

**SOCIAL AND COMMUNITY OVERVIEW AND SCRUTINY COMMITTEE
11TH JULY 2005**

**MINUTES
(18.00 – 19.50 PM)**

PRESENT Councillor Mrs Driver (in the Chair), Councillors Allen,
Mrs Hale, Mrs Holliday, Mrs Ledoux and Nicholson
Mr Howard, Mrs Kitchin and Mr Sygerycz

RELEVANT DEPUTIES IN ATTENDANCE:

Deputy (Public and Environmental Protection)
Deputy (Green Environment and Licensing)
Deputy (Health, Wellbeing and Economy)

1. INTRODUCTION

At the start of the meeting the Chairman, Councillor Mrs Driver invited the Committee to observe a short period of silence as a mark of respect to all those who had lost their lives or been injured in the recent London bombings.

2. APOLOGIES : Councillor Forbes and Mrs Regan
Deputy (Neighbourhood and Community)

3. DECLARATION OF INTEREST

Mrs Kitchin declared a personal interest arising from a notified question to the Deputy (Health, Wellbeing and Economy) regarding the Council's allocation policy on temporary exhibitions as she was Chairman of Cheltenham Arts Club.

4. MINUTES

RESOLVED that the minutes of the meeting held on 8th June 2005 be approved as a correct record.

5. PUBLIC QUESTIONS

No public questions or petitions had been received.

6. MATTERS REFERRED TO THE COMMITTEE

- (a) **By Council** – None
- (b) **By Cabinet** - None
- (c) **By other Committee** – None

7. BRIEFING FROM CABINET DEPUTIES (Agenda item 6)

For the benefit of members that had not been present at the last meeting the Deputy (Health, Wellbeing and Economy) read out the question that had been raised by Mrs Kitchin and provided the following response:-

“A policy setting out the basis on which exhibitions would be selected and programmed was approved by the Leisure Committee in November 1994. It was revised and re-approved by Committee in 1998, with further minor revisions being made in 2001 and 2003.

Local Community Involvement – extract from policy

9 LOCAL COMMUNITY INVOLVEMENT

- 9.1 Every year, three slots which are generally not longer than three weeks in duration are devoted to exhibitions by members of local societies that have been exhibiting at the Art Gallery for many years. The societies concerned are the Cheltenham Camera Club and the Cheltenham Schools Arts Association, both of which have shows in the Spring. The third slot is used in rotation by the Cheltenham Art Club, the Cotswold Art club and the Cheltenham Group of Artists. On each occasion one of the exhibitions officers should be consulted before making the final selection of items for display.
- 9.2 The current arrangements for society exhibitions will continue until finances are available to expand the exhibitions space, at which point all parties will be consulted about future provision.”

The Deputy (Health, Wellbeing and Economy) indicated that she had enquired of officers how Cheltenham Arts Club had exhibited their works at the Art Gallery and Museum in line with the exhibition policy over recent years. She understood that the timing of their exhibition varied year to year over the 3 year rolling cycle. Although their slot had never been the same 2–3 week period on each occasion, their exhibitions generally fell in late Autumn. She informed the Committee that in February 2005 an officer contacted the Secretary of Cheltenham Arts Club to advise her that this year’s exhibition would be 10th December to 7th January. The club expressed concerns at the timing, a discussion has taken place and the offer of a slot in 2006 to commemorate the anniversary of the club was offered, the Art Gallery and Museum are awaiting a response.

With regard to ‘how local groups needs are being met’, the Deputy (Health, Wellbeing and Economy) indicated that this was more difficult to answer as paragraph 9.2 of the policy still applied and the Art Gallery and Museum were working with the rolling programme for local people and all the other exhibitions that are held.

The Deputy (Health, Wellbeing and Economy) suggested that this Committee may wish to look at the Exhibition Policy as part of their current work programme as it had not been reviewed for some time.

