

Overview & Scrutiny Committee

Monday, 26th October, 2015
6.00 - 8.05 pm

Attendees	
Councillors:	Tim Harman (Chair), Nigel Britter, Chris Mason, Helena McCloskey, John Payne, Max Wilkinson and Klara Sudbury (Reserve)
Also in attendance:	Councillor Coleman (Cabinet Member Clean and Green Environment), Councillor Jordan (Leader), Wilf Tomaney (Townscape Manager), Councillor Walklett (Cabinet Member Corporate Services), Fiona Warin (Green Space & Allotment Officer) and Councillor Whyborn

Minutes

1. APOLOGIES

Councillors Murch, Hay and Ryder had given their apologies. Councillor Sudbury substituted for Councillor Hay.

2. DECLARATIONS OF INTEREST

No interests were declared.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting had been circulated with the agenda.

Councillor Sudbury highlighted that her name featured twice in the list of attendees. This would be amended.

The Chairman advised that Councillor Ryder had asked that her request that a member of the opposition from each partner be permitted a seat on the Joint Committee, be referenced under the 2020 Vision item (Agenda Item 10). The minutes would be updated accordingly.

Upon a vote it was unanimously

RESOLVED that the minutes of the meeting held on the 21 September 2015, as amended, be agreed and signed as an accurate record.

4. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

None had been received.

5. MATTERS REFERRED TO COMMITTEE

No matters had been referred to the committee.

6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

There had been no meetings of countywide scrutiny groups since the last meeting of this committee.

Councillor McCloskey did however, explain that one of the Independent Members of the Police and Crime Panel had sadly passed away after a long period of illness. Two candidates had been interviewed but neither had been considered suitable and as such another advertisement would be placed in the coming weeks. She asked that members promote this role to people that had an interest in the policing of the County and confirmed that full training would be provided.

7. CABINET BRIEFING

The Leader provided a brief update on 2020 vision since the Council meeting the previous week. He confirmed that all four partners had now agreed the key principles and work was now progressing on devising a timetable for the new services, which he noted did not include GO Shared Services and ICT which would form part of 2020 from the 1st April 2016. He reminded members that a cross-party group had been established to look at various aspects and that this would include involvement in service design.

The Chairman advised that it had been suggested that scrutiny look at customer focus as a particular issue and voiced his preference that this be reviewed by the entire committee rather than by a Scrutiny Task Group. The Leader assured members that the cross-party group would be looking at this very issue, among other things, but was comfortable that O&S may want to look at particular areas in more detail.

8. GROWING PLACES - ALLOTMENT STRATEGY

The Green Space & Allotment Officer introduced the draft Allotments Strategy 2015 (Growing Places). The strategy considered supply and demand for allotments in Cheltenham now and since 2005, as well as feedback from a customer satisfaction survey, to which a third of allotment holders (247) responded in early 2015. An action plan set out proposed activities for five key areas: allotment management; infrastructure, protection, provision and health & safety. One proposal was for the option to use some of the money currently set aside for new allotment provision for allotment site improvements (site security, health & safety and provision for disabled gardeners) instead. She explained that overall, those allotment holders that responded to the survey, were satisfied with the service provision, with 83% considering it to be good or very good. The main issue that was identified as a result of the survey was the need for additional security measures at two sites, where 60% of allotment holders had been the victims of crime in the last 5 years. Feedback on rent was that it was now at the upper level of what some people would be willing to pay.

The Cabinet Member Clean and Green Environment felt that allotments provided a significant public service to residents across the town as well as representing great value and that the high level of satisfaction with the service was, in no small part, thanks to the work of the Green Space and Allotment Officer. He hoped that Councillors appreciated that the things had changed drastically since allotments were reviewed by a task group in 2012, when media coverage had resulted in an inflated waiting list; the position was rather different now. The strategy had already been considered by the Allotments Association,

it would be considered by Cabinet in November and this was an opportunity for scrutiny to make any comments or suggestions.

