



# CHELTENHAM

## BOROUGH COUNCIL

### Notice of a meeting of Council

**Monday, 10 December 2018**

**2.30 pm**

**Council Chamber, Municipal Offices**

| <b>Membership</b>   |  |
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| <b>Councillors:</b> | Bernard Fisher (Chair), Roger Whyborn (Vice-Chair), Victoria Atherstone, Matt Babbage, Paul Baker, Garth Barnes, Dilys Barrell, Angie Boyes, Nigel Britter, Jonny Brownsteen, Flo Clucas, Chris Coleman, Mike Collins, Stephen Cooke, Iain Dobie, Wendy Flynn, Tim Harman, Steve Harvey, Rowena Hay, Alex Hegenbarth, Karl Hoble, Sandra Holliday, Martin Horwood, Peter Jeffries, Steve Jordan, Chris Mason, Paul McCloskey, Andrew McKinlay, Tony Oliver, Dennis Parsons, John Payne, Louis Savage, Diggory Seacome, Malcolm Stennett, Jo Stafford, Klara Sudbury, Simon Wheeler, Max Wilkinson, Suzanne Williams and David Willingham |

### Agenda

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| <b>7.</b> | <b>PUBLIC QUESTIONS</b><br>These must be received no later than 12 noon on Tuesday 4 December 2018. | (Pages<br>3 - 10)  |
| <b>8.</b> | <b>MEMBER QUESTIONS</b><br>These must be received no later than 12 noon on Tuesday 4 December 2018. | (Pages<br>11 - 16) |

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**Pat Pratley**  
Chief Executive

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### Council

**10 December 2018**

#### Public Questions (11 total)

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| <b>1.</b> | <b>Question from Stephen Williams to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>   |
|           | Comparing like with like, i.e. same days, same times etc., please can you provide details of traffic counts before and after implementation of the Boot's corner closure, for College Road, St. Lukes Road, Ambrose Street, St. Georges Street and Gloucester Road between the Train Station and the Lower High Street?  |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>GCC colleagues have a network of 27 traffic monitoring points which formed the baseline prior to any phases being implemented and is designed to give robust and sufficient data in order to evaluate the trial. Clearly for consistency sake these monitoring points have remained the same and the data has been evaluated after each phase to identify impact.</p> <p>The full set of monitoring points is listed below.</p> <ul style="list-style-type: none"> <li>Monson Ave</li> <li>Clarence Square</li> <li>All Saints Road</li> <li>Fairview Road</li> <li>Bayshill Road</li> <li>College Road</li> <li>St Georges St</li> <li>High Street</li> <li>St James Square</li> <li>Imperial Square Southern Arm</li> <li>Montpellier Spa Road</li> <li>Poole Way</li> <li>St. Johns Ave</li> <li>High Street</li> <li>London Road</li> <li>St. George Road</li> <li>Imperial Sq Northern Arm</li> <li>Ambrose St</li> <li>Rodney Road</li> <li>Albion Street</li> <li>Gloucester PI</li> <li>Winchcombe St North</li> <li>North Place</li> <li>Clarence Street</li> <li>St. George PI</li> <li>Royal Well Road</li> <li>Winchcombe St South</li> </ul> <p>Whilst these may not cover the specific sites desired they collect data on adjoining routes.</p> |

