



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Council

Monday, 11 December 2017
2.30 pm
Council Chamber - Municipal Offices

Membership	
Councillors:	Klara Sudbury (Chairman), Bernard Fisher (Vice-Chair), Matt Babbage, Paul Baker, Garth Barnes, Ian Bickerton, Nigel Britter, Flo Clucas, Chris Coleman, Mike Collins, Wendy Flynn, Tim Harman, Steve Harvey, Colin Hay, Rowena Hay, Alex Hegenbarth, Karl Hobley, Sandra Holliday, Peter Jeffries, Steve Jordan, Adam Lillywhite, Chris Mason, Helena McCloskey, Paul McCloskey, Andrew McKinlay, Chris Nelson, Tony Oliver, Dennis Parsons, John Payne, Chris Ryder, Louis Savage, Diggory Seacome, Malcolm Stennett, Pat Thornton, Jon Walklett, Simon Wheeler, Roger Whyborn, Max Wilkinson, Suzanne Williams and David Willingham

Agenda

7.	PUBLIC QUESTIONS These must be received no later than 12 noon on Tuesday 5 December 2017.	(Pages 3 - 8)
8.	MEMBER QUESTIONS These must be received no later than 12 noon on Tuesday 5 December 2017.	(Pages 9 - 22)
17.	NOTICES OF MOTION	(Pages 23 - 26)

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Pat Pratley
Chief Executive

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11 December 2017

Public Questions (10)

1.	Question from Jonny Brownsteen to the Cabinet Member Housing, Councillor Peter Jeffries
	Does the council agree that it should install contactless donation points around the town centre, which enable residents to donate money to charities and services that support homeless people in Cheltenham?
	Response from Cabinet Member
	<p>The amount of empathy, kindness and generosity which the residents of Cheltenham show in supporting the charities & voluntary sector, as well as directly for those who are existing on the streets of our town never fails to amaze me. The general advice about giving money to those on our streets is that it should be discouraged, personally I would not wish to dissuade anybody from giving.</p> <p>Enabling financial donations through contactless points could be extremely beneficial and I believe this should be supported. Having had an initial conversation with representatives from the business improvement district (BID) who are interested in the concept I will be making arrangements to progress this further.</p>
2.	Question from Jonny Brownsteen to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	One of the attractions which brings people to Cheltenham from around the region is the high standard of the shops here. We have a vacancy factor at the Brewery Quarter, yet are losing Whole Foods from the Gallagher Retail Park. What efforts have the council made to encourage Whole Foods to relocate to this prime site in the town centre? This would bring further business into the town centre, while saving the jobs of the staff at the current store who are now facing unemployment.
	Response from Cabinet Member
	<p>CBC has been in touch with Wholefoods concerning the store closure, albeit from the perspective of implications for existing staff.</p> <p>The information provided to us is that both stores outside London (Cheltenham and Glasgow) were being closed for economic reasons and the decision is in no way related to the Amazon acquisition. We understand that all Wholefoods staff have been offered the opportunity to apply for open positions within the Wholefoods business; however, this would require relocation, so consequently, many are exploring alternative employment opportunities locally with support from the job centre.</p> <p>CBC has also arranged to meet with representatives from the Gallagher retail park in early December (although from recollection this particular unit is in alternative ownership).</p> <p>The idea of relocating to the Brewery is interesting, but does not appear to fit with</p>

	Wholefoods commercial strategy.
3.	Question from Stewart Rood to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	<p>Why weren't the residents in Whaddon Drive informed in writing of the new collection dates and why was there conflicting answers given when each resident telephoned separately to enquire what exactly was going on. e.g. I was told that both collection and recycling would take place on alternate Wednesdays and my neighbour informed it would take place on a Wednesday for refuse and recycling on a Friday.</p> <p>We were both informed that our addresses did not appear on the system and that only the flats were listed. I have ceased recycling until I know where we are with this and as for the blue bag for cardboard I think it is a step too far.</p>
	Response from Cabinet Member
	<p>Ubico advises that supervisor visits have taken place in the area, to advise residents of the correct collection days and to highlight the changes to the new service.</p> <p>The online search tool will be updated shortly to reflect the same information.</p>
4.	Question from Gary Fulford to the Leader, Councillor Steve Jordan
	<p>Paragraph 4.6.21 of the JCS states that: "A small change has been made to the Green Belt boundary in the area of the Reddings to provide a more appropriate boundary after an implemented permission at Grovefield Way". The JCS team say that the request was valid because during the JCS review, other sites in the Greenbelt that had been "built out" were removed from the Greenbelt. However, the Grovefield Way site has not been built out, so please can you clearly set out the exceptional circumstances that set a precedent to permit its removal from Greenbelt before it has been built out, especially as the developer is seeking to introduce A class retail & other classes of development onto the site which have never been placed before the Planning Inspectorate, run contrary to current retained retail policy, and have not yet even been placed before the planning committee?</p>
	Response from
	<p>Through the JCS examination the Inspector considered whether to remove the Green Belt designation from a triangle of land at Grovefield Way, drawing the Green Belt back to a more defensible and permanent boundary, given the part already being built out under an implemented permission (the BMW/ Mini dealership and related services) and extant permissions. The JCS Inspector considered representations during the main modifications consultation and in the hearings as to whether exceptional circumstances existed to remove the land from the Green Belt and concluded at paragraph 176 of her Final Report, that exceptional circumstances exist for the removal, and MM054 inserted paragraph 4.6.21 accordingly.</p> <p>In respect of the current planning application, we have a statutory duty as a local planning authority to consider all applications on their merits. The current scheme has been fully consulted upon and all relevant policy considerations, including the context within the JCS, as examined by the Inspector, have been considered in full. The application will be considered by Planning Committee on 14 December 2017.</p>
5.	Question from Gary Fulford to the Leader, Councillor Steve Jordan