Mrs Kitchin was concerned that slots were allocated without consultation and outlined a number of instances where allocations to Cheltenham Art Club were unworkable. She suggested that the Council needed to consider reaching agreements with local visual arts groups through consultation rather than making arbitrary decisions. In response, the Deputy (Health, Wellbeing and Economy) indicated that the rolling programme was rigidly assigned resulting in limited flexibility with regard to time and space available.

The Deputy (Health, Wellbeing and Economy) reported on the following:-

- She had recently attended the Gloucestershire Sports Partnership Stakeholder event held at the race course and had placed an information pack in the Members room. She explained that the partnership had evolved into the Gloucestershire Sport and Physical Activity Trust and drew particular attention to one of the events they lead, the Gloucestershire County Youth Games. She extended her thanks to the sports development officer who worked extremely hard at co-ordinating all the teams and volunteer coaches to make it the success it was, with approximately 1000 children taking part.
- She had attended a meeting of the Gloucestershire Healthy Living Partnership who are currently working on a draft action plan. This year there are two major projects on the agenda, Preventing Suicide and Towards a Smoke Free Gloucestershire. A map of the areas of health deprivation within Cheltenham was available for inspection, if Members were interested.
- MAD Youth Council will be holding their AGM on 20th July at the Grosvenor Hall and all Members should have received their invitations.
- There is a review of the Physical Activity Action Plan in progress and the Health Promotion Service would welcome feedback. The document is available in the Members Room
- She encouraged Members to pay a visit to Hesters Way Park to see the new public art which had recently been featured in the Echo.

As a member of the Public Art Panel, Councillor Mrs Hale was very concerned that the public art at Hesters Way Park had already been vandalised and wanted re-assurance that it would continue to be maintained by the Council. She also commented that the flowerbeds were in much need of some regeneration work.

The Chairman referred to London's recent successful bid to host the Olympic Games 2012, and indicated that this was a great opportunity for everyone. She suggested that the Council should focus on providing training facilities for young people in order to maximise local potential and asked what the Council was planning do. In response, the Deputy (Health, Wellbeing and Economy) indicated that she had already been in discussions with the Assistant Director (Health and Wellbeing and Economy) and confirmed that Cheltenham was in the forefront of what Gloucestershire could do to encourage local representation at The Games. The Health and Wellbeing Division would be focussing on sport over the coming years, however funding would be a key issue to be considered by the Council as part of the forthcoming budget setting process.

The Deputy (Green Environment and Licensing) reported on the following:-

- She provided an update on the number of applications received under the new licensing system, indicating that there had been an increase as a result of a recent press article in the Echo. She explained that the process was complex and therefore time consuming for officers.

The Chairman was concerned that she had been contacted by a couple of people who had found the applications confusing or in one instance had been sent the wrong paperwork. In response, the Deputy (Green Environment and Licensing) suggested that if she provided her with the details outside of the meeting she would ensure that officers contacted the individuals to provide any assistance. She indicated that the deadline for receiving applications was 6th August and officers had concerns about the potential workload for the department in dealing with a last minute flood of applications.

The Deputy (Public and Environmental Protection) reported on the following:-

- The latest site investigations findings at Marle Hill, Cheltenham (the Approach Golf Course and nearby Wyman's Brook) carried out by the Environment Agency indicate that there is no evidence of any risk to human health and further details had been issued to Members that day.
- He referred to his briefing at the last Cabinet meeting on the very successful 'Together – Tackling Anti-social Behaviour Conference' held at Kingsmead School hall on 27th June 2005. He indicated that thanks to the Echo, excellent press coverage had subsequently been given to the event. The Deputy welcomed the level of community involvement, including 8 local Councillors and around 200 people.

