

Council

Monday, 27th March, 2017
2.30 - 7.30 pm

Attendees	
Councillors:	Chris Ryder (Chairman), Klara Sudbury (Vice-Chair), Matt Babbage, Paul Baker, Ian Bickerton, Flo Clucas, Chris Coleman, Mike Collins, Bernard Fisher, Wendy Flynn, Tim Harman, Steve Harvey, Colin Hay, Rowena Hay, Karl Hobley, Sandra Holliday, Peter Jeffries, Steve Jordan, Adam Lillywhite, Chris Mason, Helena McCloskey, Paul McCloskey, Andrew McKinlay, Chris Nelson, Tony Oliver, Dennis Parsons, John Payne, Louis Savage, Diggory Seacome, Malcolm Stennett, Pat Thornton, Jon Walklett, Simon Wheeler, Roger Whyborn, Max Wilkinson, Suzanne Williams and David Willingham

Minutes

1. **APOLOGIES**

Apologies were received from Councillors Barnes and Britter.

2. **DECLARATIONS OF INTEREST**

Councillor Hobley and Councillor C Hay declared an interest in agenda item 10 as trustees of the Cheltenham Trust. They would withdraw from the Chamber for that item.

Councillor Ryder declared an interest in agenda item 13 as President of the Cheltenham and District Allotment Holders Association.

3. **MINUTES OF THE LAST MEETING**

The minutes of the meetings held on 10 and 24 February were approved and signed as a correct record.

4. **COMMUNICATIONS BY THE MAYOR**

The Mayor informed Members that in the light of the Westminster attack condolences had been received from our twinning partners. The Mayor also wished to put on record her thanks to Canon Rev Dr Tudor Griffiths who would be leaving Cheltenham after six and half years. She thanked him for his support during her Mayoral year. A new archdeacon was now in place. The Mayor made reference to the recent CBH opening of homes for veterans. She thanked all Members for their support at her fundraising events and informed Members that there would be two more events in April.

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

The Leader reiterated the Mayor's thanks to Canon Rev Dr Tudor Griffiths and wished him well in the future. He also made reference to the opening of the new accommodation for veterans which comprised 10 new homes. He also thanked

Councillor Peter Jeffries for his contribution as the Cabinet Member Housing and due to his former service in the military.

The Leader then wished to put on record his thanks to former Councillor Dan Murch for his contributions as his ward colleague and also for his role as joint mental health champion. He expressed concern that his resignation was due to his work commitments and such circumstances made it more difficult for young people to become councillors.

The Leader also paid tribute to the preparations made by staff in collaboration with the County Council, the Police and the racecourse in ensuring that the Festival operated smoothly. He emphasised that this was a year long process.

The Leader reported that CBH had been successful in its bid for £350k regeneration funding for Princess Elizabeth Way.

Finally, the Leader wished to recognise the contributions to the town by Geoffrey Rowe as Chief Executive of the Everyman Theatre who was standing down.

6. PUBLIC QUESTIONS

1.	Question from Michael S Barnes to the Leader, Councillor Steve Jordan (in attendance)
	<p><u>Employment Land Allocation</u></p> <p>What was the evidenced employment land allocation level for Cheltenham stated in the 2014 draft plan and what is the level of employment land allocation now?</p>
	Response from the Leader
	<p>The amount of employment land allocated in the pre-submission version of the JCS in June 2014 was 64.2 hectares. Of this, an area was identified in Cheltenham Borough as part of Strategic Allocation A5 (North-West Cheltenham Urban Extension). This contains approximately 23.4 hectares of employment land to be delivered up to 2031 (10ha of which is to be for 'B' class uses' and, in terms of site area, is divided roughly 70%/30% between Tewkesbury and Cheltenham Boroughs as shown on the relevant indicative site Plan.</p> <p>Through the JCS examination this topic has been discussed in detail, and provision for 192 hectares of B class land within the plan period (between 2011 and 2031) has been agreed through the Joint Core Strategy. At least 84 hectares of the employment land allocated in the latest version of the JCS (main modifications – February 2017) is provided on strategic allocations. In Cheltenham the same area of land measuring 23.4 hectares is allocated for employment purposes as part of Strategic Allocation A5.</p> <p>In addition, a new strategic allocation has been made at West Cheltenham (Site Allocation A11 refers). This contains approximately 45 hectares of</p>

	<p>employment land to be delivered up to 2031 and, in terms of site area, is divided roughly 25%/75% between Tewkesbury and Cheltenham Boroughs respectively as shown on the relevant indicative site Plan. Main Modification Policies SP1 and 2 and their explanation text set out in detail how employment provision will be met across the three JCS authorities.</p> <p>In a supplementary question Mr Barnes said he needed more time to review the figures in the response and he would like the option to come back with a question once he had done that.</p> <p>The Leader confirmed that he would be happy to have a discussion on the figures with the questioner outside the meeting.</p>
2.	Question from Michael S Barnes to the Leader, Councillor Steve Jordan
	<p><u>Development inevitable</u></p> <p>Since Alex Chalk MP is strongly pushing for the Cyber Centre to be positioned in Cheltenham and now a sum of £22million has been earmarked, is it now inevitable that the development of the last of Cheltenham's greenspace will happen?</p>
	Response from the Leader
	<p>Development on the site is neither inevitable nor on the last of Cheltenham's green space.</p> <p>Policy A11 of the JCS (main modifications version – February 2017) identifies approximately 45 hectares of B-class led employment as part of the emerging West Cheltenham Strategic Allocation. This will be focussed upon a cyber-security hub and other high technology, and high 'Gross Value Added' job generating development and ancillary uses.</p> <p>Modifications to the JCS to allow for development of a strategic allocation at West Cheltenham constitute part of the emerging joint Core Strategy which was agreed by councils in February 2017. However hearings need to be held by an independent inspector to consider the changes in detail and to hear from residents and stakeholders. After this the inspector will write her final written findings and the councils will need to make any changes she requires for soundness before they can decide on whether to adopt the plan.</p> <p>Specifically in relation to the West Cheltenham allocation, it should be noted that significant areas of the site are being set aside for Green Infrastructure and that built development will not occur in these areas. The council is also currently funding work to look at the provision of Local Green Space in relation to the emerging allocation.</p> <p>The development of West Cheltenham is part of a wider, coherent land use strategy for the Borough being put in place through a combination of the JCS and the emerging Cheltenham Plan. Both these documents introduce strategies that embody a wide range of complimentary proposals to help</p>