	<p>Can a MINOR modification be made to paragraph 4.6.21 in respect of this non-strategic, currently undeveloped Greenbelt site at Grovefield Way to specify that any adjustments to the existing Greenbelt boundaries are only made after the Cheltenham local plan and retail policies are agreed, by which time, CBC will have defined a “shopping centre” boundary in relation to the site, and that, the Grovefield Way site must remain within the Green Belt boundary until at least after it is built out and occupied in its entirety?</p>
	<p>Response from Cabinet Member</p>
	<p>This would not be a minor change, but one of substance. It is not possible to adopt a plan that an Inspector has only found to be sound with main modifications, without all the main modifications recommended in the Inspector’s Final Report. Save for any additional amendments, which (taken together) do not materially affect the policies set out in the plan with the main modifications; the wording must be as the main modifications set out within the Final Report.</p> <p>The answer to Q4 sets out the JCS examination’s consideration of the site. The Cheltenham Plan being brought today as item 10 on the Council agenda, will if agreed, introduce new planning policy (EM3) to allocate the remainder of the site for B class uses and new Cheltenham Plan policy (EM1) will protect the site from changes of use to non employment uses on completion of development.</p>
<p>6.</p>	<p>Question from Alice Ross to the Leader, Councillor Steve Jordan</p>
	<p>Issue 10, Transport, paragraphs 216 - 230 With so many aspects of strategic transport planning and mitigation left demonstrably unresolved, is the Borough fully satisfied that it is sound, as stated in Paragraph 223, that “more focussed modelling and mitigation design to deal with allocated development issues can be left to application stage.”?</p>
	<p>Response from Cabinet Member</p>
	<p>The JCS transport work has demonstrated that effective solutions to mitigate transport impacts of the plan can reasonably be achieved within the plan period. As schemes for major development are submitted across the area, these solutions will refine and build on the model which the JCS, County and Highways England have developed. Similarly, a number of bids for government funding of infrastructure related to these developments are ongoing.</p> <p>Paragraphs 215 to 230 in the Inspector’s report set out her consideration of transport evidence through the JCS process. Paragraph 223 is the Inspector’s view after careful consideration and much additional evidence being prepared and reviewed. She has concluded that the plan is sound with her recommended main modifications.</p> <p>Both Gloucester City Council and Tewkesbury Borough Council have resolved to adopt the JCS and it is now for this Council to consider whether it too supports the Inspector’s conclusions on soundness and the adoption of the JCS.</p>
<p>7.</p>	<p>Question from James Russell to the Leader, Councillor Steve Jordan</p>
	<p>The JCS reference to “Infrastructure Development Plan (IDP)” at paragraph 5.7.2, is assumed to be related to the “Do Something 7” scenario set out in the traffic evidence. This scenario is critically dependent upon junction 10 of the M5 becoming 4 way. Highways England next funding allocation, which could support the scheme (if approved) will be in 2021 and construction would take at least 24 months. The grants to support the proposed West Cheltenham Cyber Park and infra-structure expire in 2021. This suggests that development will have to be well</p>

	<p>ahead of any alterations to Junction 10. This would be equivalent to the “Do Minimum 7”, or, “Do Nothing 7” scenarios in the traffic evidence, both of which calculated that the major Arle Court roundabout at junction 11 of the M5 would be operating at 187% of its capacity. How will Gloucestershire Highways and Cheltenham Borough Council ensure that this potential problem is avoided?</p>
	<p>Response from Cabinet Member</p>
	<p>The observation concerning the Growth Fund 3 (GD3) monies is correct in that it has a time limit of 2021. This funding is for enabling infrastructure for opening up the cyber park and it is expected, as presented at the JCS examination, that delivery of the site will be phased - it would not be reasonable to expect delivery of 45 hectares of development by 2021. The traffic modelling scenarios assume full build out by the end of the plan 2031, so essentially, there is a mismatch of timescales. The GD3 funding will enable the cyber park and its employment opportunities to come forward whilst longer term plans such as ‘J10 all-ways junction’ will impact further into the future, after the initial 2021 delivery target.</p>
8.	<p>Question from Simon Willis to the Leader, Councillor Steve Jordan</p>
	<p>The JCS allows Council’s considerable discretion to build housing in the Green Belt if less than 450 houses are proposed, particularly if the annual building allocations are not being achieved. There are similar discretions afforded for hybrid housing and employment proposals from developers. The proposed urban extensions in the local plan cross into the “defensible” Green Belt and connect the remaining portions of the Green Belt to the Urban area, thereby making sites that are presently considered to be unsustainable to potentially become sustainable. If the precedent to move the Green Belt boundaries every time is built out following a developer request continues to be followed (paragraph 4.6.21), how can the Green Belt boundaries be considered to be defensible?</p>
	<p>Response from Cabinet Member</p>
	<p>The strategic Green Belt boundaries for the area have been identified through the JCS, with Strategic Allocations and safeguarded areas having been removed from the existing Green Belt. The safeguarded areas are not allocated for development at this time, but will only be released for development if a future review of the JCS deems the release of this land necessary and appropriate. The JCS’s Green Belt policies do allow for a limited review of the Green Belt in other locations as necessary through the Borough Plans, where this is justified by exceptional circumstances.</p> <p>Whilst we have considered the potential for local Green Belt review in the Cheltenham Plan, if items 9 and 10 on the Council agenda are agreed today, we will be in a position to meet the plan’s requirements to 2031 in full without further changes to the Green Belt, other than those identified in the JCS.</p> <p>Any application for development which is not part of the narrowly defined national list of compatible development in the Green Belt (e.g. buildings for agriculture or forestry) will need to demonstrate ‘very special circumstances’ to be permitted.</p> <p>The answer to Q4 sets out the JCS examination’s consideration of the site referred to at paragraph 4.6.21.</p>
9.	<p>Question from Simon Willis to the Leader, Councillor Steve Jordan</p>
	<p>If an application is received for off-plan development in the Green Belt and the</p>