8. ANNUAL PROGRESS REPORT – IMPLEMENTATION OF THE NIGHT TIME ECONOMY STRATEGY (Agenda item 10)

With the permission of the Chairman, this item was considered first on the agenda. Councillor Smith, the Chairman of the Night Time Economy Group presented this report which had been circulated with the agenda. He reminded the Committee of the recommendations approved by the Cabinet on 6th July 2004 and indicated that the night time economy strategic liaison group (NTE group) had met on four occasions since the strategy had been approved. In accordance with the requirements of Cabinet a modified version of the strategy's action plan was attached to the report and annotated with progress against the various actions identified. He drew particular attention to the following from the report:-

- paragraph 3.2 – notable achievements during the year.
- paragraph 3.3 – other areas in which slower progress is being made.
- paragraph 3.5 – the strategy had received national recognition resulting in the Assistant Director (Public Protection) being asked to give evidence to the ODPM Housing, Planning, Local Government and the Regions Committee on The Evening Economy and the Urban Renaissance. Regional recognition had also been achieved with a commended place in the Association of Town Centre Management awards for the West Midlands region.
- the involvement of Nightsafe and the manner of its engagement in delivering the objectives of the strategy.
- paragraph 3.7 - the group had also fed back to the member group considering the policy relating to Section 106 monies.

The Chairman of the NTE Group highlighted a number of issues from the action plan including:-

- a) Pissoirs – to be considered within the wider strategic context of public convenience provision in general. Due to security issues pubs and clubs were unable to accommodate customers once the doors had closed.
- b) Non-alcoholic venues for 14 – 18 year olds – the promotion was proving difficult to deliver, however Nightsafe are to contact MAD youth Council to discuss how this initiative might be developed further.
- c) Theme 4, creating a cleaner and safer environment – Some work had been done in this area although progress was slow due to capacity and funding issues. However, the situation had been mitigated by aspects of the licensing policy statement.

The Chairman of the NTE Group indicated that the Council needed to seriously consider how to tackle the future progression of the action plan in the absence of any funding.

The Chairman of the Night Time Economy Group explained that in reviewing progress over the past twelve months, the group had given some thought to its future direction and purpose.

Whilst there was an ongoing need to monitor and review the NTE Strategy and the Licensing policy statement, the partners had recognised that they have a responsibility to table issues of concern to their own organisations for discussion. With the Committee's consent it was therefore proposed to widen the remit of the liaison group encouraging stakeholders to table agenda items for discussion and recommend to the Cabinet that the night time economy group become a recognised consultee of the council in all matters that may affect its partners. He also suggested that in the future the Committee may wish to consider appointing a representative on to the NTE Group.

The Chairman expressed an interest in joining the group as in her opinion Cheltenham had reached saturation point with regard to the number of pubs and clubs already in operation. Councillor Mrs Hale pointed out that in her view there was a potential conflict in interest as the Chairman was also on the Planning Committee and suggested legal clarification before any future appointment was made. The Chairman indicated that as she had already publicly stated her view regarding Cheltenham Town Centre having reached saturation point, she would have to declare an interest at Planning Committee in any case, so there would not be a problem.

The Chairman asked how many representatives of the public were on the NTE group and how often the membership was reviewed. In response the Chairman of the NTE group indicated that there was currently one member of the public on the group representing St Margaret's People Interested in the Local Environment (SMILE). He commented that when active, Area Committee Central had also been part of the original consultation process. The NTE group, however, were keen to encourage representatives from other resident groups and any expressions of interest should be forwarded to the Assistant Director (Public Protection). It was recognised that during the initial formative period the NTE group had been largely driven by the Council's agenda however it was felt that a change of emphasis and membership was now appropriate.

The Chairman supported the work of the NTE group and commented that the strategy was very good. However, she had concerns for the local residents who suffered the adverse effects of the night time economy including vandalism and the level of noise, particularly in the hot weather when windows were needed to be opened. She asked whether S106 monies could be used to help address some of these problems. In response the Assistant Director (Built Environment) reminded Members that there were strict guidelines around the use of S106 monies and the Council had to operate in compliance with planning law.