The following responses were given to member questions;

- Clearly the Cabinet Member Finance would prefer that allotments were self-financing but in reality rent covered approximately 80% of the direct cost of the allotment service (water rates, Allotments Officer, etc) and legal advice was that rents were at the upper level of what the council could legally charge. There was an argument that allotments were a form of leisure service and other leisure services and recreational areas were funded by the council. It was estimated that 6-7k people were benefiting from allotments across the borough.
- Legal advice was that the council had no statutory obligation to provide anybody living in a parished area with an allotment. In spite of this the council had always accepted applications from people living in parishes but this became an issue 4-5 years ago but actioned more recently 2-3yrs ago, when the waiting lists were at their longest, these people were accepted onto the waiting list on the basis that priority could be given to those living in non-parished areas. As mentioned before the waiting list had now drastically reduced and this was no longer an issue but it was noted that those living in parishes were not taken into consideration when assessing the need for new non-parish provision.
- The demographic of allotment holders had changed in recent years and where it had previously been older males, investments in toilets, etc, had attracted more females and families; with up to 70% of some (the) current waiting lists being females. The majority of new allotment holders were taking on plots as a healthy hobby and to supplement their weekly shop and in line with demand, plots had gotten smaller. There was also more of a social community at each allotment site, which was in part, due to the facilities, as well as the change in profile of allotment holders.
- The council advised all allotment holders against storing anything of monetary or sentimental value in their sheds and to refrain from using locks to demonstrate this to any would be thieves. Typically it was November nights at the Hayden Lane site when all sheds would be broken into and the reports were for vandalism (breaking of the lock) rather than for theft, with only 20% having reported that anything had been taken. Media coverage, both locally and nationally, had been blamed for two instances whereby a number of sheds had been broken into.
- Legal advice was that the council was not permitted to provide new provision for people living in parished areas and this included Up Hatherley, where unfortunately there were no parish council allotments either.
- The STG in 2012 looked at allotments and a number of sites where it was hoped that the land could be handed over to parishes, but legal reiterated the point that no borough council money could be spent on allotment provision for people living in parished areas.
- All medium to large scale developments were asked to provide allotments. The plan for the Leckhampton site included a large number of allotments and any plans for the North West of Cheltenham would be expected to do the same.
- A checklist had been developed which set out the level of commitment required from allotment holders. Similar information was also available on the

website and take-up was now lower, with almost 50% of people deciding that they could not make the required commitment. Applicants were able to defer their take up of a plot until such time as they had the time and capacity to manage one.

- The plots that had been developed for disabled plot holders had been developed specifically for those individuals. The risk of making provision for disabled plot holders at every site would be that there were no holders to fill them, given the cost associated with adding raised beds, etc. General improvements to access and pathways had been significant and would be beneficial to all allotment holders.
- Hayden 2 was a site that lent itself well to use by community groups and had been used by County Community Projects, an NHS group working in the Mental Health area, Schools, Vision 21 and a group of Bangladeshi ladies.
- The 3 strikes rule which had been adopted after the 2012 STG review seemed to be working and this coupled with the rent rise (from £8 to £40-50 per annum) A few senior citizens with very small plots had been paying as little as £8, which was not enough for them to give up the plot if they were not getting much use out of it. With most people now paying in the region of £40 to £50 per annum, it was enough to make people think twice about the value for money of their allotment and hand it back if they were not getting very much use from it. This had resulted in a only 5% of plot holders having complained about unkempt plots. The Cabinet Member felt that it was important not to be too rigid about enforcements because of personal circumstances and it was important for the team to be able to use their discretion where necessary.
- There was no evidence that people on lower incomes were not taking up plots or were leaving because of the cost and if they were not included in the list within the strategy of those taking up plots, then this was simply an omission. This was not measured however, and whilst the option to provide a concession had been explored and there would be costs associated with administering concessions whereas the cost of the allotment for those on low incomes was not considered to be prohibitive. The invoices were sent out in January of each year and there were two options for payment, a one-off lump sum or monthly instalments which equated to approximately £1 per week.

The Cabinet Member Clean and Green Environment thanked members for a valuable discussion and confirmed that some amendments would be made to reflect their comments, before it was taken to Cabinet in November. He also took the opportunity to thank the Green Space and Allotment Officer for drafting the strategy and for all of her work with the allotment holders.

