



## CABINET

**MEETING** : Wednesday, 14th July 2021

**PRESENT** : Cllrs. Cook (Chair), H. Norman, Gravells MBE, Hudson and Morgan

**Others in Attendance**

Cllrs Hilton and Radley

Managing Director

Monitoring Officer

Head of Communities

Head of Policy and Resources

Housing Innovation Manager

Democratic and Electoral Services Officer

Democratic and Electoral Services Officer

**APOLOGIES** : None

### 11. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 12. MINUTES

**RESOLVED:**

That the minutes of the meeting held on 16<sup>th</sup> June 2021 be confirmed as a correct record and signed by the Chair subject to the following correction:

**Minute 3 Public Question Time**

that with regard to the former landfill site at Hempsted 'later in the year 10,000 trees will be planted' be replaced with '100,000 trees will be planted in the next several years'.

### 13. PUBLIC QUESTION TIME (15 MINUTES)

There were no public questions.

### 14. PETITIONS AND DEPUTATIONS (15 MINUTES)

There were no petitions or deputations.

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**15. LEADER AND CABINET MEMBERS' QUESTION TIME (15 MINUTES)**

Concerning the proposed disposal of public open space on the junction of Armscroft and Barnwood Roads known as Cross Keys Rest Garden (agenda item 8) Councillor Radley referred to the Open Space Strategy for Gloucester 2021-26 (Cabinet 10<sup>th</sup> February 2021 agenda item 13). She informed Members of her perception that the recommendation for full public consultation had not been followed, that the ward and county division councillors had not been consulted at the earliest opportunity, community groups not engaged with to challenge the 'Low Community Value' rating and that site works by the developer during the S123 (Local Government Act 1972) consultation period gave an impression of predetermination. Councillor Radley sought clarification on these points for the reassurance of residents. She further asked where the bench to be provided by the developer (7.2) would go and if public access to the remaining open space would be provided.

The Leader of the Council stated that having seen the detail of the objections to the proposal, he believed Cabinet were minded to defer the decision so that each could be given careful consideration. He affirmed that due process had been followed to bring the proposal forward without impropriety. The Leader of the Council noted that more than sixty responses to the Open Space Strategy were received, none objecting to the grading of the space in question. He commented that community responses could not be guaranteed but gave assurance that the matter would be raised during the further investigations to be undertaken prior to the proposal being brought back to Cabinet. The Leader of the Council stated that he did not know at this stage where the proposed public rest area with bench would be situated.

Regarding the same matter (agenda item 8) Councillor Hilton asked why the required Public Notice was published on the day of the local elections, 13<sup>th</sup> May 2021, as he believed it was not sensible for the consultation period to end before new councillors were settled in and requested that the ward and county division councillors be fully consulted should the decision be deferred. The Leader of the Council confirmed that the relevant councillors would be consulted again. He sought clarification from the officers present in relation to the Public Notice. The Managing Director advised that 13<sup>th</sup> May was most likely the first available date in the publication schedule of the local press.

Councillor Hilton further enquired how the developers gained access to the site to commence work and if the part of the site not being built on as indicated in plans presented to the Planning Committee (2 March 2021 agenda item 6) could remain for public benefit. The Leader of the Council confirmed the developers had entered the site without authorisation and were told to stop work with One Legal having been consulted over issuing an injunction if necessary. He sought guidance on the use of the remaining open space from the Managing Director who advised that he understood that planning permission would most likely have been refused had the development not had an outside garden or amenity space.

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**16. CULTURAL STRATEGY SIX MONTHLY UPDATE**

Cabinet considered the report of the Cabinet Member for Culture and Leisure that provided an update on progress made against the Cultural Strategy for the period January to June 2021 and informed Members of the intention to submit expressions of interest to the Cultural Development Fund and the UK City of Culture 2025.

