

## Council

Thursday, 26th February, 2015  
6.00 - 6.30 pm

Attendees	
<b>Councillors:</b>	Simon Wheeler (Chair), Duncan Smith (Vice-Chair), Matt Babbage, Flo Clucas, Adam Lillywhite, Chris Mason, Dan Murch, Chris Nelson, John Payne, Max Wilkinson, Wendy Flynn, Andrew Chard, Paul Baker, Garth Barnes, Nigel Britter, Chris Coleman, Bernard Fisher, Jacky Fletcher, Colin Hay, Tim Harman, Rowena Hay, Peter Jeffries, Steve Jordan, Andrew Lansley, Helena McCloskey, Andrew McKinlay, John Rawson, Anne Regan, Rob Reid, Chris Ryder, Diggory Seacome, Malcolm Stennett, Klara Sudbury, Pat Thornton, Jon Walklett, Roger Whyborn and Suzanne Williams

## Minutes

**1. APOLOGIES**

Apologies were received from Councillors Holliday and Wall.

**2. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**3. MINUTES OF THE LAST MEETING**

The minutes of the meeting held on 13 February were approved and signed as a correct record.

**4. COMMUNICATIONS BY THE MAYOR**

The Mayor informed Members that he would be sleeping rough the following week and would be grateful for any sponsorship.

**5. COMMUNICATIONS BY THE LEADER OF THE COUNCIL**

There were no communications from the Leader.

**6. PUBLIC QUESTIONS**

There were no public questions.

**7. MEMBER QUESTIONS**

<b>1.</b>	<b>Question from Councillor Jacky Fletcher to Cabinet Member Development and Safety Andrew McKinlay</b>
	Following the article in the Echo on 19 February 2015 when it was stated that Cheltenham is the county's lowest in food hygiene investigation, how can the Cabinet Member say that the inspections are robust when Cheltenham is the lowest ranked in the County?
	<b>Response from Cabinet Member</b>

The methodology used to produce the figures in the Echo article is not transparent, or consistent with any other data reporting format. However, the high level of compliance in Cheltenham's food businesses is evidence of CBC's robust inspection programme.

The facts are that as of Monday 23<sup>rd</sup> February, Cheltenham had the lowest percentage of non-compliant food businesses in Gloucestershire. (3.3% N=28/839). This reflects the team's approach of targeting their resource at the highest risk premises, and utilising the full range of regulatory tools and powers to secure sustained compliance. Examples include: coaching referrals for consistently poor performing businesses; establishment of a Primary Authority Partnership with Edwards & Ward; tailored advice on how to improve a food hygiene rating given to every premises following intervention; use of formal enforcement where appropriate (e.g. Hygiene Improvement Notices and Simple Cautions); demonstration of cleaning results and techniques using an ATP monitor.

	Compliant (rating of 3 or more)	Non- compliant (rating of 2 or less)	% Non- compliant businesses	% Compliant businesses
<b>CHELTENHAM</b>	<b>839</b>	<b>28</b>	<b>3.3</b>	<b>96.7</b>
COTSWOLD	882	56	6.3	93.7
FOREST	696	38	5.4	94.6
GLOUCESTER	779	53	6.8	93.2
STROUD	990	37	3.7	96.3
TEWKESBURY	691	41	5.9	94.7

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

Residents in Great Norwood Street in my ward have contacted me several times with regard to issues involving rats and problems of waste accumulating in Casino Place at the rear of their properties. The Pest control Officers have been asked to look at the Rat problem which may arise from the Severn Trent Works in Suffolk Road but I understand that there is a long waiting list before our Officers would be able to visit.

Would the Cabinet member investigate both of the above issues including measures to ensure that waste is collected regularly.

I would be happy to meet him on site.

**Response from Cabinet Member**

The only complaint involving rats in Great Norwood Street and Casino Place this year was made by an individual household and received by the Council's environmental health team on Thursday 19th February.

I can confirm that the Council is investigating the issues reported and that a Senior Environmental Health Officer at Cheltenham Borough Council has both spoken to the resident concerned on the telephone and also visited her.

At the present time, it is entirely appropriate for Severn Trent to first complete their investigation and make good any structural sewer defects, as this will resolve or reduce any rodent activity arising from such defects. I can confirm that the case will continue to be handled by a Senior Environmental Health Officer who will arrange for any necessary enforcement action to be taken, if deemed appropriate.

I have asked to be kept up-to-date with the matter. As I am sure that Cllr Harman will also want information on how the matter progresses, I have asked for this to be given to him.

In respect of the issue of the waste and recycling collection in Casino Place I can confirm that I have visited the site myself. As a result, I requested that UBICO attend to carry out an inspection and arrange for an immediate collection of all waste and recycling in the location. Following a further site visit shortly before finalising this answer (10pm on Wednesday 25th February 2015), I can confirm that the waste and recycle has indeed been collected.

It may be that there have been some difficulties with the collection of waste and recycling during the Severn Trent works in and around Suffolk Road, although to the best of my knowledge we have not received any complaints about missed collections on Casino Place.

I know that local residents and businesses in and around the area affected by the works have been very patient as the work has been carried out but I would encourage them to report any issues with the refuse and recycling service if they arise. They can do so by calling Cheltenham Borough Council 01242 262626 or by using the online 'report a problem with your bin' form on our website.

I have asked to be kept informed about the collection of waste and recycling in this location in the coming weeks and would welcome any feedback from Cllr Harman about the service in and around Casino Place.

Finally, I can confirm that I would of course be very happy to meet with Cllr Harman at the site to discuss this issue with him and his constituents in more detail if he and they would like me to.

In response Councillor Harman accepted the Cabinet Member's offer to meet him on site to discuss the issue.