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|           | <p>Data has been collected since 2015 which was used as the baseline, and added to year on year as various phases of the trial have been implemented. Whilst headline analysis has been undertaken where concerns have been raised, GCC colleagues are keen to collect the full 6 month like-for-like data since the phase 4 trial began so that a full picture can be gathered.</p>   |
| <b>2.</b> | <p><b>Question from Susie Godwin to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>  |
|           | <p>Assuming that the Council finally accepts that this ill-advised scheme has not worked, would they agree with me that many issues could be resolved, including pedestrian safety, if:</p> <ol style="list-style-type: none"> <li>a. There were 'proper' traffic lights, as at the top of Montpellier, and not the flashing orange variety and,</li> <li>b. that a bus lane remains on the left alongside Superdry etc, enforced by a camera 24 hrs a day. This would mean a single line of traffic on the right hand side (after removal of the seats and bike racks etc), and combined with better traffic lights, would ensure that pedestrians, businesses, locals and tourists, can get back to some normality in Cheltenham.</li> </ol> |
|           | <p><b>Response from Cabinet Member</b></p>   |
|           | <p>As this phase of the Cheltenham Transport Plan is a trial, and the full data sets are not yet available it is premature to judge the outcome. Whilst several indicators are pointing to improved footfall, cycling and bus patronage other indicators, notably on traffic <u>dispersment</u> are yet to be released by colleagues at GCC highways. The trial is seeking feedback so I would encourage you to put your suggestion for a dedicated bus lane to GCC at <a href="https://gloucestershire-consult.objective.co.uk/public/trp/phase4/phase4">https://gloucestershire-consult.objective.co.uk/public/trp/phase4/phase4</a></p>   |
| <b>3.</b> | <p><b>Question from Gary Knight to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>   |
|           | <p>Now that Councillor McKinlay concedes (October 15th) that the equalities act 2010 does not mention 'all taxis must be wheelchair accessible', and furthermore can he now accept that sections 160-164 of the same act are 'prospective' and are not 'live'.</p> <p>Will the councillor agree that the framework for changing the taxi policy is fundamentally flawed.</p>   |
|           | <p><b>Response from</b></p>  |
|           | <p>At no time have I said that the Equalities Act 2010 requires all Taxis to be wheelchair accessible.</p> <p>What I have repeatedly said is that the Equalities Act 2010 places an obligation on licensing authorities to ensure that all taxis comply with the Taxi Accessibility Regulations.</p> <p>Through consultation the council have looked at various options giving consideration to the representations made to the council. Given the complexities of the issues involved, the council is considering a wide range of views and evidence in coming to its policy conclusions and would not wish to limit itself to a</p>  |

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|                  | <p>single piece of evidence.</p> <p>In my response to another council question in October, I said: “The Equalities Act 2010 does not refer to all Taxis having to be changed to Wheelchair Accessible Vehicles.</p> <p>However, as was outlined in the Cabinet report in March 2018, the Equality Act 2010 does place a general public sector equality duty which place a duty on the council to have due regard to the following when discharging its functions:</p> <ul style="list-style-type: none"> <li>• Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.</li> <li>• Advance equality of opportunity between people who share a protected characteristic and those who do not (including age and disability).</li> <li>• Foster good relations between people who share a protected characteristic and those who do not.</li> </ul> <p>Furthermore, the Government’s own The Inclusive Transport Strategy stated:</p> <ul style="list-style-type: none"> <li>- 4.21 In the longer term <b>we want the service currently provided by taxis and PHVs to be as accessible to disabled passengers as it is for those who are not disabled.</b></li> <li>- Chapter 8 has a whole section on “Increasing levels of Wheelchair Accessible Taxis and PHVs” saying: “8.35 Through our engagement with disabled people during the consultation it was clear how important wheelchair accessible taxis and PHVs were to enabling people to attend hospital appointments, go shopping or visit friends. <b>We want to see a much greater proportion of WAVs, particularly in non-urban areas, over the next 10 years.</b>”</li> </ul> <p>As can be seen from the above quote it is clearly Central Government’s intention to end disability discrimination in the Taxi Service, (a policy that this administration fully supports)</p> <p>The decision taken by this Council to introduce a 100% Wheelchair Accessible fleet is not “fundamentally flawed” as you suggest, but entirely consistent with Central Government policy and legislation.</p> |
| <p><b>4.</b></p> | <p><b>Question from Gary Knight to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>   |
|                  | <p>What evidence can the council provide, that the people of Cheltenham, wish to have all taxis, wheelchair accessible and euro 5 (emissions) compatible.</p>  |
|                  | <p><b>Response from</b></p>  |
|                  | <p>The issue of emission standards is not an accessibility issue but one relevant to air quality. In October the council consulted with the trade and wider public on a number of technical issues associated with the implementation of the new</p>   |