	<p>steer development and achieve a sustainable future. Both plans should therefore be considered in their entirety and in this regard, it should be noted there exists a suite of policies designed to protect much of the natural environment and ensure that local communities continue to enjoy the multitude of benefits that the natural environment provides.</p> <p>In a supplementary question Mr Barnes said that the area of land covered by the fields bounding Fiddler's Green Lane with protected Historical Interest, Hatherley Brook, the limited access to site of Hayden Works and the local fields where effluent has previously been sprayed alongside Henly Road has over the years evolved into a natural nature reserve. Due to its environment it has offered security to many species of animals and birds to the extent that threatened species are making more appearances. As an example, Buzzards are now firmly established and raise broods every year in trees in this area. These birds can be seen quartering as far afield as Arle Farm indicating the area these birds need to find food. It has also been noted as a migrating route for many other species of birds.</p> <p>The public today are more aware of the effects of this type of development on the natural world due to the improvements in education over the last 50 years. Clean air, good farming practices, and country care are improving slowly. Developing this Greenbelt land kills all the hard work and improvements achieved on this for ever.</p> <p>Where are the mitigation reports and plans for the destruction of these habitats within this area for the JCS to be fully informed on all aspects of this proposed development?</p> <p>The Leader clarified that this area was not the last green space in Cheltenham however he didn't underestimate the significance of it. The local Green Space review was going ahead and this would form part of the development of Cheltenham's Local Plan. Environmental aspects were considered as part of the JCS but any subsequent planning application would have to list any special actions that would be needed to protect those areas. Again he would be happy to discuss this further with the questioner outside the meeting.</p>
3.	<p>Question from Ann D Barnes to the Leader, Councillor Steve Jordan (in attendance in the public gallery)</p>
	<p><u>Cyber Shops</u></p> <p>Springbank has had local shops derelict for over 10 years. It is understood that the site is now being considered for housing. There have been many complaints regarding the lack of transport for the basic necessities for those who do not own a car or a computer. Are we expecting all to use cyber shopping? With some areas having little or no broadband how is losing the green fields going to help?</p>
	<p>Response from the Leader</p>
	<p>Sadly there has been no retail or community activity at Springbank Shopping Centre for more than 10 years. It has not proved possible to</p>

	<p>attract new users to the site and no commercial development proposals have been forthcoming during that time.</p> <p>The emerging Cheltenham Plan has designated the site as a potential housing allocation to help meet objectively assessed housing needs in the Borough up to 2031. The location is a sustainable one being situated within the Principal Urban Area (PUA) where there is a general presumption in favour of development.</p> <p>The site itself comprises entirely of previously developed brownfield land. It is central to the established community and benefits from nearby open space facilities, accessible public transport services, community resource facilities, and primary and secondary schools; all of which are within a short walk. In addition, Springbank Community Resource Centre contains a pharmacy, and a Neighbourhood Shopping Area containing local retail facilities exists in nearby Hester's Way.</p> <p>The future development proposed at West Cheltenham (strategic allocation A11 in the Joint Core Strategy) will provide new community facilities together with opportunities for high quality public transport links which will serve to improve connectivity throughout neighbourhoods in West Cheltenham including the Springbank Area.</p> <p>A strip of land will be safeguarded as part of the proposed Springbank allocation to facilitate the possible future construction of a bus link between Pilgrove Way and Springbank Way. This would help knit together existing communities in the north and south which are currently physically separated in terms of vehicular access.</p>
4.	<p>Question from from Ann D Barnes to the Leader, Councillor Steve Jordan</p>
	<p><u>Local Employment</u></p> <p>The Cyber Centre will undoubtedly require specific and specialist talent. It is unlikely that the bulk of those being employed will be existing locals already living in the area. The Cyber Centre offers no benefit to current local employment or residents to any great degree. Will there be any direct links and scholarship programs with local schools and colleges to ensure opportunities can be satisfied locally?</p>
	<p>Response from the Leader</p>
	<p>The proposed strategic allocation at West Cheltenham, whilst focussed on cyber activity does not provide exclusively for the cyber industry and is actually B-class led as explained by Policy A11 of the JCS. This means that a wide range of employment uses could be accommodated which may form part of the supply chain to high technology industries.</p> <p>Notwithstanding, the Council recognises the importance of the cyber industry and associated high 'Gross Value Added' jobs to increasing the prosperity of the area. It is important over time to shift the balance of jobs for school and university leavers toward higher skill and paid employment</p>

	<p>through focussed improvements in educational attainment and skills.</p> <p>The Local Enterprise Partnership is working with the University of Gloucestershire to improve the skills and knowledge economy in this regard, as well as attracting and retaining people currently holding these skills. It is also an area which the newly established Employment and Skills Board should address.</p> <p>One option being considered through the development of the Cheltenham Plan, and another way of helping to ensure that the resident workforce has the correct skills to match the requirements of local employers might be to introduce a policy which requires proposals for major housing development or major commercial development to include an Employment Skills Plan (ESP). Such plans would need to identify opportunities for the employment and skills development of local people through the implementation of the development proposal.</p> <p>The ESP would need to specify targets that conform to industry standard benchmarks expected from the particular size and type of construction proposed. Assuming this approach is supported in responses to the consultation on the Cheltenham Plan, then more information on this would be developed through the next stage of plan making (the pre-submission version of the Cheltenham Plan) due later this year. Further information on maximising opportunities presented by the cyber security industry can be found on pg. 11,12 and 28 of the Cheltenham Plan Part One Preferred Options Consultation Document.</p>
5.	Question from Mr Peter Holt to the Leader, Councillor Steve Jordan
	<p>Where can I find a printed copy of the latest traffic impact assessment for the West Cheltenham site and has there been a combined impact assessment for the West & North West sites ? Where can a printed copy be found please ?</p>
	Response from the Leader
	<p>National Planning Policy Framework (paragraph 32) states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment, which would be submitted with a planning application for the development. It will then be used to determine whether the transport impact of the development is acceptable.</p> <p>No planning application for West Cheltenham has yet been received and so we would not expect to have a traffic assessment at this time. However, through the Joint Core Strategy process we have been conducting modelling on the overall traffic impacts which includes sites at both West and North West Cheltenham. The latest work on this, and the emerging JCS transport strategy is available here http://www.gct-jcs.org/Examination/New-evidence-base-and-supporting-documents.aspx</p> <p>Further work to develop the transport modelling using the most recent</p>

	<p>model (known as the 2013 model) is ongoing, which will allow further development of the JCS transport strategy. The inspector's hearings on the JCS, expected in the summer are likely to discuss this new modelling further.</p> <p>In a supplementary question Mr Holt asked how a traffic model could be developed without knowing the plans for the junction on the Western bypass.</p> <p>The Leader responded that the plan would be created from the model rather than the other way round. As part of the modelling, housing and employment numbers would be estimated and then used to predict transport flows and identify any potential mitigation measures needed. The JCS team had worked with the 2008 version of traffic modelling supplied by the county council which listed a whole series of mitigation measures. They were hoping to get the updated version from Gloucestershire County Council soon so this list could be reviewed.</p>
6.	Question from Adrian Kingsbury to the Leader, Councillor Steve Jordan
	<p>Please confirm :</p> <ul style="list-style-type: none"> a) What the total area of land under the control of Cheltenham Borough Council is Designated as Greenbelt? b) What the area of Greenbelt defined as West Cheltenham that is under the control of Cheltenham Borough Council is? c) What the area of Greenbelt considered to be Cheltenham Racecourse and is under the control of Cheltenham Borough Council is?
	Response from the Leader
	<p>The answers below are rounded to the nearest hectare, based on measuring existing maps of the areas:</p> <ul style="list-style-type: none"> a) 815ha (total green belt within the Cheltenham Borough boundary, taken from the current Local Plan mapped area); b) 86ha of the emerging West Cheltenham Strategic Allocation is within Cheltenham Borough; c) The Local Plan does not specifically define an area as the 'Cheltenham Racecourse', but the area around the racecourse itself is around 130ha.
7.	Question from Adrian Kingsbury to to the Leader, Councillor Steve Jordan
	<p>The 2014 draft plan showed the West Cheltenham area strategic site as safeguarded, what was the sequence of events and justifications that which now support an employment led site of some 45 hectares with the inclusion of initially 500, then 750 and now 1100 houses?</p>