No decision was required.

9. CHELTENHAM SPA RAILWAY STATION SCRUTINY TASK GROUP REPORT

Councillor Whyborn introduced the STG report as circulated with the agenda. He had considered it a privilege to Chair the group as well as being some of the most interesting work he had undertaken in his time as a councillor. He felt it was important to highlight some key events between September 2014 and July 2015, by which time the group had concluded its review, before talking through the recommendations. First Great Western (FGW) were awarded an extension of 3.5 years to the London service franchise by the Department for Transport (DfT) and as such the ambition for the task group to better understand the

franchise renewal process was superseded by events. Then in late 2014, the Western Route Study, published by Network Rail, which included proposals for an enhanced train service from Cheltenham to London; it was subsequently announced that there would be an hourly service to Paddington from Cheltenham in 2017/18 and a longer term objective for journey times to Paddington of below 2 hours. The task group devised a motion which was considered and passed by Council in December 2014 and was duly submitted as a response to the consultation. The task group met with representatives from Network Rail and FGW in March 2015 and were able to press upon them the perceived priorities for Cheltenham's train service and the station itself.

In descending order he offered a brief explanation to each of the recommendations of the task group. The group accepted that not everything could be categorised as a priority and with this in mind had devised recommendation 3, which set out a number of matters which the group felt it was important were kept in mind in future. The group acknowledged with concern, that a consequence of increased services to London would be an increased pressure on the rail network and the need to terminate additional trains at Cheltenham, putting significant pressure on the single siding. It was important to note that Network Rail had, for the first time, recognised that there was an issue at Cheltenham. The task group supported the proposal for 2 bay platforms, not as the only solution, but as the only solution that had been developed at this time. Recommendation 1 identified the major issues and some of the limitations of Cheltenham Station. Passenger numbers had doubled since the 1990's and once they exceeded 2 million the station would be put into another Category and this would pose issues, especially to non-able bodied passengers. He referred members to Appendix 2 of the STG report, a letter from Clare Perry MP at the DfT. He stressed that though this could easily be perceived as a case of 'job done', it should be noted that whilst a significant programme of investment and improvements was planned, not all allocation of monies was complete and therefore there were no guarantees as to if; how; or indeed when the improvements would happen. He suggested that the reference to devolution would have been more detailed had the report been drafted and finalised more recently, but the report itself did suggest that the County should lobby for powers similar to those given to Transport for London. Stagecoach were a business and therefore ran services largely on commercial merits only, but the task group were of the opinion that this did not necessarily result in a service that met the needs of everyone. It was clear that first tier authorities had regular discussions with transport providers and the group felt that second tier authorities needed to be represented to ensure that local issues were taken into account.

In response to a question from a member of the committee, Councillor Whyborn explained that as part of a conventional structure CBC were not responsible for transport, but as part of a combined authority we would be in a position to help shape transport services across the county and he viewed this as a paramount for the county as part of the devolution bid.

The Chairman thanked Councillor Whyborn for his attendance and for the work of the task group on this issue. He was also keen that communication with residents living near the train station was maintained so that they were kept informed of what was happening. The committee were reminded that a follow-up would be scheduled for 12 months and that the Managing Director of the

Cheltenham Development Task Force had been asked to keep O&S informed of any developments.

Upon a vote it was unanimously

RESOLVED that the recommendations as set out in the Scrutiny Task Group report be agreed and Cabinet be recommended to:

- 1. Authorise the Managing Director of the Cheltenham Task force in conjunction with the Leader of the Council to undertake the following tasks and to report progress to O&S in 12 months' time;**
 - **To proactively lobby the relevant parties for all improvements in Phase 1A and 1B as listed in the table at 5.1.3 of the task group report.**
 - **Being mindful of devolution, particularly the integration of transport, to continue dialogue with Gloucestershire County Council, Local Economic Partnership and others; in particular to pursue all possible opportunities to improve public transport links to/from Cheltenham Spa station.**
 - **Publicise Smartcard and PlusBus opportunities in the area.**
 - **In view of the fact that some funding levels and finalised proposals for all of the improvements to the station have not yet been announced, to keep O&S informed of any developments.**
- 2. Note that whilst the service improvements announced by FGW are to be welcomed, it should be acknowledged, with concern, that a consequence of the increased services to London will be increased pressure on the rail network in the need to terminate additional trains. Thus Phase 2 will be even more necessary than it is a present.**
- 3. To note the other relevant matters raised;**
 - **On the north/south route, though train services are fairly frequent, there is concern that lack of route capacity may stifle traffic, and hence modal shift to rail in the future, with too high a proportion of traffic going by road.**
 - **The rolling stock on some local services, particularly operated by Arrive trains, if life-expired, and should be a factor when this franchise is renewed.**
 - **The train service to Worcester remains poor and is not addressed by the recent proposals.**
 - **The potential for future improvements through both electrification and re-signalling on the Bristol-Birmingham line is to be welcomed.**

10. CYCLING & WALKING SCRUTINY TASK GROUP REPORT

Councillor Wilkinson, Chairman of the scrutiny task group, introduced the report, as circulated with the agenda. He felt that there were legitimate reasons for the review, given the need to reduce congestion and improve air quality within the borough. National and internationally renowned experts including John Mallows of Cheltenham & Tewkesbury Cycling Campaign and Bronwen Thornton of Walk21 were co-opted onto the group, which held a series of meetings and heard evidence from a range of people including Officers from Cheltenham Borough and Gloucestershire County Councils. Members of the group also organised a seminar on 20's plenty (a national campaign to reduce speed in urban areas) and undertook a site visit to Bristol to witness, first hand, examples of good practice in cycling infrastructure and promotion. He accepted that none of the recommendations alone would solve the issues facing cycling and walking but felt that collectively they would go some way. He took this opportunity to thank Tess Beck, who had recently left Democratic Services, for her hard work and enthusiasm throughout the review.

Councillor Wilkinson, along with the Townscape Manager, gave the following responses to member questions;

- All members of the task group agreed that it was not ideal for cyclists and pedestrians to share footpaths but opinion was split about whether cyclists should be permitted on the Promenade and high street in Cheltenham. Councillor Wilkinson's opinion was that both were wide enough to not pose the same problem as cycling on pavements, provided cyclists were responsible.
- The Townscape manager felt that the problem with high street was that there were a number of regimes; some areas permitted vehicles, cycles or neither and some even permitted buses and his general feeling was that there was a need for some consistency. As part of the considerations of the Cheltenham Transport Plan, thought would be given to what to include about cycling. Those that argued that cycling should be permitted throughout did so on the grounds that there would always be someone that would break the rules but that the majority would not.
- The Transport Plan proposed that the regime for buses would remain unchanged except for a possible route across the front of Boots, which would equate to a length of 5-10 metres only. There was a lot of evidence that the more that you segregated drivers from their surroundings, with railing for example, the faster they would drive and railings severely disadvantaged pedestrians.
- The argument for 'no helmets' was a view that was held strongly by cycling groups, in an effort to normalise cycling and make it a more attractive proposition to a broader range of people. The task group were not suggesting that cyclists should be advised not to wear helmets but rather that any promotional images should feature cyclists without helmets rather than presenting a stereotypical image of cyclists wearing helmets and hi-vis clothing.
- Evidence suggested that lower speed limits reduced congestion and it was a fact that the impact of a collision at 20mph was far reduced than a collision at 30mph. The recommendation of the task group was that an assessment of the appetite for a 20mph limit across the town should be sought from residents and advice from Officers had been that it was far easier to apply for a Traffic

Regulation Order for a default 20mph limit and then exclude main routes from it, rather than to apply for a number of smaller areas.

- The task group did not approach the Police for their view on a 20mph speed limit because enforcement was not a pertinent issue. Most motorists abide by speed limits, which means any new limit would likely be successful due to compliance rather than enforcement.
- A Disability Group was established, which included a group from Birmingham who represented guide dog users, to consider the layout of new street designs. It was that group that recommended the 60mm. There had been an argument that flush curbs would better aid those with mobility issues but 60mm was favoured by those with visual impairments. It was accepted that the colour differential between the gutter and the kerb had not been as markedly different as the sample that was agreed with the group, but had been built exactly as agreed.
- It was true that people would be more inclined to walk or cycle in more attractive areas but it was important to note GCC would approach function before form.