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|                  | <p>wheelchair accessible policy for taxis. One issue relevant to this consultation was the emission standards the council should apply to licensed taxis. The <i>minimum</i> adopted standard, taking into account the consultation feedback, was Euro 5.</p> <p>As I previously alluded to, Cabinet looked at a range of issues and options when consideration the adoption of the wheelchair accessible policy for taxis. This included feedback received during the public consultation and subsequent engagement and feedback. Given the complexities of the issues involved, the council would not wish to limit itself to a single piece of evidence.</p> <p>The consultation feedback, including that submitted by members of the public who responded, can be found on the council's website.</p> |
| <p><b>5.</b></p> | <p><b>Question from John Firth to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>   |
|                  | <p>As a regular town centre user, I can see no benefit from the closure of Boots Corner. As a resident of Saint Luke's Road, since the closure, especially between 4:30 and 6:30 there is a solid stream of traffic from the Bath Road to College Road along Saint Luke's Road, with lots of impatient and dangerous behaviour with cars driving fast down Saint Luke's Place to queue jump. A pleasant and quiet town centre residential area has turned into an almost permanent traffic jam with a consequent detriment to quality of life.</p> <p>I would like the council to reject this pointless scheme, reopen Boots Corner and reverse the damage to my neighbourhood. If not what do the council propose to do to mitigate the dramatic traffic increase in St Luke's?</p>                      |
|                  | <p><b>Response from Cabinet Member</b></p>  |
|                  | <p>Whilst you may see no benefit in the trial closure, others have identified significantly increased pedestrian movement at Boots Corner itself, greater use of cycling, more bus patronage and improved footfall at key commercial zones. This added to the positive news on the High Street, unlike other towns, suggests that Cheltenham is remaining attractive for investors which is important for the vibrancy of the town long term.</p> <p>My understanding from colleagues at GCC is that Saint Luke's Road and College Road have for many years suffered from peak time traffic flows but there is no suggestion of a "permanent" traffic jam.</p> <p>Any measures to mitigate traffic increases will be determined once GCC are in a position to release data sets.</p>                      |
| <p><b>6.</b></p> | <p><b>Question from Mike Mudie to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>   |
|                  | <p>Given the increased likelihood of accident, injury and, frighteningly fatality in a pedestrianisation scheme involving motor vehicles (particularly now that people routinely walk around looking at their mobile phones) are our Councillors jointly and severally prepared to accept responsibility for any such deaths ?</p>  |
|                  | <p><b>Response from Cabinet Member</b></p>  |
|                  | <p>Sadly there have been 3 deaths within the town centre attributed to speeding vehicles within the last few years; all before the phased introduction of the Cheltenham Transport Plan.</p> <p>Slower speeds as now seen on Albion Street tend to reduce the likelihood of</p>   |

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|           | <p>fatalities. Equally buses have been utilising the High Street with pedestrians from Boots Corner to Bennington Street for many years with no significant incidences; again because of the slow operating speeds.</p> <p>All phases of the Transport Plan have been subject to road safety audits by GCC prior to implementation and in line with many other towns and cities the objective is to create a more pleasant and safe environment.</p>   |
| <b>7.</b> | <b>Question from Mike Mudie to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>   |
|           | As the current scheme is so overwhelmingly unpopular and dangerous, would the Council now consider the alternative of a bus free pedestrianisation scheme in tandem with a suitable road system to deal with the displaced traffic ?   |
|           | <b>Response from Cabinet Member</b>  |
|           | Whilst that it a personal opinion, the suggestion of a bus free pedestrianisation area is helpful. This was considered at length but unfortunately due to the historic nature of the street configuration no solution could be found that would not interrupt the flow of buses into the town centre. The first phase of the Transport Plan with 2 way flow on Albion Street improved direct bus access but designers have not found a solution that removes bus movements whilst equally ensuring that bus passengers can easily access their goal of the town centre.  |
| <b>8.</b> | <b>Question from Carl Friessner-Day to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>   |
|           | The closure of Boots Corner is a trial and by definition a trial is a temporary measure in time. However in recent media commentary Cllrs have presented the closure of Boots Corner as a fait accompli and that if anything the road structure elsewhere would be tweaked to make it work. Could the Council go on record for the constituents of Cheltenham and confirm that reopening Boots Corner is still a possible outcome should the desired outcomes presented by the Council in 2015 not prevail?  |
|           | <b>Response from Cabinet Member</b>  |
|           | The GCC traffic regulation order committee stipulated that phase 4 Boots Corner would be a trial and nothing has changed to that position.   |
| <b>9.</b> | <b>Question from Carl Friessner-Day to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>   |
|           | One of the objectives to the closure of Boots Corner was to reunite the high street and stop severance of our town centre. Given the continued need for traffic lights at Boots Corner because of the volume of buses and taxis, and more concerning the massive increase of traffic on Rodney Rd, would it be fair to conclude when it comes to at least the severance element of the high street, the transport plan has failed to deliver on the promises made to the electorate of Cheltenham.   |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>The traffic lights were retained at Boots Corner at the request of the disability consultative group who wished to be reassured that east-west travel would remain as before during the trial. The temporary narrowing of the road has made general pedestrian flows easier but the requirements of all groups will inform any final determination. Options to address the increased traffic flow in Rodney Road are being explored by GCC.</p> <p>The issue of severance has been significantly reduced as shown by the increased pedestrian and cycle movements east-west but the purpose of the trial is to understand as many dynamics as possible.</p> |