	<p>site has been assessed as being unsustainable by the authority, presumably the planning officers would be required to recommend rejection in all instances, because the allocations to 2031 have been made. If not, why not?</p>
	<p>Response from Cabinet Member</p>
	<p>See Question 8. It is true that development in the Green Belt which would harm its openness, or the reasons for its designation, would normally be refused. In order to gain approval it would need to demonstrate 'very special circumstances' which would outweigh the great importance to be attached to the Green Belt, which is reflected both in the JCS, in national policy and in decision taking. Substantial weight is to be given to any harm to the Green Belt when considering any planning application and decisions must be taken in accordance with the development plan, unless there are material considerations that indicate otherwise.</p>
10.	<p>Question from Michael Evans to the Leader, Councillor Steve Jordan</p>
	<p>I, and other business-experienced people in Cheltenham, were surprised to see that the two shareholding councils of Gloucestershire Airport – Gloucester City and Cheltenham Borough – had sanctioned advertising for three non-executive directors to join the airport company's Board at remuneration levels of £4000 per annum for a two-day/month involvement.</p> <p>I should like to know where did this council seek advice concerning the level of remuneration offered to the non-execs being hired to protect its investment and did they compare it with the remuneration of non-executive directors working in other non-FTSE 250 businesses.</p> <p>When I last recruited a non-executive director, albeit ten years' ago, the Institute of Directors quoted annual remunerations of between £15,000 and £20,000 for such positions in companies of comparable size and stature.</p>
	<p>Response from Cabinet Member</p>
	<p>The remuneration levels were decided after benchmarking against those recently for Publica, the company owned by 4 councils (including Cheltenham) and the previous success in recruiting directors to Gloucestershire Airport. We have had 48 applicants from some very capable and experienced people who have indicated their enthusiasm for the role at the advertised remuneration levels. I am confident that we will successfully fill the roles after the interview process next week and see no reason to change the amount offered.</p>

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11 December 2017

Member Questions (20 total)

1.	Question from Councillor Paul Baker to the Cabinet Member Housing, Councillor Peter Jeffries
	The much trumpeted budget claimed it would solve our Housing crisis. Can I ask the Cabinet Member what measures announced in the Budget will assist this Council in building more affordable homes and social housing?
	Response from Cabinet Member
	<p>The Budget confirmed the previously announced additional £2bn of funding for affordable housing, with the government stating that some of this funding will also be allocated to support the delivery of Affordable Rented homes. It is unclear at this stage how much of the £2bn will be put aside for the rented element. At present the emphasis within the programme is for the delivery of shared ownership homes, and we are currently working with the Homes & Communities Agency with a view to potentially securing grant funding to support the delivery of a number of shared ownership dwellings within the council's development pipeline of new affordable housing. In view of the new announcement, we will also explore the potential for grant funding to support the delivery of Affordable Rented homes within our development pipeline.</p> <p>In addition, £400m of loan funding will be made available across the country for estate regeneration. Cheltenham Borough Homes has already received grant funding of £350,000 to work with communities and stakeholders with a view to developing future options for West Cheltenham. The additional loan funding could therefore potentially support the implementation of any favoured options once they are developed. We will await further clarity over whether this will be of benefit to the West Cheltenham project.</p> <p>Prior to the budget it was announced that the government's rent policy would revert back to CPI +1% from 2020. Additional revenue arising from this could therefore support the delivery of more affordable homes.</p> <p>Finally, there is the potential for councils' HRA borrowing caps to be lifted in high demand areas, with £1bn available for councils to bid for from April 2019 to March 2021. Further detail on the bidding process and the selection criteria is awaited.</p> <p>All the above will be considered as we develop our New Supply Delivery Strategy with Cheltenham Borough Homes.</p>
2.	Question from Councillor Paul Baker to the Cabinet Member Finance, Councillor Rowena Hay
	<p>According to The Times, the increase in Council Tax on unoccupied homes announced in the Budget will only affect 1 in 4 unoccupied homes and cost them on average just £84 extra a year.</p> <p>Is this just a headline grabbing measure or does the Cabinet Member think it will reduce the number of unoccupied homes in Cheltenham?</p>

	<p>Response from Cabinet Member</p>
	<p>It is difficult for me to comment on the Times article without having seen it to understand how they got to those number of homes and the amount of just £84 pounds.</p> <p>What I can say to Cllr Baker is that:-</p> <p>Homeowners leave properties empty for a variety of reasons and may choose to continue leaving them empty despite the additional charge. The premium is one of a number of powers the council has to tackle empty properties. It acts as a penalty and sends a clear message to owners that it is not acceptable to keep properties empty.</p> <p>In Cheltenham the Band D council tax for 2017/18 is £1,590.87. A 50% premium would be an extra £795 per year and when the rules change to the 100% premium an extra £1,590.87 per year.</p> <p>It would be difficult for me to say that it is a headline grabbing measure, as you will have seen in today's agenda it is my intention to ask council to support the recommendation that we should now implement the additional 50% premium. Whilst it may or may not reduce the unoccupied homes in Cheltenham it is the principle behind the measure that is important.</p>
3.	<p>Question from Councillor Max Wilkinson to Cabinet Member Housing, Councillor Peter Jeffries</p>
	<p>In light of the autumn budget statement, please can the Cabinet Member for Housing update us on what it means for investment in social and council housing in Cheltenham?</p>
	<p>Response from Cabinet Member</p>
	<p>The response to Q1 summarises the main announcements from the autumn budget statement, and how they might benefit Cheltenham. In addition, the budget also detailed a number of other housing investment funds to help stimulate development more generally. This includes a further £2.7bn for the Housing Infrastructure Fund. These have the potential to unlock sites and could lead to the delivery of more affordable homes. We will await further details about these funding announcements in order to understand how they might be of benefit to Cheltenham.</p>
4.	<p>Question from Councillor Max Wilkinson to Cabinet Member Housing, Councillor Peter Jeffries</p>
	<p>The government says it has given councils and social housing providers more freedom to borrow to invest in housing stock. Does the Cabinet Member agree that the policy statements will help solve the chronic lack of affordable housing to rent?</p>
	<p>Response from Cabinet Member</p>
	<p>As detailed in the response to Q1, there is the potential for councils' HRA borrowing caps to be lifted in high demand areas, with £1bn available from April 2019 to March 2021, which councils will be able to bid for. Further details about the bidding process and the selection criteria are awaited. The proposal would release more funding to increase social housing numbers across the country although I do not believe this will solve the social housing crisis.</p>