Whilst members of the committee commended the report which they felt had captured the enthusiasm and hard work of the task group, some members had concerns about some of the recommendations. Members were uneasy that cycling should be permitted on the Promenade and High Street. These two areas were the main thoroughfare for shoppers and increased footfall was an ambition which seemed in conflict with allowing cycling throughout. The recommendation which concerned members the most was the recommendation for 20mph limits across the borough. Concerns included; cost, there would be a cost associated with the TRO needed to implement this and that cost would need to be funded by GCC and there was query about whether they had the budget to do this; the task group had used Bristol as an example of where the 20mph limits had been imposed, but it had cost £2.2m to implement and some members disputed the claim that it had been successful having experienced it themselves or having researched public opinion. The committee acknowledged that there were areas in Cheltenham that would welcomed and benefit from a 20mph speed limit but queried the blanket approach being suggested by the task group. Members were also apprehensive about cyclists being encouraged not to wear a helmet.

Councillor Wilkinson reminded members that the group was not encouraging cyclists not to wear a helmet, the issue was restricted to presentation of cycling in promotional materials rather than advice. He added that whilst the debate had focussed on 20mph limits and cycling in the Promenade, there were in fact 12 recommendations , which if all enacted, would increase the mental and physical health of Cheltenham and its residents and hoped that the committee would endorse the task group recommendations to enable further consideration by Cabinet.

The Chairman reiterated that despite some of the concerns raised by the committee, the hard work of the task group was evident and thanked members and those that had supported them for their efforts. He asked that the views of the committee be shared with Cabinet in November.

Upon a vote it unanimously

RESOLVED that the recommendations as set out in Appendix 2 of the covering report be agreed and forwarded to Cabinet for consideration;

- i. Rec 1: Identify opportunities for improving cycle route permeability and cycle parking in areas outside the town centre.** A lot of work has been done on removing barriers within the town centre and most of these proposals have been included in the Cheltenham Transport Plan. There is still work to be done outside the centre.
- i. Cheltenham Borough Council should endorse Cheltenham & Tewkesbury Cycling Campaign's wish list for improvements to Cheltenham's cycle network. Once agreed, the authority should put aside funds each year to pay for the items suggested, or proactively identify and bid for funds to pay for the suggestions and encourage the County Council to do the same. These could be added to a costed wish list of improvements, which could then be added to Community Infrastructure Levy (CIL) 123 lists or included in funding bids.
- ii. **An equivalent exercise should be undertaken for walking.** Councillors should work with residents and walking experts to draw up a wish list of improvements for residents. Locations should be identified for benches and funding identified for maintenance.
- ii. **Rec 2: Gloucestershire County Council should investigate and engage with Cheltenham residents in order to promote a borough wide 20mph default speed limit to make the environment safer and more attractive to walkers and cyclists.** A default speed limit does not mean that all roads will have a 20mph limit. Selected roads will have a higher speed limit, and a few may have an even lower limit. The Council should also investigate the possibility of securing additional funding for this from public health budgets.
- iii. **Rec 3: Gloucestershire County Council should undertake an assessment aimed at removing guard rails, which are a key barrier to walking and encourage faster vehicle speeds.**
- iv. **Rec 4: Benches should be strategically positioned along routes to allow people to rest – on inclines, at attractive view points, at nodal points on the street and transport network (bus stops in particular.** Benches are an important part of any walking strategy, for elderly and disabled people in particular. They need to be well maintained and comfortable.