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| <b>10.</b> | <b>Question from Liz Rolls to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>   |
|            | <p>Given we have the evidence of the World Health Organisation concerning the impact of air pollution exposure on the development of cancer, cardiovascular disease, and respiratory disease, how does Cheltenham Borough Council propose to meet its statutory duties for public health, that were conferred on local authorities by the Health and Social Care Act 2012, when the Council's decision to close Boots Corner to the majority of traffic has increased these known damaging effects on town centre residents by changing a low risk traffic flow situation (that is exposure to pollution by a fleeting and transitory population from moving traffic at Boots Corner), to a high risk one (that is, to increased exposure to pollutants by settled residential populations as a result of the disproportionate increase in stationary traffic outside their homes for significant periods of time?</p>  |
|            | <b>Response from Cabinet Member</b>   |
|            | <p>CBC has been working with colleagues at GCC on a range of mitigation measures across the town for several years. This data can be found on the CBC website.</p> <p>The ambition is to continue to reduce the impact which is why this phase of the trial, like all other phases, has both traffic monitoring and pollution monitoring data being collected.</p>  |
| <b>11.</b> | <b>Question from Bernard Rowe to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>  |
|            | <p>Part IV of the Environment Act 1995 and Part II of the Environment (Northern Ireland) Order 2002 requires local authorities in the UK to review air quality in their area and designate air quality management areas if improvements are necessary.</p> <p>The Public have advised that closing Boots corner will divert traffic to others smaller streets causing congestion, noise and more pollution, particularly St Georges Street.</p> <p>What part of this act gives the council the rights to actively work against this act to drive up pollution in these areas?</p>   |
|            | <b>Response from Cabinet Member</b>   |
|            | <p>The Council is currently undertaking air quality monitoring beyond the statutory requirements of the Act, for example, in order to provide reassurance in relation to Cheltenham Transport Plan. The map of monitoring points is on our website <a href="#">here</a>:</p> <p>As part of the Boots Corner trial, both traffic flows and pollution levels are being monitored to understand the impacts, along with other performance measures such as pedestrian movements, cycling and bus patronage. All of this information will ultimately inform the decision by colleagues at GCC regarding the impact of the trial.</p> <p>We have started to produce a monthly report of data from gas mesh pods, alongside the annual nitrogen dioxide data. Specific monitoring points in St George's Street are shown on the map and the data currently available does not show an exceedance. If levels approach statutory limits in future, we will take the necessary steps to address the issue, as described below.</p> |



We have commissioned a Detailed Assessment of local air quality, and anticipate the results will be received in Spring 2019. It is our intention to review the existing Air Quality Management Area (AQMA) based on this study, and the legislative process will be followed accordingly. This might result in the existing AQMA being amended and a new local Air Quality Action Plan would be produced to accompany this and to set out how the council and partners intend to reduce air pollution impacting on that area.

We are also part of a countywide Air Quality & Health Partnership facilitated by the County Council, which aims to deliver a consistent monitoring approach and behaviour change interventions across Gloucestershire.