	Response from the Leader
	<p>During the JCS examination detailed evidence was heard over a number of sessions on both the Green Belt sensitivity of the site and the potential for development which would meet both economic and housing needs at West Cheltenham. The agendas for these sessions, and the documents produced in relation to them are available on the JCS examination webpage, particularly relevant are the JCS Green Belt papers EXAM 142 and EXAM 196.</p> <p>The JCS authorities have considered strategic allocation options at West Cheltenham through the plan making process since the Broad Locations report in 2011, and allocation options were considered in 2013. Whilst the Pre Submission Plan identified the land for safeguarding for future development, the Hayden Sewage Treatment plant which forms part of the site and emits odour curtailed further development of the allocation at that time.</p> <p>Severn Trent is now working with the Council on measures to improve odour emissions, which when undertaken will release parts of the site for development. The latest statement of common ground outlining these measures and the emerging masterplan for the area is at EXAM 198 and a priority for this proposed allocation is ensuring effective masterplanning of phase 1 and a future phase 2.</p> <p>The JCS inspector heard this evidence over the course of the examination. In December 2015 the inspector published EXAM 146 which contained the 'Inspector's Preliminary Findings on Green Belt Release, Spatial Strategy and Strategic Allocations ' paragraph 113</p> <p>"Taking account of housing and employment needs overall, including GCHQ's requirements, and my reservations on certain other potential strategic allocations, it seems to me that the Cheltenham part of this proposed safeguarded area might be suitable for allocation. Views are sought from the JCS and other participants on the potential for allocating land in this area."</p> <p>After hearing further evidence on the emerging allocation at paragraph 126 of EXAM232 the Inspector's interim findings, she writes:</p> <p>"An additional employment led site at West Cheltenham has been agreed for allocation by the JCS team, who suggest it is also suitable for about 500 dwellings, albeit the developers have put forward a figure of 750. This is in a sustainable location on the edge of Cheltenham and, for the reasons given in my Preliminary Findings, I recommend this site for allocation in the JCS. Allocating this site for 500 dwellings would reduce the remaining unmet requirement to 1,039 (1,539 – 500)."</p> <p>After further hearings, in her most recent communication, the Inspector's "Note of Recommendations made at the hearing session on 21 July 2016" she writes:</p>

	<p>“West Cheltenham Safeguarded Land Part of this area has already been recommended as a strategic allocation and I do not propose re-visiting those discussions. It is the remainder of the area proposed for safeguarding that I have re-considered. This proposed safeguarded land makes a significant contribution to the Green Belt according to the AMEC report. Consequently, there is a very high bar to overcome in demonstrating exceptional circumstances.</p> <p>However, in my judgement this bar has been reached for reasons which include the following: there would be a major benefit in Severn Trent Water removing the Hayden Sewage Works from the area, resulting in significantly improved living and working conditions; it would result in a co-ordinated development in two phases, preventing further piecemeal development in the area; it would provide a strong Green Belt boundary; there would be significant contributions to infrastructure, including schools.</p> <p>Consequently, I find that exceptional circumstances exist for the release of this land from the Green Belt and, therefore, its safeguarding is sound. Furthermore, the JCS team might wish to consider exploring the possibilities of phase one being expanded and additional housing being provided in this area during the Plan period.”</p> <p>The JCS team have considered this in light of the statement of common ground, and work on the capacity of the site for employment and housing purposes, and maximising the sustainable utilisation of the area. Through this work, the main modifications plan has been prepared, identifying at least 45ha of employment land and 1,100 new homes for the area between the plan’s adoption and 2031.</p>
8.	Question from Carol Kingsbury to the Leader, Councillor Steve Jordan
	<p>Will the West Cheltenham Greenbelt Group receive any assistance in developing a green space application for consideration by the Inspector ? Other communities have had so much time to prepare theirs but we have not.</p>
	Response from the Leader
	<p>The Main Modifications consultation running till the 10th of April at www.gct-jcs.org will allow detailed representations on West Cheltenham to be made, which will be passed in full to the inspector. There will be further hearing sessions (likely to be in early summer) where representations on West Cheltenham can also be made. Work will continue to be undertaken to support the communities in developing their consideration of local green space, through elected members and neighbourhood coordination groups.</p>
9.	Question from Carol Kingsbury to the Leader, Councillor Steve Jordan
	<p>How many local young people will be able to gain employment from this Cyber Hub ? Will there be any scholarship programs and or direct links with local schools ?</p>
	Response from the Leader
	<p>It is important that the local community benefits from any development at West Cheltenham and work is ongoing to develop the emerging employment opportunities from this site, which is identified in the plan as a</p>

	<p>large and high quality employment development. Because this work is ongoing numbers of prospective young employees are not yet established. Through the master planning of the site and on going social sustainability work the above will be progressed and connections fostered.</p>
10.	Question from Rachel Fargher to the Leader, Councillor Steve Jordan
	<p>Exam 142 of the JCS Examination Base, Green Belt Topic Paper, cites responses to a questionnaire from over 550 individuals and businesses regarding changes to the Greenbelt boundary. Can the council confirm how many of the 550 individuals/businesses are located in the Springbank and Hester's Way wards?</p>
	Response from the Leader
	<p>The figure of 550 responses relates to the 'Issues & Options' stage consultation on the Cheltenham Plan. It was a consultation not required by the statutory plan-making process, but it was undertaken in line with the Council's Statement of Community Involvement.</p> <p>For a response to be accepted to that consultation, an address was not required if a valid e-mail address was provided. Therefore, a significant number of respondents did not provide their address and no detailed data exists to show how many respondents came from which ward.</p> <p>I would again emphasise that the consultation was part of the Cheltenham Plan and not the JCS. It did not include any suggestions for Green Belt release in the Borough and was undertaken in June-August 2015, well before the West Cheltenham Strategic Allocation was included in the JCS Main Modifications.</p>
11.	Question from Rachel Fargher to the Leader, Councillor Steve Jordan
	<p>Exam 142 of the JCS Examination Base, Green Belt Topic Paper, references an intention to always have the ability to make non-strategic changes to the Greenbelt boundaries, can the council explain what is meant by non- strategic in this context, and what is the limit of a non-strategic change to the Greenbelt boundary.</p>
	Response from the Leader
	<p>The questioner may have misinterpreted the Green Belt Topic Paper.</p> <p>Green Belt boundaries can only be amended through the local plan process. It has always been the intention that the forthcoming Cheltenham Plan should have the ability to make local non-strategic changes to the detailed boundaries of the Green Belt, but only if exceptional circumstances can be demonstrated.</p> <p>It is however clear from work carried out for the JCS, that the potential for such Green Belt change is likely to be limited. Indeed, the recent consultation on the 'Preferred Options' stage of the Cheltenham Plan proposed no additional changes to the Green Belt.</p>
12.	Question from Mary Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay

	<p>In view of the recent serious accident in Albion Street involving an elderly lady knocked off a mobility scooter, please can you state which 'Disability Groups' were consulted over Phase 1 of the Cheltenham Transport Plan, and were the Phase 1 plans that were shown to these Disability Groups implemented <u>exactly</u> as they had been shown, or had any changes been made to those plans either before or during the course of the Phase 1 implementation?</p>
Response from the Cabinet Member	
	<p>The Phase 1 designs were discussed during a site visit with the CBC Accessibility Working Group in March 2016.</p> <p>Representatives attended from the following organisations:</p> <ul style="list-style-type: none"> • National Star College; • Insight Gloucestershire; • Shopmobility; • St Vincent & St George's Association; and • CBC Councillors. <p>The attendees represented a wide range of disabilities, from mobility impairments, to blind & deaf impairments.</p> <p>Verbal descriptions of the scheme were provided to the attendees, to ensure that everyone was provided with the same information. The Phase 1 scheme presented to the accessibility group is as constructed.</p>
13. Question from Mary Nelson to the Cabinet Member Development and Safety, Councillor Andrew McKinlay	
	<p>The Albion Street accident must now raise even greater safety concerns regarding the permission that has been given in the CTP Traffic Regulation Orders for a new bus route to cross through Boots Corner bisecting the existing bus route, once Boots Corner has been closed to general traffic (although remaining open to buses, taxis, private hire and other permitted vehicles).</p> <p>Is it CBC's intention to still permit this dangerous new bus route to cross the newly created public realm space which has long been claimed to be a major benefit of closing Boots Corner?</p>
Response from the Cabinet Member	
	<p>GCC Cabinet approved the following in July 2015:</p> <ol style="list-style-type: none"> 1. Accept the recommendations from the Traffic Regulation Committee made on 15 January 2015 relating to the inner-ring road changes, with the exception of the Boots Corner proposed trial; <ol style="list-style-type: none"> (a) Make those elements of the traffic regulation orders relating to the Cheltenham Transport Plan, as detailed on the Traffic Regulation Order Proposed Restriction Changes Schedule at Appendix B of the decision report; and

	<p>(b) Defer a decision on the elements of the traffic regulation orders relating to Boots Corner.</p> <p>2. Authorise the Commissioning Director: Communities and Infrastructure to implement the scheme through the following phased approach:</p> <p>(a) Albion Street – October 2015 to February 2016; (b) Imperial Square and Oriel Road – April to July 2016; (c) Royal Well – Summer 2016; (d) Contingent on the successful implementation of the other schemes, a Boot’s Corner experimental order and trail [sic] scheme – Spring 2017.</p> <p>The TROs that were consulted upon in 2013 - 2014 for Boots Corner were not approved and no changes to the existing TRO for Boots Corner currently exist.</p> <p>Work is currently ongoing to determine TROs to be trialed under a ‘Boots Corner experimental order’. If the trial is implemented and is successful, designs to re-cast the public realm at Boots Corner will be created.</p>
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7. MEMBER QUESTIONS

1.	Question from Councillor Bickerton to the Leader, Councillor Steve Jordan
	<p>Could the Council please give an estimate on the difference to public infrastructure funding to Cheltenham as a direct result of the Tewkesbury Planning decision to grant planning permission on Farm Lane, Leckhampton ahead of any agreement on the JCS Community Infrastructure Levy? Would this simply be the difference between the agreed TBC/REDROW S106 payments and the Community Infrastructure Levy proposals for the 200 new homes to be delivered in the CBC local plan, could this please be explained.</p>
	Response from the
	<p>There are too many variables to give a realistic estimate of this. The application at Farm Lane was made before a CIL regime was in place, but a CIL regime is not a requirement of JCS policy. S106 payments will vary when a CIL is put in place. Strategic allocations can be progressed through S106 funding on either the Cheltenham or Tewkesbury side of the boundary, and each Borough is a separate collection authority. Similarly, in relation to what monies could have been gained for Cheltenham, since the CIL examination has not yet taken place, and discussions on how CIL monies will be pooled between the authorities are ongoing, it isn’t possible to quantify.</p> <p>In a supplementary question Councillor Bickerton asked that given the difficulties in providing an estimate, please could the Leader of the Council provide confirmation of the S106 monies agreed on the Tewkesbury Borough Council Farm Lane Site and the agreed or proposed JCS</p>

	<p>Community Infrastructure Levy (CIL) for South Cheltenham or Leckhampton Sites?</p> <p>The Leader agreed to provide a written response with as much information as possible.</p>
2.	Question from Councillor Bickerton to the Leader, Councillor Steve Jordan
	<p>On Thursday the 2nd March, Leckhampton with Warden Hill Parish Council voted unanimously in support of LEGLAG in the revised legal challenge to the Court of Appeal on the Farm Lane planning permission and are an interested party in the case. In taking this decision the Parish Council sends a message to the Court of Appeal, that the Parish has an interest in the Local Green Space on White Cross and secondly seek a plan-led approach and masterplanning as advocated by CBC Planning in their objection letters. It was serious mistake for LEGLAG to go alone and unfortunately the High Court viewed LEGLAG as some NIMBY group with little consideration of the wider public interest or public support and the sympathy was clearly with TBC Planning Officers.</p> <p>The case is now re-focused on two grounds, Inspector Ord's Preliminary Report and the lack of Plan-Led Masterplanning. There would be no need for CBC Officers to attend court or engage separate legal advice and the general Bolton 'one set of costs' rule means that interested parties are not at risk of awarded costs. Could the Leader of the Council agree in principle to joining with the Parish Council, given the unanimous vote at full council on the NPCU call-in request on the 6th July 2015, to becoming an interested party, this will demonstrate to the court that CBC have an interest in the case, promote CBC's previous submissions and provide clarification that this site is indeed a urban extension of Cheltenham?</p>
	Response from Cabinet Member
	<p>While I do not support Tewkesbury's decision to approve the Farm Lane application, the Council has to take an objective approach in considering whether to become involved in any court proceedings.</p> <p>Through the JCS examination the JCS Authorities (including Cheltenham) have argued that development at Leckhampton amounts to an urban extension to Cheltenham, and have given detailed reasons. These issues have been thoroughly investigated through the JCS process. The JCS Inspector's Preliminary Findings and indeed, though subsequent to Tewkesbury Borough Council's decision on the planning application, the JCS's Inspector's Interim Report have been considered and commented upon in the High Court judgement; neither were considered to be matters that could have affected the decision made by Tewkesbury Borough Council at the time it was made.</p> <p>Given that Cllr Bickerton does not seek officer expertise and testimony, (which it is agreed would be inappropriate given how exhaustively these arguments have already been put and the potential for conflict with the officer's involvement in the JCS process) then Cheltenham Borough Council would not have anything new to add or offer in becoming an Interested Party</p>