5.	Question from Councillor Max Wilkinson to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	At the last Council meeting, we unanimously agreed a motion to Council aimed at helping younger people who are being punished by a failing housing market. The motion referenced securing properties to rent on secured long term contracts and exploring shared ownership. Please can the Cabinet Member update council on how this is being considered as we move towards a local plan consultation?
	Response from Cabinet Member
	CBC officers and members are setting up a task group which will meet later in December to consider different ways in addressing this issue, both through planning and housing enabling actions. This is an issue both locally and nationally which will require a range of interventions to help alleviate the current chronic undersupply of affordable homes. The JCS authorities are currently commissioning a Strategic Housing Market Assessment (SHMA) 2018 update which will consider the needs and requirements of all groups in the population going forward, including young people. In doing so, it will consider how prevalent the issue is and which tenure types would be most effective in combating it. The findings of the SHMA will inform the mix, size and tenure of residential developments that will be consented going forward, in accordance with Policy SD11 of the JCS.
6.	Question from Councillor Tim Harman to the Leader, Councillor Steve Jordan
	<p>The Overview and Scrutiny Committee recently received a report on the council's quarterly performance. I raised my concern (which I believe is shared by other members) that there no timescale indicated for the Place strategy. It currently has an Amber rating but I questioned if it should be Red?</p> <p>Given the importance of the Policy upon which the progress of a number of other important areas of work depend, such as Tourism, will the Leader commit to an early end date and indicate if sufficient resources are available to implement the outcome?</p>
	Response from Cabinet Member
	<p>Thank you for the question and it provides a useful opportunity to remind members of where we are with the development of the place strategy.</p> <p>Council on 27th March agreed a place-making vision for Cheltenham and that this would form the basis of an action plan that would come back to Council in March 2018 along with the Council's Corporate Strategy 2018-19.</p> <p>The agreed vision was: "We want Cheltenham to be a place where everyone thrives. We will do this by linking our heritage to an exciting future by being;</p> <ul style="list-style-type: none"> • Creative • Pioneering • Nurturing • Connected and re-connected" <p>Council also agreed that the place strategy action plan will deliver the following four outcomes:</p> <ul style="list-style-type: none"> • Businesses thrive in Cheltenham

	<ul style="list-style-type: none"> • Culture thrives in Cheltenham • People thrive in Cheltenham • Communities thrive in Cheltenham <p>Work has been progressing to develop the place strategy over the past few months; in terms of partner and stakeholder engagement the place strategy has been discussed at a Civic Society Conference held in June and at a number of partnership meetings held over the Summer and Autumn. We are currently holding discussions with local businesses and are about to hold discussions with cultural partners.</p> <p>The place strategy outcomes are already helping to shape but are not delaying some of our key projects such as the 5 year tourism strategy, the Cheltenham Town Hall project and how we best improve our public realm.</p> <p>Cabinet and Executive Board held a joint session in October to help shape the development of the strategy, but I am conscious that we need to engage other members in discussion about place and therefore I believe that the place strategy will be on the agenda for O+S on 22 January 2018. That will enable us to make further refinements to the strategy before it comes before Cabinet on 6 March and Council on 26 March. The draft strategy could also come to O+S on 26 Feb if that is desirable.</p>
7.	Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	<p>In Park Ward and I believe elsewhere in the town there have been a number of problems with collections of recyclables and refuse since the new arrangements were introduced.</p> <p>There have been particular problems with Communal Collections in for example Jubilee Court and Park House which required my intervention. In one part of Andover Road there appeared to have been no collections at all for a least four weeks.</p> <p>Will the Cabinet Member outline what steps he is taking to ensure that all necessary lessons are learnt and to reassure residents that no further problems will arise?</p>
	Response from Cabinet Member
	<p>Ubico has advised that lessons have been learnt from all issues reported; this has led to the implementation of more robust management processes, underpinned with new procedures to help prevent further re-occurrences.</p>
8.	Question from Councillor Tim Harman to Cabinet Member Corporate Services, Councillor Roger Whyborn
	<p>Together with other members I have been receiving spam emails to by CBC inbox in some cases purporting to come from Officers of the Borough Council. I have followed advice to delete them.</p> <p>Will the Cabinet Member inform the Council of what steps he is taking to improve cyber security?</p>
	Response from Cabinet Member