- v. **Rec 5: Cheltenham Borough Council should work with the Cheltenham Trust and Gloucestershire County Council to promote cycling and walking within Cheltenham, especially once Thinktravel loses its LSTF funding in 2016.**
 - i. Images of cycling and walking in Cheltenham Borough Council and Cheltenham Trust promotional material should depict them as attractive and normal activities for everybody.
 - ii. The Cheltenham.gov.uk page: *Walking in Cheltenham* should be improved to promote walking within the borough.
 - iii. Cheltenham Borough Council should work with Cheltenham Trust to create maps of walking routes within the town.
- vi. **Rec 6: The needs of walkers and cyclists should be considered before other road users when making policy and planning decisions, and their needs should be considered at the start of any major planning project.**
 - i. At the start of any major project when the equality impact statement is carried out, the needs of cyclists and walkers should be considered (as two separate categories).
 - ii. Cycling and walking are not the same mode and their needs should be considered separately in all policies and plans.
 - iii. The planning hierarchy of transport modes adopted by the JCS should also be adopted by the Cheltenham Plan and applied to planning and policy decisions.

Hierarchy of Transport Modes	
Highest	1. Pedestrians and people with mobility difficulties 2. Cyclists 3. Public transport and social/ community services 4. Access by commercial vehicles 5. Ultra-low emission vehicles
Lowest	6. Other motorised vehicles

- iv. Increased cycling provision should not be at the expense of walkers. Ideally cycle provision should not be on the footway. Where traffic speeds make it necessary, good quality segregation should be provided for bikes on the highway.
- v. If people are to be encouraged to walk, pedestrians need to have an at least equal level of service as other methods of transport and positive

provision of space and safe crossing points. Their needs should be considered in the design of all public space including car parks.

- vi. Walking is a particularly important mode of transport for some groups of people such as those with visual impairment or other disabilities. The needs of these groups should be considered in planning and policy decisions.
- vii. The Cheltenham Plan will consider the inclusion of separate walking and cycling policies.
- vii. **Rec 7: A cycling and walking working group should be created to provide input into projects.** This could operate in a similar way to the access working group with Wilf Tomaney as the facilitator.
- viii. **Rec 8: Cheltenham Borough Council should endorse the Gloucestershire County Council Cycling Strategy and draw up its own walking strategy.** The Gloucestershire County Council Cycling Strategy is likely to be adopted this municipal year. Cheltenham Borough Council could resolve to endorse it and take on some of its recommendations. There is no equivalent County Council strategy for walking, which strengthens the case for CBC producing its own walking strategy.
- ix. **Rec 9: Cheltenham Borough Council should select a cycling and walking champion from its members.** This member could represent CBC on the GCC Cycle Forum.
- x. **Rec 10: Cheltenham Borough Council should lead by example by devising and implementing its own green staff travel plan.**
- xi. **Rec 11: Cheltenham Borough Council should consider the introduction of Car Free Sundays.** This would involve the shutting of defined town centre streets to traffic one Sunday per month to allow for community events, following the example of successful schemes elsewhere.
- xii. **Rec 12: Cheltenham Borough Council should push for a more collaborative approach on street design, working across disciplines and departments and also across councils (County and Borough).**

11. **UPDATES FROM SCRUTINY TASK GROUPS**

The Democracy officer referred members to the update which had been circulated with the agenda. She confirmed that given that the committee had endorsed the final reports and recommendations of the Cheltenham Spa Railway Station and Cycling & Walking STGs, that there were only two remaining active STGs; Devolution and Broadband.

Devolution – the STG had met for the first time on the 12/10 and devised a draft One Page Strategy. This document had been circulated with the agenda and the committee were being asked to approve it, which it did. The STG were scheduled to meet again on the 29/10 and hoped to be in a position to give their initial views direct to the special Council meeting which had been arranged for 16/10.

Broadband – members were reminded that they had chosen not to set ambitions or outcomes for the review given that this was to be a joint scrutiny group with members from Gloucester City Council. She explained that the group had met for the first time on the 20/10 but having had a presentation from Fastershire on the current position, the group had been unable to agree any ambitions for the review until they had considered more evidence. As such, there was no draft One Page Strategy for the committee to approve at this time. This would follow in due course.

12. REVIEW OF SCRUTINY WORKPLAN

The Chairman reiterated that there may be an item relating to 2020 and customer focus and that this would be scheduled accordingly.

13. DATE OF NEXT MEETING

The next meeting was scheduled for Monday 30 November 2015.

Tim Harman
Chairman