	<p>in the court case. Furthermore, the Council would suffer the potential for conflict with, and reducing resources for, the work to progress the JCS which is at a crucial stage.</p> <p>This Council has not been a party to the original proceedings and it would be hard to see how the Court would be persuaded, on any application requesting it being added as an Interested Party, that it would be desirable to add the Council in order to resolve the issues, particularly if this would also be on a basis of the Council not taking any active part.</p> <p>It is far from clear the extent to which this Council being an Interested Party with no active part in the matter could add to LEGLAG's case in seeking permission to appeal the High Court's decision or even the Court of Appeal's considerations should that permission application be accepted and successful. Presumably the point of being added to the case would actually be to seek to support LEGLAG's case that the High Court judgement was wrong and this is not a situation where it can said with confidence that this Council would be able to resist any cost applications that may be made against it by any other parties to the case.</p> <p>In a supplementary question Councillor Bickerton asked whether the Leader of the Council could provide a letter or statement to the Court that confirms that the Farm Lane site is an urban extension of Cheltenham, and that CBC do have an interest in this site with reference to previous consultation correspondence with TBC (1st Dec. 2014 and 6th July 2015) and the NPCU letter (23 Oct. 2015) from the Leader of the Council following the motion to full CBC Council on the 19th October 2015.</p> <p>The Leader acknowledged that he had opposed the original planning application submitted to Tewkesbury Borough Council and he was happy to restate his reasons. He would discuss with officers the best way of doing this.</p>
3.	Question from Councillor Louis Savage to the Leader, Councillor Steve Jordan
	When does the Council plan to adopt the green spaces on the Battledown Park estate, including play facilities on Redmarley Road
	Response from the Leader
	<p>In these circumstances the general procedure leading up to adoption should be as follows:-</p> <ul style="list-style-type: none"> • The developer considers the landscape element public open spaces in the development to be complete and then makes contact with the council and a joint site visit is arranged to; <ul style="list-style-type: none"> ○ Check that the areas to be adopted as public open spaces correspond to those shown in the approved drawings and referred to in any section 106 agreements ○ Confirm that the hard and soft landscape elements are in accordance with the approved drawings and specification ○ Inspect the quality of the works to ensure they conform to relevant standards and/or good practice • There is usually a period of negotiation and rectification following this

	<p>meeting. When any problems have been resolved and the council is satisfied that the site is to a standard acceptable for adoption, the site has reached practical completion</p> <ul style="list-style-type: none"> • Following practical completion, the site usually remains with the developer and they will maintain it for twelve months. This allows any plant failures to become apparent and to be replaced by the developer and also allows 12 months for the legal aspects of the land transfer to take place • All being well, adoption/transfer will normally take place at twelve months from practical completion <p>With specific regards to the Battledown development; the developer has recently approached the council to arrange a joint site visit to start this process. Given the scale and diverse nature of the areas for adoption, a degree of negotiation and rectification may be required. Consequently; it is difficult to predict when practical completion will achieved as this is dependent on the developer and the quality of their works or any rectification required.</p> <p>The Public Open Spaces and associated play areas on this development are currently maintained by the developer and are accessible by the public. Maintenance by the developer will normally continue up until the date of the land transfer to the council.</p> <p>The Leader agreed that he would request the relevant officers to keep Councillor Savage updated on progress as the local ward councillor.</p>
4.	Question from Councillor Tim Harman to the Cabinet Member Finance, Councillor Rowena Hay
	<p>Will the Cabinet Member outline her plans to improve the condition of Public Toilets including those in the Bath Road Car Park. In the case of the men's facility in the Bath Road the walls are covered in graffiti and there is a seat missing from one pedestal?</p>
	Response from Cabinet Member
	<p>Repairs and maintenance to the public conveniences are currently undertaken on a reactive basis, the works to the Bath Road car park public convenience, are in hand and should be completed within the next seven days.</p> <p>These facilities as you know were taken on by the Bath Road Traders, although the Council actually pay the independent cleaner, he has recently been asked to let the council know when things are not working.</p> <p>An audit of all the public conveniences has been completed and identifies that the existing annual operational costs amounts to £140.5k and future refurbishments costs estimated at £380k. In the light of our ongoing budget constraints I am intending to ask the Asset Management panel to consider what options we may want to investigate, in particular speaking with the business community.</p>

	<p>Our continued support to public toilets is demonstrated by the successful securing of a grant of £136k towards the provision of 2 Changing Places facilities that caters for the more disabled. One facility will be provided in Pittville Park, the location of the second is yet to be determined and will be influenced by the feedback from the public consultation which is due by the end of April.</p>
5.	<p>Question from Councillor Tim Harman to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</p> <p>In the financial year 2015-16 an additional £4,500 was added to the budget for Gulls specifically for the purpose of conducting a survey . It has now been confirmed that the survey was not carried out and that the balance was returned to the General Fund.</p> <p>The Gulls group is hoping to recommend a strategy for tackling the Gulls issue which may include a survey in order to better target resources on problem areas.Will the Cabinet Member consider supporting the work of the Group by looking at anyagreed plan including possible funding for a survey?</p>
	<p>Response from Cabinet Member</p> <p>Following discussions at the Gull Focus Group in February 2016, it was decided and clearly minuted, that for a number of reasons, a gull survey was not considered to be the best use of funds.</p> <p>The principal reasons included:-</p> <ol style="list-style-type: none"> 1. The complexity and cost of producing a scientifically valid survey; and 2. The fact that problem areas in Cheltenham had already been identified over the years from public reporting of gull issues. <p>More recently, it has been suggested at the Gull Focus Group that a national survey would provide better intelligence than local surveys, as these are not linked and do not show the displacement of birds from one area to another.</p> <p>The merits of a gull survey can be explored again as part of a growth bid, but the business case for this will need to be clearly evidenced by the Gull Focus Group, so that it can be assessed against other spending priorities.</p>
6.	<p>Question from Councillor Diggory Seacome to Cabinet Member Development and Safety, Councillor Andrew McKinlay</p> <p>In view of the extra demand for egg replacement and subsequent 'gull proofing' of roofs this year, could the relevant cabinet member provide a breakdown of the types of property where this is being asked for, under headings such as, private, private (multi occupation/multi ownership) and commercial?</p>
	<p>Response from Cabinet Member</p> <p>Owners that have requested egg replacement in 2017 include:</p> <ul style="list-style-type: none"> • 37 multiple occupancy residential buildings;