	<p>The ICT service take the issue of cyber security very seriously and have adopted a layered approach which involves systems designed to watch for malicious email and constantly adjust their settings as new threats are detected, to ensure anything identified as a threat is automatically blocked and quarantined. If an email with links to external websites identified as a risk does make it through these safeguards then they are blocked by our firewalls and systems monitoring outbound emails. We also have alerting systems in place to notify us if a breach occurs as whilst being breached is bad, not knowing about it is far worse.</p> <p>On average, we automatically block around 30,000 Spam & Malicious Emails every day across the Partnership Councils. This equates to around 80% of the mail received each day. The cheltenham.gov.uk address attracts a lot of additional interest because of a well-known Government Agency located within the town!</p> <p>As part of our ongoing security arrangements and PSN compliance, we employed specialists to try and gain access to our systems. On Tuesday 28th November ethical hackers started work at 9am and attempted throughout the day to gain access to our internal systems, at around 4pm ICT had to give them access to allow them to perform the necessary scans to gather the necessary reports to help retain our PSN compliance. An external test was also conducted at the same time with no significant risks reported.</p> <p>It is worth noting that with Cyber Security, it is not a question of if we are breached, but when. (Even organisations like the Pentagon have been successfully breached). Therefore it is very important to have good Disaster Recovery and Backup procedures that are tested on a regular basis in place, which we have, as this will then help ensure systems can be recovered quickly following an incident limiting any disruption to the Councils providing services to the Public.</p>
<p>9.</p>	<p>Question from Councillor Chris Nelson to Cabinet Member Healthy Lifestyles, Councillor Flo Clucas</p>
	<p>At the time of Remembrance Sunday, you re-tweeted a deeply insensitive article from The Independent entitled "If you voted to leave the EU, don't bother wearing a poppy." I have read that article and it is a complete mess of ideas, including the headline. You also sent out another tweet appearing to confirm your agreement with the article, saying that the EU's prime purpose is peace in Europe. Yet in a later quote, you said that the headline is not your opinion. So why did you re-tweet the article in the first place? Normally when a person sends on an article or joke without comment, you can assume that they agree with it, otherwise they would make that crystal clear. What do you really believe?</p> <p>It is now some 18 months since the referendum (when I voted to Remain by the way), so do you not think it is time to bring the two communities together rather than gratuitously insult all those who voted to Leave the EU? Remembrance ceremonies should be all about reconciliation, forgiveness and mutual respect rather than exclusion and abuse. Remembrance events should also be non political and inclusive - you should not be politicising the wearing of a poppy. Your tweets were disrespectful and divisive and undermine your reputation as a thinking politician who cares about people.</p> <p>Do you now accept you were wrong to re-tweet something you subsequently</p>

	<p>declared was not your view?</p>
	<p>Response from Cabinet Member</p>
	<p>It is extremely sad, and perhaps telling, that the questioner did not ask about the photoshopped initial tweet, nor condemn the actions of the perpetrator.</p> <p>Far be it from me to suggest that he would stoop so low as to take such a stance because the person who did deliberately and with malice change the original tweet is a member of his own party.</p>
<p>10.</p>	<p>Question from Councillor Chris Nelson to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>The introduction of the new recycling service has sadly been spoilt by a series of management blunders over incorrect collection dates, extended waits between collections and the very late delivery of extra recycling bins. It has also highlighted that the same management problems have been present for some time, with the old system generating regular and repeated missed collections, together with occasional spillage of significant amounts of litter, plus other complaints such as not returning bins/boxes to the place where they were left for collection.</p> <p>I am aware that UBICO has a shortage of experienced staff and regularly has to use inexperienced and more expensive Agency staff to cover for their daily staff shortages due to sickness and holidays. Learning new delivery rounds can therefore be a problem, leading to many missed collections. I also know that many staff within UBICO work tirelessly in difficult conditions to provide a service that also attracts complements.</p> <p>However, please provide details of all complaints about UBICO performance over the last 12 months, month on month, split by separate performance management criteria (missed collections, missed assisted collections, complaints, red route designations, sickness days, staff turnover/retention, agency staff use, etc, etc). Providing comprehensive performance management data from a well run organization should be a relatively simple task and I look forward to reviewing the data.</p>
	<p>Response from Cabinet Member</p>
	<p>Initial evidence from Ubico Ltd shows a 25% increase in the tonnage of recycling and food waste being collected from kerbside, which has far exceeded expectations. This speaks volumes and shows how important recycling is to the residents of Cheltenham.</p> <p>This vast increase in kerbside recycling activity has however, had an impact on the collection capacity. Although new vehicles have been purchased and routes redesigned, in some areas, residents may have experienced delays or missed collections and we regret that this has happened. While crews adjust to dealing with this significant increase in recyclate and continue to familiarise themselves with the new routes, Ubico is in the process of providing the necessary resources to address the highlighted issues.</p> <p>Ubico has introduced a number of improvements which have included a new nurse-led absence 'phone line. This has led to a reduction of over half the sickness days per month for the CBC Waste & Recycling contract from Jan '17 to Oct '17. Agency personnel are used to cover sickness and holidays.</p>

	<p>Subject to end quarter reconciliation from 54000 households overall there were 52 complaints about missed refuse collections in November 2016 and 322 in November 2017. The equivalent figures for missed recycling were 29 and 404.</p> <p>While detailed figures are public and provided to the Environmental Services Leadership Board we are looking at the best way to make them more available to members.</p>
<p>11.</p>	<p>Question from Councillor Chris Nelson to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>Please explain the commercial and operational arguments for employing expensive and inexperienced Agency staff on a regular basis within UBICO. With such a large Company, surely it is possible to predict patterns of sickness/holidays over the course of the year and add staff to the payroll to compensate, at least in part, in order to minimize the need for inexperienced and more expensive Agency staff?</p>
	<p>Response from Cabinet Member</p>
	<p>Ubico assures us that agency personnel usage is kept to a minimum, but is used to cover sickness and holidays for front line staff. The nationwide driver shortage makes filling driver positions increasingly difficult, but Ubico is monitoring the market closely, so that CBC and other shareholders can be provided with clear choices about whether to make further increases in pay to mitigate this shortage and for Ubico to remain an attractive employer.</p> <p>Now that Ubico is a larger company, greater potential exists to create a more viable pool of employees that could work across partnerships and Ubico has already attempted to convert portions of its agency budget to permanent salaried positions to cover predictable absences.</p>
<p>12.</p>	<p>Question from Councillor Chris Nelson to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</p>
	<p>I am still receiving complaints from residents getting punctures when visiting the Swindon Road recycling centre. Although the site is now deep cleaned every Wednesday morning, what is UBICO management doing to monitor the site during the week to ensure that excess waste and sharp objects left on the ground around the skips are immediately swept clean? I am also getting complaints about the new compactors in Swindon Road (for cardboard, household and garden waste), which are difficult to empty waste into, due to a 2 foot wide lip. Are you sure that this type of compactor is fully safe, particularly when stretching fully forward to empty garden waste, which can often take a lot of hard shaking to fully empty a reusable bag?</p>
	<p>Response from Cabinet Member</p>
	<p>Ubico advises that the household recycling centre is hand swept daily and is also swept by a mechanical sweeper on a twice weekly basis, with any reported issues being dealt with immediately. There is a daily site inspection carried out by the site staff, with spot checks being undertaken by Ubico supervisors.</p> <p>According to Ubico, the new compactors are built to a standard that satisfies all Health & Safety requirements and Ubico has not received any reports of injury from their use. Site staff are on hand at all times to assist and ensure the safety of site users and to advise on the safe use of the compactors.</p>