The Cabinet Member for Culture and Leisure informed Members that he was pleased to present so positive a report which represented so much achievement over what had been such a difficult period. He outlined the recommendations. The Cabinet Member for Culture and Leisure reminded Members that the deadlines to submit the expressions of interest (8.1, 8.2) were tight and the content complex but commented on their importance to the future of the City. He especially highlighted the breadth of cultural events that have taken place since January 2021 despite the challenge of COVID-19 restrictions (Appendix 1) and the success of the Great Place scheme repeating the words of one key partner that Gloucester had made 'giant leaps'. The Cabinet Member for Culture and Leisure drew Members' attention to the recommendations of the Overview and Scrutiny Committee (Appendix 2) and confirmed that they would be consulted should Gloucester progress to the next stage of a UK City of Culture 2025 bid.

The Cabinet Member for Planning and Housing Strategy reiterated that the report was very positive. The Cabinet Member for Culture and Leisure commended the Head of Culture and his team for their efforts as well as those of the partner organisations. He commented that these were exciting and ambitious times for culture in Gloucester. The Cabinet Member for Environment noted that the City was fortunate to be making so much progress despite COVID-19 and offered his own thanks to everyone in the Culture and Leisure teams and partner organisations.

**RESOLVED** that:

- (1) the report is accepted and progress against the objectives of the Cultural Strategy noted
- (2) the City Council submits a bid to the Cultural Investment Fund
- (3) should the eligibility criteria be met, the City Council submits an expression of interest to the Arts Council England Cultural Development Fund round 2 and submit a full bid should the City Council expression of interest be successful
- (4) authority is delegated to the Head of Culture, in consultation with the Section 151 Officer and Council Solicitor, to
  - a) submit bids to the Cultural Investment Fund and Arts Council England Cultural Development Fund round 2
  - b) enter into any grant agreement required by the grant providers

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c) enter into any necessary agreements with the cultural partners referred to in paragraph 3.3 of the report to facilitate the submission of the applications for funding

(5) that an expression of interest for Gloucester being UK City of Culture 2025 be submitted by Gloucester Culture Trust is fully endorsed and supported.

**17. PROPOSED DISPOSAL OF PUBLIC OPEN SPACE ARMSCROFT ROAD/BARNWOOD ROAD**

The Leader of the Council commented on the importance of receiving a full briefing from officers to clarify the process and further opportunity to consult the relevant Councillors before Cabinet considers the proposal to dispose of the Public Open Space between Armscroft and Barnwood Roads.

**RESOLVED** that consideration of the proposed disposal of the Public Open Space between Armscroft and Barnwood Roads be deferred to a later Cabinet meeting.

**18. THE USE OF SANDBAGS DURING FLOODING EVENTS**

Cabinet considered the report of the Cabinet Member for Environment that presented a review of the current policy on sandbag use and sought for minor changes to be made and the Council's position to be established.

The Cabinet Member for Environment outlined the current role of the Council regarding flooding events. He reminded Members that there had been much investment and successful partnership working over recent years, measures he considered to be of more benefit than distributing sandbags. The Cabinet Member for Environment drew their attention to the limitations of sandbags such as the numbers required, their bulk, and deterioration in storage (3.11). He advised that distribution on a large scale for flash flooding would not be possible.

The Cabinet Member for Performance and Resources commented that it was good for the Council to reconfirm its responsibilities in this matter. She suggested that a briefing to Councillors would be useful given that so many were new to the office following recent elections. The Cabinet Member for Environment agreed that training on what to expect should be provided at a Member Development session but only if deemed appropriate given that local area-specific issues would generate more work for officers.

**RESOLVED** that:

- (1) it is confirmed that householders continue to be primarily responsible for the protection of their own property;
- (2) it is confirmed that householders at frequent risk from flooding continue to be primarily responsible for being prepared in advance of the onset of flooding;

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- (3) it is affirmed that the Council's primary roles in relation to flood management in the city are:
- a) source of advice to householders to make appropriate provision for protecting their property in the event of a flooding incident and find alternative methods of protection such as flood barriers and other physical measures;
  - b) to manage and maintain watercourses within its own ownership;
  - c) through production of appropriate strategic planning policies and enforcement of planning conditions related to flood management and
  - d) during and after a flooding incident, to provide support as requested/appropriate by the lead flood agencies (Environment Agency and Gloucestershire County Council) in this area;
- (4) the policy statement outlined in Appendix 1 of the report is adopted.