	<ul style="list-style-type: none"> • 32 single household residential properties; • 14 commercial properties. <p>The multiple occupancy buildings tend to be large blocks of flats and access to these buildings is likely to be problematic and in some cases may prevent them from being included in the egg replacement programme.</p> <p>An officer is currently surveying these properties and if the Council is unable to include them in the programme, owners will be advised accordingly. A few more commercial properties may also join the programme, subject to confirmation by the owners.</p> <p>In a supplementary question Councillor Seacome asked how many requests for gull proofing of roofs had been received and had there been any reduction in requests from householders who now had to pay the service?</p> <p>The Cabinet Member agreed to request officers to get back to Councillor Seacome with those figures.</p>
7.	Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	With regard to the planned new traffic lane creating contra-flow traffic on Clarence Parade in phase 3 of the CTP, is the main purpose to constrict the flow of traffic towards Boots Corner, if not, what is it?
	Response from Cabinet Member
	<p>The changes to the highway network as part of Phase 3 of the Cheltenham Transport Plan (CTP) do not introduce a new lane as stated by Councillor Lillywhite.</p> <p>The Phase 3 works re-instate the previous two-way operation of Clarence Parade and Clarence Street. This achieves a number of the stated CTP objectives:</p> <ul style="list-style-type: none"> • It allows two-way movements on streets, thus reducing the need to follow the clockwise one-way system; • Two-way traffic reduces traffic speeds; a significant factor in collisions; <p>It provides additional permeability for vehicles and cyclists in the local area.</p> <p>In a supplementary question Councillor Lillywhite referred to the Placemaking strategy to be discussed later in the meeting and asked why was the council enabling traffic flows towards its principle asset, the front of the Municipal Offices, the very area where we are about to discuss removing vehicles from?</p> <p>The Cabinet Member replied that this was an interesting interpretation of plan.</p>
8.	Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	The CTP TRO documentation indicates that the existing flow of traffic on Imperial Lane is away from the Promenade towards Rodney Rd, ('New Map')

	<p>12/09/2016). This appears to be a mistake and there are no Regulation Orders to change this. Can you please clarify if the flow of motorised traffic on Imperial Lane is to be towards or away from the Promenade?</p>
	<p>Response from Cabinet Member</p> <p>There is an error in relation to the arrow on the plan, so I thank you for alerting me to this fact, which colleagues at GCC are now addressing. The direction of motorised traffic on Imperial Lane is not changed by the CTP.</p> <p>In a supplementary question Councillor Lillywhite asked how will newly enabled traffic travelling from the proposed phase 3 contraflow access the Rodney Road car parks as Imperial Lane does not flow in the right direction and there is no allowance for a left turn into Imperial Sq North.</p> <p>The Cabinet Member replied that it would be difficult for him to provide a response without all the relevant maps to hand but he would request officers to provide Councillor Lillywhite with a written response outside the meeting.</p>
9.	<p>Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</p>
	<p>Can you please confirm the date of completion of the Safety Audit for the CTP phase 1 Albion Street and Winchcombe Street Junction?</p>
	<p>Response from Cabinet Member</p> <p>In line with best practice, each phase of the CTP has so far been subject to two pre-construction Road Safety Audits (RSA) and one post-construction RSA. The Stage 3 RSA for all of Phase 1 was undertaken on 9th February 2017.</p> <p>In a supplementary question Councillor Lillywhite referred to a recent accident where it was reported that a 94 year old woman was knocked off her mobility scooter and broke her hip and he sincerely hoped that she was now out of hospital. However, this seemed more serious than previous accidents at this junction going back 18 years and he asked what effect was this likely to have on encouraging cyclists and our increasing population of retirees to come into town and spend their money.</p> <p>The Cabinet Member advised that the accident Councillor Lillywhite referred to was now the subject of a police investigation. He hoped that with the positive publicity regarding the scheme and how it was being implemented, that people would recognise the improvements being made to the traffic network in the town.</p>
10.	<p>Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay</p>
	<p>Looking at the accidents stats for the town centre for the last 16 years, the greatest concentrations are on Fairview road at its junctions with St Johns Avenue, Winchcombe street and North Street, yet according to the consultation documentation parts of this road are due to see traffic increases of over 100%. Can you please justify the comment in the Statement of</p>

	reason, that the proposal is to “create a safer environment for pedestrians and cyclists”?
	Response from Cabinet Member
	<p>It is difficult for me to comment on this, as I am unclear as to the source of the collision data being quoted.</p> <p>The future year traffic scenario Cllr Lillywhite is referring to within the PARAMICS model, includes assumptions on the configuration of the road network, future developments and traffic growth (pre and post recession), some of which have yet to be implemented or occur, e.g. the 2026 scenario flows includes the closure of Boots Corner, which has not yet been trialed. Simply put, the model was designed to test a future scenario to determine if the proposed CTP changes would impact upon traffic significantly.</p> <p>As we are now into delivery of the consented elements of the CTP, GCC are undertaking monitoring to measure and compare actual traffic data both before and after the implementation of each phase. So far, this data is not showing any significant increases in traffic.</p> <p>GCC will continue to monitor the flows and any collisions and will address any issues as they arise from the previously approved mitigation fund. However, we should always be mindful of the long term objective, which is to discourage unnecessary journeys by car, particularly short ones.</p> <p>In a supplementary question Councillor Lillywhite said that the response suggested that what is being termed as Phase 3 is a consented element of the CTP for implementation. It is not, as the GCC stated it is only for consideration and the TRO Committee specifically name Clarence Parade and Clarence street as elements which are to be deferred. Please outline where consent for implementation of phase 3 on the ground has been granted?</p> <p>The Cabinet Member advised that both the TRO committee and the GCC Cabinet had fully approved phase 1-3 and phase 4 at Boots Corner had been the subject of a temporary approval subject to phases 1-3 being actioned. He would be happy to confirm the exact details in writing to Councillor Lillywhite.</p>
11.	Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	<p>While the recent Winchcombe street accident was being investigated, the traffic in Cheltenham was severely congested and I understand there were at least two further accidents in the area during the closure, Hewlett Rd and Eldon Rd and also Hewlett Rd and London Rd, is anything being done to try and reinstate the resilience of our road network so repeats of this can be avoided. How is this resilience being monitored in the trial of the new road configuration?</p>
	Response from Cabinet Member

	<p>I am unclear as to the point being made, as normally, congestion results in lower speeds and therefore, lower collision impacts. Is there any substantiated proof that the incident referred to on the Albion Street/Winchcombe Street junction resulted in the two alleged collisions?</p> <p>I look forward to receiving the collision investigation outcome, so that I can share it with colleagues at GCC, as they currently have no record of the additional alleged incidents.</p> <p>In terms of the resilience issue, Cheltenham has a complex albeit historic road network and consequently, has a level of in-built resilience, as it offers a choice of alternative routes.</p> <p>The CTP improves upon this resilience, by promoting alternative modes of travel, such as public transport, walking and cycling, which reduce the current demands on the highway network.</p> <p>In a supplementary question Councillor Lillywhite asked whether such 'network issues' were likely to encourage companies to invest in a town where the road system is so fragile? Do you expect this to be a factor that would increase the rental value of office space in Cheltenham, towards the magical £19 where investors will be attracted, or reduce it?</p> <p>The Cabinet Member did not accept that the two accidents on the fringe of the town were as a result of the implementation of Phase 1 of the LTP or that they had any connection with the accident at Winchcombe Street. He did not accept that the improvements that had been completed had made the traffic system "fragile" and he believed it would have the opposite effect in improving the traffic network and access to rail and J10.</p>
12.	Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	Can you please confirm if and when the Safety Audit for the Imperial Square North and the Promenade Junction has been signed off?
	Response from Cabinet Member
	<p>The Stage 2 Road Safety Audit (RSA) for Phase 2 was undertaken on 12th July 2016. A Stage 3 RSA will be undertaken following scheme completion.</p> <p>In a supplementary question Councillor Lillywhite asked when this Safety Audit was performed were the Highways Authority aware that traffic coming from the Library area of town would not be able to access the Rodney road car parks via Imperial Lane as the TRO maps suggest, but only by turning left into Imperial Square North, a simple quick and efficient solution. How in the Safety Audit is it imagined that this movement is performed.</p> <p>The Cabinet Member could not answer the question directly but he would ask officers at GCC whether they had any more information. He confirmed that any issues arising from the Safety Audit would have been incorporated into the scheme and dealt with on the ground.</p> <p>He added that Stage 2 of the Audit was undertaken on 12 July 2016 at pre-</p>