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10 December 2018

**Member Questions (11 total)**

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| <b>1.</b> | <b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>   |
|           | <p>Single use plastic is a significant issue for our town, for our world. As well as recycling as much as we can we must also reduce the amount of it being produced and sold in our town. I note a number of street traders in the town selling cheap single use plastic balloons and novelties, particularly at this time of year, but other times too. I would like to propose our licensing policy be changed to prohibit licences for such products in the future.</p>  |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>The street trading policy is currently being reviewed and the use of single-use plastics will be addressed through this mechanism.</p> <p>For the avoidance of doubt however, many of the mobile traders referred to in the questions to Council are street pedlars, who are not licensed by the authority and do not therefore fall within its jurisdiction. Pedlars are licensed by police forces and to this extent the Council cannot impose any specific restrictions on them.</p> <p>Where a pedlar is operating otherwise than in accordance with the rules (e.g. they cannot be static for extended periods of time and must move from town to town etc.) the Council can act, as this may be considered to fall within the remit of street trading, which is the Council's responsibility.</p> |
| <b>2.</b> | <b>Question from Councillor Paul Baker to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>   |
|           | <p>At the last Council meeting I asked the Cabinet member about the use of single use plastics both by the Borough and our partner organisations. I still await a response from those partner organisations.</p>   |
|           | <b>Response from Cabinet Member</b>  |
|           | <p>The Council and its partner organisations are working to reduce the use of single-use plastics.</p> <p>Ubico has confirmed that it, like the Council, is reducing the use of single-use plastics, including cups, cutlery, site notices etc. and is also considering action in relation to single-use plastics used as part of the service e.g. black plastic bags etc. Alternative options will be reviewed as soon as possible.</p> <p>Other partner organisations have been asked to report back to Members in the New Year on actions planned for 2019/20.</p>  |
| <b>3.</b> | <b>Question from Councillor Paul Baker to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>  |
|           | <p>GCC have confirmed that the monies raised from fines issued for drivers ignoring the Boots Corner closure would be spent in Cheltenham. What has the money been spent on to date, what further proposals are there? Could some of it be used to restore the disgracefully rusted and tatty Victorian street lights in the town in roads like Keynsham Road?</p>   |

**Response from Cabinet Member Page 12**

The Director of Environment has written to the lead commissioner at GCC, who has confirmed that there was a commitment by the GCC Cabinet lead, Cllr Nigel Moor in response to a question from Cllr Klara Sudbury, to use any income surplus from penalty charges at Boots' Corner to promote walking and cycling in Cheltenham. This was subsequently agreed at the GCC Cabinet on 12th September, 2018. See extract below:-

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| <b>12. Questioner's name: Cllr Klara Sudbury</b>   | <b>Respondent's name: Cllr Nigel Moor</b>   |
| Are the profits from fines received by GCC from vehicles being driven illegally through Boots Corner being ring-fenced to be reinvested in Cheltenham? If not please can I ask that they are and also that the profits from such fines are used in Cheltenham to improve pavements and increase the number of cycle paths in our town; both of which positive and proactive measures are needed to enable more people to choose to walk and cycle safely (particularly those who are less mobile). | Legislation requires that all parking and bus gate enforcement fines remain within Highways and Transportation budgets used for this purpose.<br><br>However in this specific instance the administration is willing to agree this request. |

GCC is currently working on developing the process for implementing this commitment, but has advised that given the considerable set-up costs for the scheme and the costs of administering appeals, any surplus remaining is hard to estimate at present. Until there is clarity on this, officers at GCC are understandably holding off committing to any works on schemes that could be funded from this source.

There are many potential uses that could fit with the agreed funding criteria, but this is ultimately a matter for consideration by GCC.

**4. Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman**

Will the Cabinet Member update Council on the commissioning of the new crematorium and the situation with regard to capacity for cremations in Cheltenham?

**Response from Cabinet Member**

The project to deliver the new crematorium remains on time and on budget with anticipated completion in Spring 2019.

CBC does not have any statutory responsibility for ensuring sufficient cremation capacity within the locality, but has worked with funeral directors to help ensure that this should not be an issue.

