



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Cabinet

**Tuesday, 11 June 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 5 June 2019.	(Pages 3 - 6)

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Member Questions (9 total)

1.	Question from Councillor Willingham to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Given that ward boundaries are defined predominantly for purposes of managing elections, and in some cases, like the Lower High Street, a single community can be in more than one ward; could the Cabinet Member please explain the why the St Paul's ward boundary was chosen as the boundary for the proposed Article 4 direction on HMOs, rather than a more fine-grained approach that could have considered individual streets, collections of streets, or communities?
	Response from Cabinet Member
	A detailed programme of inspections was undertaken at ward level, based on the known high concentration of HMO's within the St Paul's area, as identified from previous private sector stock condition surveys. A more fine-grained approach was not put forward as a suggested approach at that time, but the methodology employed was intended as a pilot exercise which could be repeated in other areas if necessary. All Saints is the second area now being inspected to determine whether there is sufficient evidence for an Article 4 direction in that ward, with 38 properties still to be inspected. St Peters is the next target area for inspection following the All Saints ward work.
2.	Question from Councillor Willingham to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Given that the issues associated with the unregulated proliferation of HMOs are likely to equally affect both the south side of the Lower High Street, which is in St Peter's ward, just outside the proposed area for Article 4 direction, and the north side of the Lower High Street which is in St Paul's ward, just inside the proposed area for Article 4 direction; as part of the proposed statutory consultation would the Cabinet Member ask officers to perform minor amendments to the boundaries so that whole communities are protected, rather than just part of a community based upon an arbitrary line on a map?
	Response from Cabinet Member
	The boundary of the proposed Article 4 direction for St Pauls could be extended, but this would require additional survey work to be completed to justify the inclusion of any wider area. Given that this would delay the introduction of the Article 4 direction for the St Pauls ward, I could not support this suggestion at this stage, but will ask officers to consider the resourcing implications of looking at this sooner than currently planned.
3.	Question from Councillor Willingham to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	A number of roads in St Peter's ward, away from the proposed St Paul's Article 4 direction area also suffer issues associated with high densities of HMOs, including problems with waste presentation, parking problems, late-night noise, and seasonal increases in fly-tipping, if those areas are brought to the attention of the Council, to protect the remaining communities, will the Council also work with

	ward members and those communities to perform localised reviews and consider introducing further Article 4 direction areas in respect of HMOs?
	Response from Cabinet Member
	This would have resourcing implications which are not accounted for in our immediate work plans. However, please see my answer to the previous question in relation to other areas for potential consideration of Article 4 direction controls.
4.	Question from Councillor Willingham to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Will the Council be supporting the Article 4 direction proposals with additional resources to perform planning enforcement and HMO licensing enforcement to ensure that dwellings are not converted after the direction comes into force, and to do what the Council can to drive up standards for dwellings in this sector of the housing market?
	Response from Cabinet Member
	This Council's approach to the enforcement of standards in the private rented sector is relatively well resourced as a result of the income generated from related activity. I am confident that this will continue to be the case and that officers will do everything they can, in partnership with local ward members, to effectively enforce any new Article 4 direction adopted. You should note that there will be a 12 month 'grace period' between the time that the Article 4 Direction is first considered by Cabinet and it coming into force, to mitigate an identified risk of financial compensation payable to landowners. During this time it may be difficult to resist new applications for HMO's within the Article 4 area and this is one of the highlighted risks of the project.
5.	Question from Councillor Willingham to the Cabinet Member Clean and Green, Councillor Coleman
	In item 4, there is an Equalities Impact Assessment, yet in item 5, this does not seem to have been performed. Section 1(1) of the Equality Act 2010, provides for a Public sector duty regarding socio-economic inequalities and states " <i>An authority to which this section applies must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage.</i> " Given that in this borough, there are some of the most affluent areas of the country with houses in Council Tax band H, costing over £1,000,000; and there are some of the least affluent areas of the country with houses in Council Tax band A costing under £100k, as well as concentrations of rented social housing, yet the costs for bulky waste collection are uniform, how have officers assessed compliance with this duty as having been met?
	Response from Cabinet Member
	As Cabinet Member I fully support the need to ensure we offer an equal opportunity to all our residents to enable them to access our services and I have therefore asked officers to include this issue within the public consultation planned over the summer. When we consider the consultation feedback at the end of the summer we will also consider what more needs to be done to support residents access our