The following comments were made by the Committee:-

- The encouragement of non-alcoholic venues for 14 – 18 year olds was welcomed, however it was suggested that this should be extended to areas outside of the town centre where large groups of youths were known to congregate.
- The NTE group needed to find ways to encourage people to remain in the town centre after the close of the day time economy or to come into town during the early part of the evening. This would not only boost the night time economy but the increased vibrancy would also help the streets to feel safer and reduce any fear of crime during this period. It was suggested that non alcoholic venues should be encouraged to stay open later and the Town Centre Manager or the Chamber of Commerce could be approached to facilitate these discussions. The improved transportation links needed to be extended to the outskirts of the town as in many cases the last bus home was no later than 6.00 pm.
- The Planning Committee should consider the location of public conveniences in future planning applications for bars and clubs, ideally they should be situated close to the door.
- The gap in the provision of public conveniences also affected the day time economy and generally needed to be more accessible to the public.

- It was suggested that the timetable for the night bus service should be well publicised and easy to understand. The Council should also consider replacing glass covered bus shelters with perspex in future to deter vandalism.

The Chairman of the NTE Group provided the following responses to Members' comments and questions:

- Most people chose to live in a town centre because of its vibrancy and a certain amount of noise both night and day was therefore to be expected. However, this did not mean that residents could be abused or have their rights infringed. Any 'nuisance' should be reported to the Council and he recommended the use of the mechanism 'report it'.
- The NTE group were also working with Festivals and Entertainments Division to find out what non-alcoholic events could be provided for 14 – 18 year old.
- The Town Centre Manager was already a member of the NTE Group. Late night opening had proved successful over the Christmas period and was an option to be discussed further. However, he pointed out that the Council were not in a position to enforce it.
- The provision of a late night bus service around the 'hot spots' had made a difference. It was encouraging to see industry taking responsibility in the form of sponsorship from Night Safe and Stage Coach.

The Committee welcomed the work of the NTE group and supported the recommendations as outlined in the information/discussion paper.

9. SECTION 106 MEMBER WORKING GROUP – REVIEW OF THE SECTION 106 PROCESS (Agenda item 7)

As the Committee's representative on the S106 Member Working Group, Councillor Allen introduced this report which had been circulated with the agenda. He explained that during the course of the work of the group it had become apparent that a more strategic view needed to be taken regarding the future of section 106 contributions and in particular how they were derived and used. The working group were also keen to develop mechanisms which established what locally specific aspirations were deliverable and achievable. In order to assist in further investigative work needed to be done on the improvements identified by the working group, the Committee were asked to consider whether it would like to nominate another member to the group.

The Chairman indicated that she had some concerns about the use of Section 106 contributions, as she felt they should be used within the area of the development.

In response to a question from Councillor Mrs Hale who expressed an interest in joining the working group, Councillor Allen confirmed that the group had met four times since it had been established and meetings were usually held in the early evening. It was confirmed that although Councillor Mrs Hale was a member of the Planning Committee there was no conflict of interest. He acknowledged the importance of Councillors in the process as they had the local knowledge and confirmed that the intention was to develop a mechanism to involve all members over the longer term, not just those on the working group.

RESOLVED that Councillor Mrs Hale be nominated to join the Section 106 working group

10. THE HOUSING GRANTS (H22300) BUDGET 2005/06 (Agenda item 8)

The Housing Services Manager introduced this information paper which had been circulated with the agenda. She briefly explained that in July 2004, a scrutiny working group was set up by the Economy and Business Improvement Overview and Scrutiny Committee to review scrutiny's involvement in the budget process. The working group concluded that the scrutiny committees could be most effective in this role if they carried out a programme of 'cost of service' reviews during the year rather than only looking at budget issues in the budget setting period. At the meeting of the Social and Community Overview and Scrutiny Committee on 2nd December 2004, members identified two areas for review, Housing Grants (Cost Centre H22300) and Homelessness (Cost Centre H22400).

The Housing Services Manager referred to the information paper which had been produced in respect of Housing Grants Budget 2005/06 and provided Members the opportunity to raise any concerns or issues at an early stage and be better informed for their formal review of the budget during the consultation stage.

