strategies has had a significant impact on improving housing standards including vacant dwellings assessed as vacant and therefore problematic in future occupancy.

However, as this is a discretionary area and as there have been increased pressures on our Private Sector Housing team to tackle poor housing conditions in the private sector, it has been necessary to divert our limited resources to improving the quality of homes in this sector. We will continue to keep under review opportunities to reduce the number of empty homes within the resources currently available.

[1] Housing stock (all tenures) was indicated at 52,104 dwellings. A small number of occupied dwellings were either Airbnb or other Holiday Company lets.

9 Cheltenham Borough Council and Cheltenham Borough Home's Greenhouse Gas Emission Report: 2023/24

The Cabinet Member Climate Emergency introduced the report and explained that it shows the progress made by CBH and CBC to reach carbon net zero. He thanked Debbie Baker, a nationally recognised climate expert, who has been providing consultancy advice to the council and ensuring the methodologies used follow national best practice. He commented that following her imminent departure she would be leaving a full and well-motivated climate change team.

The Cabinet Member Climate Emergency highlighted that good progress has made in areas where the council have direct control:

- Emissions relating to fossil fuel use fell by 18% since last year.
- Further progress has been in decarbonising vehicle fleet and with UBICO.
- Investments have been made to make buildings and services more energy efficient, for example at the leisure centre.
- Better measurement of energy use through improved building management systems.
- Judicious energy generation projects such as installation of solar panels at the leisure centre.
- Continuing bids to secure central government funding.

He explained that as well as helping to reduce global warming, achieving net zero ambitions will play a key role in reducing council overheads and ensuring long-term financial viability of the council and its' services. He sought the council's endorsement and support for the recommendations made in the report.

In response to a Members' question, the following points were raised:

- The council thanked the team for the provision of such a detailed report.
- The report will be subject to an internal audit by SWAP for the first time and will be shared in the public accounts.
- A plan is in place and will be led by officers to manage the behavioural changes required to reduce scope 3 emissions.
- The council is working collaboratively and meeting regularly with Gloucestershire County Council and the other neighbouring district councils to reduce emissions within shared services.
- We had previously received communication that a funding bid to establish a heat network had been unsuccessful as the funding had been issued on a first come basis. It has now been confirmed that whilst there have been more bids

than available funding, the competition is still ongoing and cases are being assessed. Cheltenham has submitted a strong bid supported by local businesses. We are engaging with the government through our MP and the Local Government Association (LGA) to encourage them to change the previous government's approach of very short submission deadlines. The council will continue to pursue funding opportunities to achieve our net zero ambitions.

- Talks at the Cheltenham Literature Festival highlighted that there are three strands for tackling the climate crisis – energy, transport and food. Whilst the current plan addresses transport and food, additional thought will be given to what actions could be taken to address food emissions.

The following points were made during the members' debate:

- It is extremely positive to see that the council has access to the data required to make intelligent decisions on emissions and understand how they are produced. It is hoped that this will allow committees, such as Overview and Scrutiny to carry out more detailed reviews on individual council assets in the future.
- To tackle scope 2 emissions the council is reliant on the decarbonisation of the infrastructure and the grid. It will be a significant challenge for the new government to ensure that this is sufficiently funded across the UK so we are less reliant on fossil fuels.

The Cabinet Member Climate Emergency commented that it was encouraging to see unity across the chamber for the council's approach to achieving net zero. He highlighted the importance of the talented individuals within the climate change team and expressed his confidence that the vision and roadmap presented will be achieved.

RESOLVED (unanimously) THAT:

- 1. Calculating CBC emissions through one report next year (2024-2025), and onwards by combining the previous Cheltenham Borough Council and Cheltenham Borough Homes reports be approved, such that a new baseline is created combining the two organisations' original figures.**
- 2. Alongside the broader Climate Emergency Action Plan, funding be sought to progress the development of detailed designs and pathway plans for the key individual buildings owned by Cheltenham Borough Council, to enable an application for Public Sector Decarbonisation Scheme Funding next year.**
- 3. Continued focus is retained on HRA Carbon Reduction Plan for Housing including the continued improvements to the housing stock utilising external funding where-ever possible, i.e. WH:SHF (Warm Homes: Social Housing Fund)**
- 4. The work across CBC to review Scope 3 supply chain emissions and processes for engaging with key contractors to better understand emissions and hence plan reductions be supported.**

10 Notices of Motion

One motion was received.