	implementation stage. The results were then debated and the necessary changes were made. Adjustments were made to phase 2 after several months of operation and he suggested that all this work will be completed within the next three months so that was his best estimate of "sign off".
13.	Question from Councillor Adam Lillywhite to the Cabinet Member Development and Safety, Councillor Andrew McKinlay
	The pedestrian crossing at the junction of The Promenade and Imperial Sq Nth has had the island in the middle of the road removed, the traffic now approaches it from two directions instead of just one and an additional phase has currently reduced the time for pedestrians to cross to just 14 seconds out of 135. To what extent do these junction changes comply with the quoted RTRA 1984 which allows the Council to take measures under Section 1 and Section 23 for the following reasons 1(1)(a) Avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising; 1(1)(c) Facilitating the passage on the road or any other road of any class of traffic (including pedestrians)?
	Response from Cabinet Member
	<p>It's unclear what the source of the signal times quoted by the Councillor is and I am guessing that they may be from the temporary signals installed during the construction period.</p> <p>The changes to the junction as part of the Cheltenham Transport Plan, include the installation of MOVA (Microprocessor Optimised Vehicle Actuation) equipment within the traffic signal controller. MOVA is the latest traffic signal technology, which monitors and adjusts the operation of the junction in real time to manage demands. It does this within a set of parameters – at present the junction is running on previous technology, as the MOVA loop installation works are currently on-going this week. MOVA validation will be undertaken in a week or so, once some real time traffic flow data has been collected. Once validated, the overall cycle time of the junction should be reduced.</p> <p>Ensuring safe and inclusive design for all users is paramount. Consequently, the designers carefully considered the effects of removing the island on Imperial Square. As set out below, removal of the island does not change the standard of the pedestrian crossing.</p> <p>The length of time given to the previous pedestrian phase across the junction enabled people to cross from one side of the road to the other, regardless of the island. The amended junction arrangement still allows suitable crossing time for pedestrians to cross the carriageway safely.</p> <p>The island was only used by people who felt they were physically able to take opportunities in gaps in the traffic, during the 'red man' phase. The island was not specifically designed to be a safe waiting area for pedestrians. The island that was removed was of relatively limited width and unable to accommodate more than a few pedestrians.</p> <p>As the new arrangement reflects the previous 'kerb to kerb' crossing scenario, it in no way compromises the safety of pedestrians. When</p>

	<p>crossing under the 'green man' phase, pedestrians have right of way, regardless of whether the approaching vehicle is an emergency vehicle, or otherwise.</p> <p>In a supplementary question Councillor Lillywhite said that given that this is the main crossing point for festival goers heading into town from Imperial Gardens, to what extent will this enable or encourage festival goers and tourists to visit and spend in the main Promenade, our jewel in the crown for Placemaking.</p> <p>The Cabinet Member responded that there were no issues arising from the Safety Audit that had not been addressed.</p>
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8. TO RECEIVE PETITIONS

A petition was presented by Councillor Payne on behalf of a resident regarding the development of the cemetery and crematorium and in particular the closure of the existing chapels. The petition was entitled "Stop unnecessary spending and closing of a historic building". The petition was presented to the Cabinet Member Clean and Green Environment.

Councillor Jeffries presented a petition on behalf of the West Cheltenham Group against the proposed West Cheltenham development which had received a total of 850 signatures. The Mayor received the petition on behalf of the Council.

9. PLACE STRATEGY - CHELTENHAM PLACEMAKING VISION

The Leader introduced the report which drew together the conversations held between a small officer team supported by stakeholder sector leads and a wide range of industry leaders, groups, businesses and individuals. Today endorsement of the Cheltenham Placemaking Vision by Council was sought.

The Leader went on to explain that this was an evolving strategy which was a strategy for Cheltenham, not just the Borough Council. He hoped that Cheltenham as a whole would buy into this with partners becoming fully involved. A wide group of people including businesses, cultural organisations and the voluntary sector had been engaged to date and a member seminar and staff sessions had also taken place. The evolving vision was "A place where everybody thrives" focused along the four core values of creativity, a pioneering spirit, a nurturing town which builds connections and forms reconnections in the community. It was important to assess the impact on the economy, visitors and young people. Losing young people due to affordability was a key concern. Other policies fed into the strategy including the tourism policy.

It was hoped that the consultation on the strategy would be broadened to include the public as a whole and actions needed to be defined to achieve it involving partners in and beyond Cheltenham including the County Council.

Finally the Leader said this had been a positive process and he thanked all those who had been involved.

The following points/questions were raised by Members and responses given by the Leader :

- There was a lack of emphasis on older people- recognising that the town had an ageing population should be incorporated into the document. The focus had traditionally been on care but this part of the community needed to be engaged with and valued. In response the Leader recognised that the ageing population was vital to the town but there had been an emphasis on younger people in the document as they were leaving the town.
- Members recognised that young people wanted to leave the town in order to broaden their horizons. It was important to talk to younger people in other places to attract them to the town. Interesting and varied employment opportunities and different kinds of businesses were required to achieve this. Creative culture was important in terms of business innovation and creative thinking. Providing better housing options in the town by fostering the right kind of development was also a factor alongside better public transport and an attractive leisure and cultural offering.
- Members welcomed the opportunity for the public to be consulted but urged that the language be adjusted prior to consultation
- Recognition of our diverse communities in the town was required in the document. In response the Leader stated that all communities would be involved via the community champions process.
- A Member referred to the role of Cheltenham Town Football Club in the town highlighting that many local authorities embraced their football clubs more than CBC, working closer with communities and using football to deliver messages on health and education. In response the Leader recognised that the football club was essential to the community and this was something that could be built on.
- The council's role should be one of a facilitator bringing partners together and coordinating/promoting as a whole rather than funding individual projects. The council should draw on specific expertise from Members, they should not feel constrained in contributing to the debate. In terms of Members' contributions the Leader would request One Legal to advise on restrictions of Members to get fully involved in the process.
- There were enormous differences in how the community regarded itself, particularly those significantly disadvantaged communities who could see themselves as part of something bigger in this vision. Partner engagement was key to the strategy.
- A Member believed the elements of the Place Strategy did not represent anything new. More progress would be welcomed in terms of allocating resources and optimising opportunities. Members needed to be clearer of the timescale for implementation and see resources being allocated, if indeed there was sufficient resource to take this vision to the next stage. With regard to resources the Leader acknowledged that these were

limited but said it was important for resources to be put in place to both set up the Place Strategy and its subsequent delivery. He emphasised the importance of working with partners. In terms of an action plan and timescale he explained that the last meeting of the working group had considered a draft action plan but this work was ongoing. The Corporate Strategy end point was in December and the aim would be to put an action plan out at that point.