13.	Question from Councillor Chris Nelson to Cabinet Member Clean and Green Environment, Councillor Chris Coleman
	I have had a report of the driver of a UBICO recycling vehicle leaving his cab to help his crew empty recycling boxes, leaving the engine running. Is this now common operating practice with the new recycling timetable, which seems to be too demanding for crews to complete within their allocated time?
	Response from Cabinet Member
	<p>Ubico has confirmed that under the Road Vehicles (Construction and Use) Regulations 1986 the requirement regarding stopping the engine when leaving a vehicle unattended shall not apply in respect of a vehicle which requires its engine to be used to drive machinery forming part of the vehicle and used for purposes other than driving the vehicle.</p> <p>The recycling collection vehicles (and refuse collection vehicles) require the engine to be running for the compaction systems to work, but drivers are instructed not to be out of sight of the vehicle at any time to mitigate any risk. This working practice provides the most efficient and cost effective use of the collection crews and vehicles, is common across the waste and recycling industry and is not related to the new service.</p>
14.	Question from Councillor Chris Nelson to Cabinet Member Finance, Councillor Rowena Hay
	My recent surveys with residents have revealed a widespread annoyance at the lack of decent public toilets in the town. Although the Council has at last approved a project to install two toilet facilities for the disabled, we still need more public toilets in Cheltenham. What are your plans please to increase the number of public toilets around the town?
	Response from
	<p>Officers are currently undertaking a review of the public conveniences operated by the council, partly due to the annual operating cost of £140,500 of keeping the existing facilities running, but also acknowledgment that some will need to be refurbished needing investment of an estimated £380,000.</p> <p>Some of the council operated facilities are provided within or alongside council buildings which form part of wider proposed redevelopment such as the Town Hall and the municipal offices.</p> <p>The review will also identify other publicly accessible toilets including the Brewery, Regent Arcade and John Lewis when it opens in 2018.</p> <p>Given that this council is under significant budgetary pressure, the provision of additional solely council funded facilities may not be the right solution to increasing provision, unless Cllr Nelson would like to put forward in the upcoming budget something that we could do to compensate for the increased costs. It is my intention that along with other councils, the review will explore the potential to improve public access to facilities in commercial premises.</p> <p>Our continued support to public toilets is demonstrated by the successful securing of a grant of £136,000 towards the provision of 2 Changing Places facilities that caters for the more disabled. As you know Pittville Park is one site while another suitable site has been the subject of extensive consultation with those users as to where it should be and then a review of what suitable buildings are available for</p>

	adaptation. This in my opinion is far more important than a hasty decision that does not meet the needs of the users.
15.	Question from Councillor Dennis Parsons to the Leader, Councillor Steve Jordan
	<p>Reports of the Prime Minister's discussions with European Union leaders over the question of the border between Northern Ireland and the Republic of Ireland strongly suggested that she was willing to agree to allow Northern Ireland to remain within the customs union and effectively within the single market. That also implied acceptance of the four founding principles of freedom of movement of goods, services, capital and labour; and acceptance that the arbiter of disputes would be the European Court of Justice.</p> <p>The devolved Governments of Scotland and Wales and the Mayor of London are calling for equality of treatment with that being afforded to the people of Northern Ireland for the people that they represent, on the logic that they also voted to remain full members of the European Union.</p> <p>The people of Cheltenham voted to remain full members of the European Union. So will the Leader join me in welcoming the Prime Minister's retreat from "Brexit means Brexit" in the latest of her weekly U-turns on the subject of our relations with the European Union; and in hoping that she doesn't once again change her mind? And would he agree that a solution that sees Cheltenham remaining within the European Union or at least within the single market would bring substantial economic benefit to the businesses of the town and the resulting living standards of its residents; and protection to EU nationals living here.</p>
	Response from Cabinet Member
	It is difficult to see how there can be any long-term solution to the question of the border between Northern Ireland and the Republic of Ireland unless the UK remains in the customs union and effectively within the single market as suggested. The agreement last Friday seems to have 'parked' this issue pending the next round of talks but clearly it is something that won't go away and will need a solution. In my view Cheltenham, as for the UK as a whole, will benefit from being in the customs union and the single market.
16.	Question from Councillor Matt Babbage to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Since making a commitment over 18 months ago to remove car parking charges after 6pm at night, what progress has the council made to introduce free evening parking in council car parks? When do the council now expect to introduce free evening parking in council car parks?
	Response from Cabinet Member
	<p>Councillor Babbage will be aware that the Cabinet has never formally endorsed the removal of parking charges after 6 pm. Whilst Council did indicate its support for such a move, this was before the adoption of the Cheltenham Parking Strategy in June 2017, which included specific reference to the implications of such a move.</p> <p>Our consultant Arup has recommended alignment with the GCC charging arrangements for on-street parking, which in most of the town centre extend to 8 pm to facilitate those residents looking to park when they return home in the evening.</p> <p>The cross-party car parking working group did not raise any issues in relation to this matter when the draft report was debated and later unanimously supported the final version of the consultant's report.</p>

