



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Cabinet

Tuesday, 14 May 2019
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Alex Hegenbarth, Peter Jeffries and Andrew McKinlay

Agenda

4.	PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on Wednesday 8 May 2019.	(Pages 3 - 4)

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Public Questions (2 total)

1.	<p>Question from Gary Knight to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</p> <p>1. Councillor McKinlay stated in his presentation to Cabinet that he would seek government direction on his 100% wheelchair taxi policy.</p> <p>2. The 'Overview and Scrutiny Committee' asked for a response from MP Alex Chalk.</p> <p>3. There has been a direct response to that very conundrum.</p> <p>4. Councillor McKinlay has failed to respond to the request of what government legislation dictates a 100% taxi fleet.</p> <p>5. In view of the Council's own code of conduct in areas of ambiguity in regards to due diligence : 'Cheltenham Borough Council code of members conduct' Last updated 02/11/17 IV. RULES OF CONDUCT. Point 6. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.</p> <p>6. Furthermore Cllr McKinlay must be made aware that he exposes Cheltenham Borough Council to substantial financial risk under 'Article 1' property rights in trying to abolish 'grandfather rights' of the hackney carriage trade in Cheltenham. That risk is calculated at £2,300,000. Which is substantially more than his failed litigation against Christine Laird?</p> <p>In light of points 1-6 is it now the case that he should revisit the findings of the working group which is contrary to his personal beliefs? (minuted from cabinet presentation).</p>
	<p>Response from Cabinet Member</p> <p>Cabinet's decision to amend the council's licensing policy to require all Cheltenham Borough Council licensed taxis to be fully wheelchair by December 2021 was taken following full consultation and due regard to the feedback received from a wide range of stakeholder including the minutes of the working groups - that were attached to the Cabinet report.</p> <p>This decision was subsequently endorsed by the council's Overview & Scrutiny (O&S) Committee following a review of the Cabinet decision in March 2019.</p> <p>The Government's response to the letter sent by, the then chair of the O&S, to Alex Chalk MP stated that "Ultimately however, local licensing authorities should use their existing powers to ensure that taxi and PHV fleets reflect the needs of passengers, that drivers understand the rights and requirements of disabled</p>

	<p>people, and that robust action is taken against drivers who discriminate illegally against them." (https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2018-04-20/136873/).</p> <p>In this case therefore the council has, as suggested by the Government's response, exercised its local discretion to adopt the policy.</p> <p>With regards to Mr Knight's suggestion that there has been no response to a request of what government legislation dictates a 100% taxi fleet, I would like to refer Mr Knight to public question 5 of the full Council meeting Monday, 15th October, 2018 where the question was asked by Mr Sorrell. The response can be found here: https://democracy.cheltenham.gov.uk/mgAi.aspx?ID=14368</p> <p>In light of this, the council's position has not changed and the council still fully supports the decision taken by Cabinet and will not be reviewing the position.</p>
<p>2.</p>	<p>Question from Jessica West to the Leader</p>
	<p>Monday's IPBES assessment reported that nature is now declining at a rate unprecedented in human history. There is now a nature emergency, as well as a climate emergency. How will the council ensure that sustainability is at the heart of the growth agenda driven by the Cheltenham Growth Board?</p>
	<p>Response from the Leader</p>
	<p>Should Cabinet endorse the establishment of a Growth Board, then we will work with key stakeholders on appropriate terms of reference and agreed outcomes. The Place Strategy, approved in 2018, acknowledged the need for inclusive growth and this also embodies the importance of sustainability.</p> <p>We are currently working with GFirst LEP on the emerging Local Industrial Strategy for Gloucestershire and this will be a key document for the Growth Board in developing key priorities, we consider sustainable growth should be a key theme through this strategy.</p>