**19. FINANCIAL OUTTURN 2020/21**

Cabinet considered the report of the Cabinet Member for Performance and Resources that presented the Council's final general fund revenue, capital outturn positions against agreed budgets for the 2020/21 financial year and reported on performance against certain key financial performance indicators.

The Cabinet Member for Performance and Resources highlighted the key features of the report including a decrease to the general fund (3.2) which had improved by £100,000 in the final quarter since the quarter 3 report to Cabinet (10<sup>th</sup> March 2021 agenda item 24). She drew Member's attention to the creation of an £8.9 million Section 31 Grant Repayment Reserve (2.1.1iii) as had been discussed at the Overview and Scrutiny Committee (5<sup>th</sup> July 2021 minute 15). The Cabinet Member for Performance and Resources reminded Members that the overspend position in providing Housing Subsidy (5.9) had been due to factors beyond the Council's control. She placed the position of each portfolio budget in the adverse context of the COVID-19 pandemic. She noted that claims had been submitted to the central government's Sales, Fees and Charges Lost Income scheme (3.7) and advised that the scheme would be extended.

The Cabinet Member for Performance and Resources payed tribute to the work of all officers, especially those in the finance team and thanked them on behalf of Cabinet. The Cabinet Member for Environment added his personal thanks to the Head of Policy and Resources his team. He commented on the achievements of all officers pulling together despite the difficult circumstances of COVID-19. The Cabinet Member for Planning and Housing Strategy noted that the additional costs of COVID-19 in relation to accommodating homeless people had been met through central government grants. He took the opportunity to thank the Head of Communities, Housing Innovation Manager and the housing and homelessness teams for what they had accomplished.

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**RESOLVED** that:

(1) it is noted that:

- a) the year-end position for the financial year 2020/21 is a decrease to the General Fund balance of £122k against a budgeted decrease of £48k
- b) the General Fund balance has decreased from £1.501m to £1.379m at the end of 2020/21
- c) that the level of earmarked reserves has increased by £9.738m to £13.771m, including the creation of an £8.929m Section 31 Grant Repayment Reserve
- d) the impact of Covid-19 pandemic on the Council year end position

(2) the transfers to and from earmarked reserves as detailed in the table in section 6 of the report is approved.

**20. ANNUAL RISK MANAGEMENT REPORT 2020/21**

Cabinet considered the report of the Head of Audit Risk Assurance (Chief Internal Auditor) that presented the Strategic Risk Register (SRR) and sought to update Members on the Council's risk management activities from 2020/21.

The Cabinet Member for Performance and Resources summarised the report. She reminded Members that it had been considered by the Audit and Governance Committee (8<sup>th</sup> March 2021) and that its presentation to Cabinet had been delayed by the May 2021 Council elections.

**RESOLVED** that the Strategic Risk Register and the planned risk management arrangements for 2021/22 is noted and endorsed.

**21. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that the press and public be excluded from the meeting during the following item of business (Agenda item 13) on the grounds that it is likely, in view of the nature of business to be transacted or the nature of the proceedings, that if members of the press and public are present during consideration of this item there will be disclosure to them of exempt information as defined in Schedule 12A of the Local Government Act 1972 as amended.

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**22. ACQUISITION OF PROPERTY TO MEET TEMPORARY ACCOMMODATION  
NEEDS**

Cabinet considered the report of the Cabinet Member for Planning and Housing Strategy that sought the acquisition of a property to provide temporary accommodation.

**RESOLVED** as per the recommendations in the confidential report.

**Time of commencement: 6.00 pm**

**Time of conclusion: 6.32 pm**

**Chair**