	<p>The recommendations report identified that ...'some car parks are well utilised in the evening, particularly after 6pm.'</p> <p>The consultants looked carefully at how parking is perceived in the town, versus their findings, based on benchmarking and the data and evidence available. The perception is that free evening and Sunday parking would improve footfall, but the consultants advised that 'there is no evidence locally or nationally to support this view'.</p> <p>They went on to say 'It is understood that local businesses have campaigned for the Council's charging hours to stop at 6 pm... and for parking to be free on Sundays. With regard to evening and Sundays rates, our research on neighbouring towns and cities shows that shopping centre operators generally charge for parking in the evenings (though sometimes at a capped fixed rate for those users entering and leaving the car park during set times) and it is usual for normal tariff rates to be charged on Sundays. This is not surprising as the organisations that own and operate town and city centre shopping centres will be aware that, as referenced earlier, offering free parking during these period would have a significant financial impact on the car parks and limited, if any, impact on footfall.</p> <p>In fact our surveys showed that there was negligible difference in usage patterns when free evening parking was offered on the day of the Christmas survey, compared with the post-Christmas survey when normal evening charges applied.'</p> <p>Our consultants also advised that the estimated loss of revenue were car parks to be free after 6 pm would be approximately £250,000 per annum, which cannot be afforded without a significant cuts to those public services supported through this income.</p> <p>Given the circumstances outlined, the Cabinet do not support the removal of evening parking charges.</p>
<p>17.</p>	<p>Question from Councillor Matt Babbage to Cabinet Member Development and Safety, Councillor Andrew McKinlay</p>
	<p>What fire safety arrangements are in place at indoor council car parks, including sprinklers and other preventative measures?</p>
	<p>Response from Cabinet Member</p>
	<p>The Council has two multi-storey car parks; the Regent Arcade, which has 557 spaces and Town Centre East car park, which has 354 spaces.</p> <p>The fire alarm system at Regent Arcade is integrally linked with the system within the retail arcade itself and there is a 24/7 security presence there. Any fire within the car park is identified on the fire control panel within the arcade. Weekly fire safety drills are carried out by arcade staff, in conjunction with CBC and any issues identified in relation to the car park are referred to CBC for remedial action.</p> <p>Town Centre East car park does not have a fire alarm system, but as with Regent Arcade, was the subject of a fire safety risk assessment in 2014 and complies with relevant requirements. Both car parks are due to have a new fire safety risk assessment in 2018 and where appropriate, this will inform the forward planning of the property works programme.</p>

	<p>Both car parks are modern structures which rely on structural containment between floors in the event of a fire. Neither has a sprinkler system fitted, but the authority has contractual arrangements in place to help satisfy relevant health and safety requirements and provide guidance regarding any fire safety maintenance or improvement works required.</p> <p>In addition, car parking staff report any observed defects to the property team between contractor maintenance visits.</p>
<p>18.</p>	<p>Question from Councillor Matt Babbage to Cabinet Member Finance, Councillor Rowena Hay</p>
	<p>Please provide an update on how the £271,000 allocated to Cheltenham for 2017/18 from the Discretionary Business Rates Relief Fund has been passed on to businesses in Cheltenham.</p>
	<p>Response from Cabinet Member</p>
	<p>From the modelling it was initially estimated that 300-400 businesses were likely to qualify. The current position is that relief has been awarded to 250 businesses which amounts to £130,000.</p> <p>Some application forms have still not been returned, the business rates team have been proactive at making contact with these businesses to find out why.</p> <p>The team are also doing another sweep of business rate accounts to identify if there are any further businesses that may qualify, this task should be complete by the end of December. The scheme will then be reviewed and cabinet will consider changes to ensure the funding available is distributed to businesses.</p> <p>I can assure Cllr Babbage that every effort to award this money to our small local businesses will be made, it is hard enough to get money from this government and I certainly want to do everything possible to pay back to them as little as possible and preferably none at all!</p>
<p>19.</p>	<p>Question from Councillor Karl Hobley to Cabinet Member Development and Safety, Councillor Andrew McKinlay</p>
	<p>Councillors for St Pauls, most notably Cllr Walklett, have campaigned alongside local residents and Residents Association members over a number of years for restrictions to be put in place in the ward regarding both the proliferation and general standard of houses of multiple occupancy (HMOs). The issues that a disproportionate number of HMOs in an area can cause are well known and continue to cause frustration in the community. The survey work of private rented properties undertaken by CBC officers in St Pauls and All Saints wards and reported to the O&S committee was very welcome and the result of much campaigning and lobbying by local Councillors and residents. Residents are now concerned however that they are not aware of the next steps being taken to address this issue.</p> <p>What is the current status of work being undertaken on an article 4 direction that can be used to control the conversion and proliferation of houses of multiple occupancy in St Pauls?</p> <p>What mechanisms exist for members and local residents to feed into this and be kept informed?</p>