The Director of Environment has had discussions with the relevant commissioner at the Clinical Commissioning Group (CCG) in relation to mortuary capacity at hospitals, so they are aware of the Council's current position regarding cremations and are reviewing their own business continuity arrangements to identify adequate storage and cremation capacity for the winter peak period.

**5. Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman**

The Bath Road "bring site " and I believe other sites suffered from massive overflows at the August Bank Holiday due to problems with the availability of drivers in the pre bank holiday period .

Can the Cabinet Member confirm what steps he has taken in discussion with Ubico to avoid a recurrence over the forthcoming Christmas and New Year's holiday period which is always a time when these sites come under pressure?

Will he consider increasing capacity on a temporary basis with additional skips targeted on particularly busy sites such as a Bath Road?

**Response from Cabinet Member**

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|    | <p>No operational issues are anticipated in general, or the bring bank sites over the Christmas and New Year period, but Ubico will be monitoring this closely and taking any necessary action. The public are asked not to fly-tip recycling or other waste on the ground next to the bring banks.</p> <p>Unfortunately, the national situation regarding the availability of HGV drivers has not improved greatly since August. However, Ubico has and still is, training up its own drivers to improve service delivery. The use of agency staff has dramatically reduced as a consequence, thereby mitigating the risk of drivers choosing to go elsewhere, which was causing 'on the day' operational issues for Ubico, such as the difficulties with clearing the bring banks over the August bank holiday.</p>   |
| 6. | <p><b>Question from Councillor Tim Harman to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b></p>   |
|    | <p>Will the Cabinet Member outline any plans that the Council may have to introduce low emission vehicles into its fleet?<br/>Also will the Cabinet Member indicate if he can influence Ubico and Cheltenham Borough Homes to do the same?</p>  |
|    | <p><b>Response from Cabinet Member</b></p>  |
|    | <p>Environmental considerations always form part of the procurement process and the Council will look to reduce emissions further wherever possible, as part of any of its future procurement exercises.</p> <p>As an example, the Council's car parking team is looking at the potential for using electric vehicles when it replaces its current vans and whether these might be sponsored by a local supplier, to show support for the authority's air quality management strategy and more sustainable travel alternatives.</p> <p>As a commissioner of services, CBC will seek to influence decisions taken by partners to introduce low emission vehicles. Vehicles are procured every 5 years by CBH and as part of the procurement review, electric vehicles are being considered. At present, any savings on fuel are outweighed by the initial costs of the vehicles. However, given the advances in technology, the potential procurement of electric vehicles will continue to remain under consideration at the next review.</p> <p>Since the service change in October 2017, UBICO's current refuse and recycling fleet operates more efficiently to minimise mileage and fuel consumption, helping to reduce emissions. This means that on each day of the week, all collections are made in one area of the borough, rather than having vehicles travelling across the whole town.</p> <p>UBICO vehicles are maintained to the highest standards to ensure engines are operating as efficiently as possible, therefore minimising emissions. Ubico operates a predominately Euro 6 compliant fleet; with the exception of those vehicles identified for replacement in the near future. The Euro 6 engine emits considerably less harmful gases than previous diesel engines, contributing to an improvement in air quality and complementing Ubico's commitment.</p> |
| 7. | <p><b>Question from Councillor Wilkinson to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b></p>   |
|    | <p>Residents in Oakley will have noted that the next concert at the Cheltenham Town football ground is going to be by Craig David. The previous concert – the first hosted at the stadium - was by Steps and was considered a Tragedy by many local residents. Local people would like reassurance that there will be no re-rewind to that scenario of 10 hours of noise pollution. Can the Cabinet Member fill me in?</p>  |