## **8. COUNCIL TAX RESOLUTION 2015/16**

The Cabinet Member Finance introduced the report, the purpose of which was to enable the Council to set the Council Tax for 2015/16. The Council was required to formally approve the total Council Tax for residents of Cheltenham, including the Council Tax requirements of the precepting organisations Gloucestershire County Council, Gloucestershire Police and Parish Councils.

A recorded vote was required upon the recommendation in the report and this was unanimously CARRIED.

Voting for 36: Cllrs Babbage, Barnes, Baker, Britter, Chard, Clucas, Coleman, Fisher, Fletcher, Flynn, Harman, C Hay, R Hay, Jeffries, Jordan, Lansley, Lillywhite, Mason, McCloskey, McKinlay, Murch, Nelson, Payne, Rawson, Regan, Reid, Ryder, Seacome, Stennett, Sudbury, Thornton, Walklett, Wheeler, Whyborn, Wilkinson, Williams.

#### **RESOLVED THAT**

**The formal Council Tax resolution at Appendix 2 be approved and that the commentary in respect of an increase in Council Tax at Paragraph 6 of Appendix 2 be noted.**

#### **9. LOCAL DEVELOPMENT SCHEME**

The Leader introduced the report and explained that the Local Development Scheme (LDS) collects together the separate timetables for the preparation of statutory development plan documents and presents them in one document. He informed that it represented Cheltenham Borough Council's commitment to the production of various planning documents that would make up the areas "local plan". The Development Plan Documents it identifies as under preparation are the Gloucester Cheltenham and Tewkesbury Joint Core Strategy and the emerging Cheltenham Plan.

The Leader explained that an up to date LDS would assist with the Examination in Public of the JCS later in the year which would be followed by Phase 1 of the Cheltenham Plan. He highlighted that depending on the outcome of the JCS the timetable outlined in the LDS may change. He reported that it had been suggested that the constitution working group review the process given that such a change could happen given the inspection process.

#### **RESOLVED THAT**

**The 2015 Local Development Scheme attached at Appendix 2 be approved.**

#### **10. NOTICES OF MOTION**

The following motion was proposed by Councillor Whyborn and seconded by Councillor Britter:

*"Council notes with concern that new housing developments are being put forward without adequate high-speed/super-fast broadband facilities, and that in many cases no suitable public funding streams exist for new estates in suburban areas.*

*Council therefore resolves to initiate a policy such that future planning applications for new developments will have a requirement to enable access to appropriate quality of broadband facilities at minimal set-up cost to the householder. Council therefore instructs officers to develop further detail to support the policy of this resolution at the earliest practical opportunity, and to incorporate this into the local plan."*

Councillor Whyborn referred to the following amendment proposed by Councillor Tim Harman which had been circulated to all members before the meeting. It was formerly seconded by Councillor Andrew Chard.

*Add the following to the motion proposed by Councillor Whyborn as set out in the Council agenda:*

- 1. The work by officers should include consideration of the provisions of the EU broadband directive (2014/61/EU) which requires new developments from 2017 to be equipped with "high speed ready in building physical infrastructure" (with "high speed " meaning a "network which is capable of delivering broadband access services at speeds of at least 30 Mbps).*
- 2. For those in existing homes which are suffering from poor broadband speeds, Council resolves to work closely with the County Council ( along with their Fastershire project) and commercial providers to ensure that all broadband cabinets in Cheltenham are upgraded to fibre capability as soon as possible, to ensure both new and existing developments benefit from faster broadband.*

Councillor Whyborn indicated that he was very happy to accept the amendment provided that the speed of 30 Mbps referred to was in the EU directive. Councillor Harman confirmed that this was the case and therefore the original motion with this amendment became the substantive motion.

In proposing the amendment, Councillor Whyborn indicated that the motion related to a problem which was gathering pace. BT was currently running out high-speed broadband to their cabinets all over town and similarly Virgin were upgrading all their systems. Hence residents in these favoured areas could update their broadband speeds easily. However there were areas in his ward and other parts of the town where this was not the case. He gave residents in Manor Farm as an example with broadband speeds of less than 1 Mbps and this could only be increased by paying a considerable sum to the telecom providers, currently £9,300 for BT.

As these areas were classified as urban areas they did not qualify for grants under the Fastershire scheme. Mostly they were newbuild areas where planning permission had been granted up to four years ago. Moving forward, broadband capability should be a standard for all new developments in the same way as any other utility. The intention of this motion was to strengthen the hand of Planning Committee and planning policy by incorporating this requirement into the local plan. He acknowledged that this would take time to develop but passing this motion today would give a strong direction of travel to developers.

Councillor Harman thanked the proposer for accepting his amendment and indicated that he would be very happy to support it as he felt it helped raise awareness of the issues around broadband.

Another member referred to the black holes for broadband in some urban areas including Gloucester and Cheltenham. Speaking as the chair of the Gloucestershire Economic Development Scrutiny Committee, he highlighted that the committee had looked at this issue. The purpose of the Fastershire

scheme was to provide a subsidy for broadband in rural areas where it is not economically viable for companies to do so. If providers are now saying that this also applies to some urban areas, then those areas should be able to request a public subsidy under the scheme. This needed to be sorted as it was outrageous that so many residents did not have access to a fast broadband link and this needed to be resolved as soon as possible.

The Leader supported the motion and said this would be a priority when officers got on to the detail of the local plan. He indicated that there may be a need to use some of the £100 K allocated in the budget to support this.

Another member highlighted that there was a trend to move to wireless 3G and now 5G so it was important to keep abreast of any new developments in technology.

Upon a vote the motion as amended was resolved unanimously.

**11. TO RECEIVE PETITIONS**

None received.

Simon Wheeler  
**Chair**