	In what way is this linked to and dependent on the Joint Core Strategy and the Cheltenham Local plan?
	Response from Cabinet Member
	<p>Pages 89 – 93 of the Cheltenham Plan (Item 10) detail the mechanisms by which the Cheltenham Plan (If agreed) will bring in policy to control HMOs in the St Pauls Area, alongside an Article 4 direction.</p> <p>On the coming into force of an Article 4 direction (to remove permitted development rights in respect of the conversion of dwelling houses to HMOs) Cheltenham Plan Policy HM5 will mean that planning permission will in future only be granted for HMOs in St Pauls where:</p> <p>“a) The proportion of HMO dwellings does not exceed 10% of all residential properties within a 100 metre radius of the application site; AND b) The granting of planning permission will not result in the creation of more than two adjacent properties in HMO use; AND c) The proposal does not have an adverse impact on the amenity of nearby properties...”</p> <p>If the plan is agreed, these policies will be consulted on in January 2018, and go forward to examination. If found sound, and the Article 4 processes are triggered, this will bring the policy into effect as regards development which would otherwise have been permitted development.</p> <p>Regular surveys of the area (at least every 2 years) will be conducted to ensure the continuing need for the policy and to gauge its effect. If successful, the approach could be considered for other parts of the Borough.</p>
20.	Question from Councillor Karl Holey to Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>Local residents continue to believe there is cause for additional licencing to be brought in in the St Pauls area to more effectively control and improve the state of private rented accommodation. With a high proportion of HMOs, including many rented to students and young people, there is concern that the conversion of the largely small terraced houses to multiple bed roomed properties has resulted in a proliferation of basement rooms, loft spaces, small bedrooms and potentially cramped and unsuitable living conditions.</p> <p>Following the results of the survey work undertaken earlier this year what is this Council’s current position regarding additional licencing being introduced in areas of the town to better control and regulate private rented accommodation?</p> <p>What mechanism or avenues are available to residents who still wish to press their case for the need for additional licencing?</p>
	Response from Cabinet Member
	<p>The recent HMO survey of St Pauls identified only 11% of the HMO stock to have management problems and / or safety issues. Before making an additional licensing designation, the local authority must be satisfied that a significant proportion of the HMOs to be included are being managed sufficiently ineffectively as to give rise to, or be likely to give rise to, one or more particular problems, either for their occupants, or for members of the public.</p> <p>The relatively good standards of management and low level of Category 1</p>

hazards (2%) that were identified in the survey, reflect the proactive work undertaken by enforcement officers in St Pauls over the last 5 years, including the licensing of 144 HMOs under the Government's Mandatory Licensing Scheme. If a proposed extension to this mandatory licensing scheme goes ahead, the number of licensable HMO's in St Pauls will rise to around 196 properties, representing 56% of the HMO stock in the ward.

It was concluded from the results of the survey, that the introduction of additional licensing in St Pauls could not be justified; however, HMO standards in the St Pauls ward will continue to be enforced in licensed and non-licensed accommodation, to help ensure the level of compliance achieved over the last few years is maintained and improved upon.

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Council

11 December 2017

Motions

Motion A	Proposed by: Councillor Clucas	Seconded by: Councillor Fisher
	<p>In view of the concerns expressed by residents who live in the area, where the significant traffic flow makes crossing the road at the junction, entering or egressing Windyridge Road by pedestrians or vehicles, hazardous, GCC Highways is requested to look into providing a roundabout or traffic lights at the Windyridge Road/Swindon Road junction. It is further requested that a response is made to Cheltenham Borough Council in relation to timeline and processes to consult residents.</p>	
Motion B	Proposed by: Councillor Jeffries	Seconded by: Councillor Bickerton
	<p>The West Cheltenham strategic allocation in the Joint Core Strategy has been found sound in the inspector's report.</p> <p>In the very short period that this site has been progressed residents of Springbank have had little opportunity to react given what has been a very fluid situation, getting involved, informed and organised has been very limiting due to the condensed timescales.</p> <p>Views ranging from no development at all to we need homes and jobs are widespread, indeed an entire range of opinions between these two points can be heard.</p> <p>This has been reflected in only one sentence in the inspector's report at para 192.</p> <p>There is a feeling amongst residents that having worked extremely hard to have their voices heard they have been ignored.</p> <p>This is especially evident given the creation of a Springbank neighbourhood forum and their formulation of a green space application to Cheltenham Borough council.</p> <p>The green space was carefully crafted and developed taking in a wide range of views, wrapping around four specific walking routes which are subject to a rights of way application which has been submitted to Gloucestershire County Council.</p> <p>Residents across several decades have utilised these walks and the green space has been designed from that starting point, to benefit the existing and proposed new communities both residential and commercial.</p> <p>The Springbank neighbourhood forum green space application has not been given any consideration by the JCS inspector in her report,</p>	

this is fundamentally unfair and inconsistent given her inclusion & reference to other green space applications, such as those proposed in the north west and south Cheltenham areas / sites.

Given the statement in the JCS final report (para 196) which states that each strategic allocation should have its own directions for developers, on infrastructure and transport etc, Council should agree that a requirement within such direction is also a requirement for green infrastructure.

Therefore, council resolves to: -

Use the example of the Swindon Village and Leckhampton green space applications and acknowledge the Springbank Neighbourhood Forum's NPPF Local Green Space (LGS) application as the residents preferred green space in the west Cheltenham strategic site.

Recognise the importance of the Springbank Neighbourhood Forum NPPF LGS applications indicative layout in the context of the whole west Cheltenham strategic allocation, for any ongoing discussion with the development consortium who are currently preparing a planning application.





Motion C	Proposed by: Councillor Clucas	Seconded by: Councillor Harvey
<p>Council places on record its thanks to the Parish Councils across the county, who have written with their support for retaining a consultant led, Type 1, 24 hour full A&E facility at Cheltenham General Hospital. It recognises that in Cheltenham, North and East Gloucestershire, there is real concern at the potential downgrading of A&E to an Urgent Care Facility, overseen by non-specialist GPs.</p> <p>It recognises the role of the Health and Wellbeing Board and asks that it consults with Cheltenham residents as to the long term future of medical services.</p> <p>It regrets that the STP promised for Spring 2017, has not yet been published.</p> <p>It notes the statement by the MP for Cheltenham, Alex Chalk, to a meeting of stakeholders that he fully supports the retention of a full, 24 hour, A&E service at CGH. It requests the Member of Parliament to write to GCC, asking that the Health Scrutiny Committee, HOSC, urgently re-examine proposals which downgrade the A&E facility.</p>		

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