Motion A

Proposed by: Councillor Julian Tooke

Seconded by: Councillor Richard Pineger

Historic Cheltenham and the public realm

This Council:

Approves that the Leader of CBC will write to the Cabinet Member for Highways at GCC and request the following:

- 1. That GCC Highways recognises the unique historic public realm context of Cheltenham in all street works it conducts or over which it has oversight.**
- 2. That GCC Highways accepts that when it does repairs in Cheltenham's historic environments, such as conservation areas or near listed buildings, it has a moral responsibility to do work which is sensitive to the public realm context in which they are working.**
- 3. That GCC works collaboratively with custodians of our civic realm and local, experienced partners (such as Cheltenham BID and Cheltenham Civic Society) to ensure that, wherever possible, the right materials are used in the right contexts.**
- 4. That if repairs are done to streets or pavements, asphalt is not used to replace paving stones or slabs in conservation areas or near listed buildings.**
- 5. That if asphalt absolutely has to be used in an emergency in conservation areas or near listed buildings (eg to replace a broken paving block), GCC will subsequently ensure replacement of the black asphalt with suitably matching blocks or slabs in a timely fashion.**

Councillor Tooke commented that everyday beauty is a right for every human being and everyone has the right to gain pleasure from shared spaces. He explained that councils have a duty to ensure that those shared spaces, or civic realms, give visual pleasure whenever possible. He highlighted that Cheltenham is a beautiful town with 2602 listed buildings and an additional 450 buildings which, whilst not statutorily listed, are locally identified as being of historic value, and 7 precious conservation areas adding up to 688 hectares or 1700 acres. Historic England's 'Streets for all' report states: *'It is not only fine buildings that give England's historic towns and villages their special character. Just as important are their public spaces – the streets and paths through which people move and the squares and precincts in which they connect.'* The report makes it clear that the public realm is not just defined by its architecture, it is also defined by the streets and pavements which frame the architecture because as the report says: *'Paving materials are the platform of the built environment. They form the plinth on*

which buildings are set and the surfaces on which people and traffic interact’.

England has a rich tradition of paving materials and methods. This motion seeks to halt immediately the passage of the ever-creeping asphalt on our pavements in our most precious heritage contexts. Gloucestershire County Council (GCC) holds responsibility highway repairs and for the work carried out on pavements by utility companies. The motion requests that the Leader of the Council writes to GCC to halt the use of asphalt on pavements which does not match paving stones all together next to listed buildings and in conservation areas.

Members raised the following points:

- Maintaining the beauty of Cheltenham benefits residents, visitors, tourism and local businesses. It provides a positive tourism and shopping experience that will help build economic development.
- A partner approach with the Civic Society and Cheltenham Bid is a positive step as they share the Council’s passion for improving the town centre.
- It is disappointing that a proactive response has not happened in the past when issues with pavements have been raised.
- Given the rules and responsibilities placed on residents living within conservation areas, it is disappointing that GCC and the utility companies have not taken an equally sympathetic approach and invested in the area.
- Poor quality pavements require greater management and cause more resources to be diverted. It also has a detrimental impact on residents and visitors with mobility issues.
- Consideration should be given to other techniques to paving around trees, including the use of paving and lowering tree roots.
- Where possible removed paving stones should be replaced.
- It is important that the positive relationships built between CBC and GCC officers continues.
- Providing beautiful public spaces can have a levelling up impact for those at the bottom of the economic scale.
- It is important that repairs are properly audited to ensure that they are being carried out properly.

RESOLVED (unanimously) THAT

the Leader of CBC be requested to write to the Cabinet Member for Highways at GCC and request the following:

- **That GCC Highways recognises the unique historic public realm context of Cheltenham in all street works it conducts or over which it has oversight.**
- **That GCC Highways accepts that when it does repairs in Cheltenham’s historic environments, such as conservation areas or near listed buildings, it has a moral responsibility to do work which is sensitive to the public realm context in which they are working.**
- **That GCC works collaboratively with custodians of our civic realm and local, experienced partners (such as Cheltenham BID and Cheltenham Civic Society) to ensure that, wherever possible, the right materials are used in the right contexts.**

- That if repairs are done to streets or pavements, asphalt is not used to replace paving stones or slabs in conservation areas or near listed buildings.
- That if asphalt absolutely has to be used in an emergency in conservation areas or near listed buildings (eg to replace a broken paving block), GCC will subsequently ensure replacement of the black asphalt with suitably matching blocks or slabs in a timely fashion.

11 Any other item the Mayor determines as urgent and which requires a decision

There was no urgent business.