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|            | <b>Response from Cabinet Member</b> Page 14   |
|            | Following complaints received from residents after the Steps concert in 2018, the council's environmental health team will be offering guidance to the event organisers well in advance to control noise during the Craig David concert in May 2019 in accordance with national guidelines for such events.   |
| <b>8.</b>  | <b>Question from Councillor Wilkinson to Cabinet Member Development and Safety, Councillor Andrew McKinlay</b>  |
|            | After lobbying by Councillor Klara Sudbury, Gloucestershire County Council has agreed to use revenue from fines levied on drivers going through Boots Corner for improvements to cycling and walking facilities. The longstanding ambition to extend the Honeybourne Line to Lansdown Road was recently postponed indefinitely after funding cuts to the Cheltenham station project. Will Cheltenham Borough Council ask the county council to contribute the fines money to this important scheme to improve sustainable transport links?  |
|            | I believe that O&S committee was recently advised that whilst there were challenges to delivering the extension of the existing Honeybourne line to the Lansdown Bridge, that both CBC and GCC were collectively engaging with GWR and Network Rail to ensure that it happened. Should there be a financial challenge this would appear to be a suitable solution to ensure delivery and I will ask County colleagues to consider this.   |
| <b>9.</b>  | <b>Question from Councillor Wilkinson to the Leader, Councillor Steve Jordan</b>  |
|            | In January 2016 Cabinet endorsed the report of the walking and cycling scrutiny group, which included an endorsement of Cheltenham and Tewkesbury Cycle Campaign's wish list. During the scrutiny period, the group was advised that the most likely route to finding money for infrastructure works was via CIL. When is the CIL board being formed, who will sit on it and how can it be influenced to prioritise investment in cycling infrastructure?   |
|            | <b>Response from Cabinet Member</b>   |
|            | At full council on Monday 15 October 2018, Cheltenham Borough Council formally adopted a CIL charging schedule and set a commencement date for 1 January 2019. As part of this report (para 1.7.3 set out that "the governance arrangements to be put in place in relation to the expenditure of CIL income, retained by the Charging Authorities, will be considered by the JCS partners over the course of the first 6 months of the programme. These arrangements will be presented to Cabinet for decision". The detailed information as requested by Cllr Wilkinson is not yet available, but work is underway with OneLegal and our partners Gloucester and Tewkesbury and a report on this will be considered by Cabinet in due course. Improving infrastructure for walking and cycling will be an important part of this discussion. |
| <b>10.</b> | <b>Question from Councillor Stephen Cooke to Cabinet Member Clean and Green Environment, Councillor Chris Coleman</b>   |
|            | Will the Cabinet Member responsible please review the provision of public toilets in Cheltenham including their number, maintenance, cleanliness and times of opening, and make these data available to members?  |
|            | What ongoing strategy is in place to provide sufficient public toilets of good quality for the use of residents and visitors to the town centre?  |
|            | <b>Response from Cabinet Member</b>   |
|            | As I have previously informed Members, in tandem with the project to install the changing places wc in Pittville park and one in a town centre location, a review of public toilet provision is underway.   |
|            | The review is looking at the investment required to council owned toilets and, as previously indicated will explore the potential to improve public access to facilities in commercial premises.  |
|            | Given the pressures on officers in delivering on major projects including the cemetery and crematorium, leisure @ and WW1 commemorative activities, the wc review has yet to be   |

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|            | <p style="text-align: center;">Page 15</p> <p>finalised.</p> <p>Once this is complete, it will be presented to the Asset Management Working Group for consideration ahead of Cabinet.</p>  |
| <b>11.</b> | <p><b>Question from Councillor Stephen Cooke to Cabinet Member Finance, Councillor Rowena Hay</b></p>  |
|            | <p>While the good intention underlying recent property investments by Cheltenham Borough Council is understood, why was a Freedom of Information request necessary for residents and tax payers to learn that £21million of their money was spent on the purchase of a supermarket site?</p>   |
|            | <p>I would like to thank Councillor Cooke for his question. It seems a nonsense that once a transaction has completed the purchase price cannot be made public. However as is often the case with commercial property transactions, the contract contained a confidentiality clause inhibiting the Council from disclosing information in respect of the transaction. This would have extended to the purchase price. This clause would have continued to bind the council after completion.</p> <p>The clause contained an exemption for information disclosed under a statutory obligation. Therefore whilst disclosing the information voluntarily would have been a breach of the contract by the Council, responding to a Freedom of Information request would not. The Council is obliged to disclose under a statutory obligation (which could include freedom of information and access to information) and this resulted in the release of the figure.</p> <p>The purchase price will ultimately become public information following registration of the transaction at the Land Registry: however, it is likely to be some time before the Land Registry completes the registration.</p> <p>In future this council will not agree to be bound post completion by non disclosure clauses.</p> |

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