	services including those on low incomes.
6.	Question from Councillor Willingham to the Cabinet Member Clean and Green, Councillor Coleman
	In respect of bulky waste collection charges, has any consideration been given to providing a graduated charging scale, for example reduced cost collections for those households in receipt of means-tested benefits, or using other indicators (for example Council tax banding, LSOA indices of deprivation, etc.) to try to ensure that for the least affluent members of our communities the collection service provided by the Council is affordable so that there is less temptation for people to consider dumping items, or using unlicensed waste carriers, and the fly-tipping and enviro-crime that is likely to result from that choice?
	Response from Cabinet Member
	The results of the public consultation and feedback to customer services staff taking bookings for bulky waste collections do not suggest that price is a barrier to residents accessing the service. However, the Council will continue to monitor feedback from residents and the level of fly-tipping in the town. Further public consultation is planned over the summer and this could be used to better understand how we can deliver services to those on a low income.
7.	Question from Councillor Willingham to the Cabinet Member Clean and Green, Councillor Coleman
	Could the Cabinet Member please confirm that irrespective to the decisions made by Cabinet, the facilities at Wingmoor Farm, which is less than 5 miles away and approximately a 12 minute drive from Swindon Road will continue to accept garden waste and residual waste?
	Response from Cabinet Member
	The household recycling facility at Wingmoor Farm is the responsibility of Gloucestershire County Council not Cheltenham Borough Council and changes to their opening hours have increased the usage of our household recycling centre at Swindon Road. I am not aware of any service changes by GCC other than upgrading the site.
8.	Question from Councillor Willingham to the Cabinet Member Clean and Green, Councillor Coleman
	Does this Council have baseline data on fly-tipping levels and locations; if the proposed waste changes are implemented, will it monitor the effects of those changes on fly-tipping; and will any more resources be able to be deployed to deter, detect and prosecute unlicensed waste carriers and those involved fly-tipping and other waste-related enviro-crimes?
	Response from Cabinet Member
	We report data on the incidence of fly-tipping annually to DEFRA and this forms part of the published totals for England (see attached link for the last nationally published 2017-18 data). https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/756306/FlyTipping_201718_Statistical_Release_rev.pdf

	<p>The Council has details of the location of each reported fly-tipping incident and can therefore monitor trends over time and identify hotspot areas for targeted action. Waste carriers are licensed by the Environment Agency and officers can and do report any concerns about unlicensed carriers to DEFRA for investigation.</p>
<p>9.</p>	<p>Question from Councillor Willingham to the Cabinet Member Clean and Green, Councillor Coleman</p>
	<p>Given the concerns that many residents seem to have about the removal of the garden waste provision at Swindon Road and the intention to perform further consultation on this, could the Cabinet Member please advise what will be done to try to promote the accessibility and affordability of Home Composting, including the council-subsidised composting bins that start from £18.50, and other initiatives for example working with partners such as CBH to encourage the uptake of this across more of our town's diverse demographics?</p>
	<p>Response from Cabinet Member</p>
	<p>As Cabinet Member I am committed to reducing waste. I am keen to further promote the use of our weekly food waste collection to reduce the waste that goes into the residual waste stream but for all of us, only buying the amount of food we need and reducing the volume of food waste would not only help the environment but also our food bill.</p> <p>A significant proportion of food waste can be home composted, so for those residents that have the space and are willing to home compost, most of their food waste can be home composted. Further information is available already on the Council's website at: https://www.cheltenham.gov.uk/a_to_z/service/244/compost_bins</p> <p>Over the summer, the content of the Council's website will be improved and home composting, amongst other waste reduction initiatives, will be promoted to all residents of Cheltenham, including tenants of Cheltenham Borough Homes.</p>