In response to a question from Councillor Allen relating to energy efficiency savings and take-up, the Housing Services Manager indicated that this area of work was the responsibility of the Assistant Director (Neighbourhood Regeneration) and the question would be forwarded to him for a response.

The Chairman welcomed the One Stop Shop opening shortly in the Lower High Street which would provide a wide range of housing advice and assistance under the one roof. However, she was concerned that there might be some duplication in the services provided. In response, the Housing Services Manager clarified that although the organisations provided services to the same client groups, each provided a different aspect of support which complimented the others. In response to a further question from the Chairman, she confirmed that financial assistance was means tested.

The Chairman repeated her concern that in future, Member involvement in the review of the Council's Conditional Offers of Grants to Outside Bodies would occur every three years instead of annually as in previous years.

11. THE HOMELESSNESS (H22400) BUDGET 2005/06 (Agenda item 9)

Following on from the previous item, the Housing Services Manager referred Members to the information paper which had been produced in respect of the Homelessness Budget 2005/06.

In response to questions from the Chairman relating to the huge reduction in the length of time that homeless families spend in Bed and Breakfast, the Housing Services Manager explained that following guidance from the ODPM, the use of B & B accommodation for households accepted as homeless has been kept to a minimum. The team were immensely proud of this achievement which had been brought about by a number of homeless preventative initiatives including increasing the number of Furnished Accommodation units available and the Family Bond Scheme. In response to a question from the Chairman regarding the 2004/05 underspend, the Group Accountant (Social and Community and Environment) explained that it had been re-directed in order to continue to fund the Family Bond Scheme during 2005/06.

Councillor Mrs Hale referred to a homelessness case which had unfortunately been picked up by the Echo recently. In response, the Housing Services Manager confirmed that lessons had been learnt from this case and the Council were now in regular meetings with the National Star Centre to review the end dates of the accommodation for current students.

12. STRATEGY FOR CONTAMINATED LAND INSPECTION (Agenda item 11)

The Environmental Health Manager introduced this Information/Discussion paper which had been circulated with the agenda. He briefly explained that in common with other local authorities, Cheltenham had a variety of sites with residual pollution of land from previous use. Since 2000, the Council had had a duty to investigate such contaminated land and had adopted a 'Strategy for contaminated land inspection' which used a risk-based approach to the identification and clean-up of land where contamination posed an unacceptable risk to human health or the environment.

The Environmental Health Manager informed the Committee that due to the large amount of brownfield land redevelopment taking place in Cheltenham, the officer's capacity to progress the parallel survey work to investigate other sites had not kept to the initial prediction of completion by December 2005. In line with national guidance, the most problematic sites were examined first as they represented the largest risk to the environment. However, he pointed out that these sites were also the most time consuming and as a result only 60 assessments out of 615 sites identified in the borough had been completed to date. He anticipated that in due course, less problematic sites should be resolved more quickly. However, in view of the workload and resources available the revised estimate was that the survey work should be completed by December 2010.

Members expressed their concerns about the hazardous waste landfill sites at Stoke Orchard and the potential risk to human health or the environment in the neighbouring areas, particularly in respect of the transportation of waste to the site. In response, the Environmental Health Manager confirmed that the site was in Tewkesbury Borough and licensed and controlled by the Environment Agency. He explained that the site operator had a responsibility to ensure that hazardous waste was managed and dealt with safely including putting in place strict acceptance and handling procedures. He acknowledged that whilst the site was not in the jurisdiction of Cheltenham Borough Council, the council still had a duty to take an interest in the management of hazardous waste and encourage waste minimisation.

13. POSSIBLE FUTURE AGENDA ITEMS

During the meeting, the following topics were flagged up as potential future items:-

- Review of Exhibitions Policy
- Provision of public conveniences in Cheltenham (possible joint work with Environment Committee)

14. DATE OF NEXT MEETING – Monday 12th September 2005

COUNCILLOR MRS B DRIVER
Chairman