- It was important to learn from those organisations who have an established national reputation such as Cheltenham Racecourse and the Cheltenham Festivals and bring in others such as the Cheltenham half marathon and amateur and more low profile sports. The town should also exploit its location as the western gateway to the Cotswolds AONB..
- Reference should be included in terms of where the town sat in the county and the country to facilitate edge of town business connections and business connections throughout the county. Making firmer connections would encourage people to come to Cheltenham including businesses. Role of the local plan in delivering its policies was key.
- Junction 10 of the M5 was referenced in the strategy but there was an absence of any reference to A417 which was not only important for Gloucestershire and Cheltenham but also for Wales
- More effort was required in promoting cycling and walking ensuring this was accessible to all and represented a more sustainable means of transport. Reference to “Smart town” initiatives should also be included.
- A Member believed that the council should be brave in its decisions in the interests of the future of the town

The Leader thanked Members for the enthusiastic debate. In terms of next steps, there would be a clear timetable for the strategy and this would be fed back in to the next budget process in December 2017.

A point of order was raised by Councillor C Hay who requested that the resolution should be amended to incorporate the fact that comments raised by Members in the debate would be taken account of in the strategy.

RESOLVED (unanimously) THAT

the Cheltenham Placemaking Vision, as amended in the light of comments made by Members, be endorsed for engagement with stakeholders and the wider communities of Cheltenham.

10. DRAFT CORPORATE STRATEGY 2017-18

The Leader introduced the report and explained that Members would now be aware of the context of the Place Strategy. The Corporate Strategy had been developed in parallel with the budget so was aligned to the Medium Term Financial Strategy and referenced themes from the Place Strategy which would be further developed next year. He explained that at this stage the focus was

just one year and next year there would be a longer term view once the Place Strategy was in place to inform the work and equally the Joint Core Strategy (JCS) was fundamental to the future. He acknowledged that there was a fine balance between being ambitious and having a realistic assessment of resources. It was important that the council got smarter and worked with others to do things differently.

The Leader highlighted that it was essential that the JCS was in place and in parallel with the local plan. The Cyberpark could not happen without the JCS. The Cheltenham Plan was important for Cheltenham for the environment and for economic progress going forward. He recognised there were difficulties in terms of those decisions which remained within the remit of the County Council such as highways.

The following points were raised in the debate :

- A Member doubted that this represented a strategy, in his view it was a corporate plan with a list of items and dates. Disappointment was expressed that there was no 3-5 year plan, it was hoped that it would be a priority for Executive Board for this to be developed next year.
- Another Member highlighted the great range of different things detailed in the corporate strategy and said that in a year's time a great deal more knowledge would have been accrued in order to inform a more comprehensive 5 year strategy
- Some Members noted the lack of reference to health in the document particularly in terms of partnership working. As this evolved it was important to find a way to include shared priorities.
- COM6-a Member requested that world autism awareness week be recognised in the document. Another Member spoke passionately about recognition of the 16 days of activism against gender based violence international campaign. She expressed her extreme regret that Gloucestershire continued to focus on gender neutrality when there were specific reasons for gender based campaigns. The Cabinet Member Healthy Lifestyles made reference to domestic violence week and explained that funding was available to enable something to take place but the council was waiting to hear from the County Council before incorporating it into the plan. The Cabinet Member Finance recognised the plethora of organisations who held specific action days and it would be impossible for the council to acknowledge them all, it had to be selective. It was suggested that the very long list be published on the website and Members who wished to could be individual champions and lead in marking the event.
- A Member noted that there was no mention of joint working between CBC, social services and the police on the link between deprivation, drugs and organised crime. The Big Local and Cheltenham Westend partnership were looking at regeneration of the Lower High Street. The question was asked as to how we support the scheme to the best of our abilities given resources.
- A Member was disappointed to note that there was no reference to any follow up with regard to the HMO surveys in St Pauls and All Saints including extended licensing or Article 4.

- The Chair of Scrutiny highlighted that the Corporate Strategy had been considered by Overview and Scrutiny and had hoped that points raised in this debate had been raised prior to Council

In concluding the debate the Leader confirmed that there would be a 3-5 year strategy next year. He acknowledged the comments made on gender based violence and believed these should certainly not be underestimated, quoting his experience from chairing the domestic homicide review. He supported the proposal to publish a list of all events. Finally he highlighted the importance of the JCS in the longer term.

11. FINANCING ARRANGEMENTS FOR IMPROVEMENTS TO LEISURE-AT-CHELTHENHAM

The Cabinet Member Healthy Lifestyles introduced the report which outlined an improvement scheme requested by the Cheltenham Trust which would deliver much needed investment into Leisure@ Cheltenham to keep it competitive and to enable a growth in income and footfall.

She referred Members to the financial information in the report and the conditions for the loan and governance going forward. It was proposed that the council would support this request via a loan of up to £1.5m which would be repaid by the Trust at an interest rate of 3% per annum.

She believed that these improvements would be great for children and families and the change would provide a foundation for the Trust to grow going forward which would provide economic benefits to both the Trust and the council in terms of a growth in income and footfall. She highlighted the importance of facilitating access to the enhanced leisure offer to the most deprived areas of the town and highlighted that this work formed part of ongoing work of the Trust to enliven their facilities in the town which included the Town Hall.

The following questions were raised and responses given :

- What metric was the Cabinet Member going to use to determine how successful the new facilities would be? Were there any predictions as to what increase in attendance was needed to cover the funding? In response the Cabinet Member said that an in-depth analysis of potential additional income which included an increase in food and drink purchases and memberships was available.
- When asked how robust the forecasts were with regard to income and what risks there were around these number and what process had been undertaken to get to these numbers the Cabinet Member invited the Deputy S151 officer to respond. The officer clarified that the external loan covered the administration costs. She was satisfied that the business case was robust as the costs had been challenged in great detail with management and Directors and the consultants. The business case would be further developed and if there were any differences a report would come back to Council accordingly.
- A comment was made as to whether Leisure@ would be examining the provision of healthy food and drinks to play its part in combatting obesity. The Cabinet Member pledged to provide a full answer to this question.

- When asked whether this new facility would require additional staff the Cabinet Member confirmed that there would be qualified staff to supervise; in addition parents would be able to hire the splash pool for birthday parties.
- In response to a question on whether fees would increase, the Deputy S151 Officer referred to the fact that the business case did not foresee any additional fee increases, just an increase in the volume of activity.
- One Member believed that Council should be presented with the detailed analysis of the figures before voting on the proposal. In response the Cabinet Member said Council's agreement in principle was sought at this stage and no overspends were foreseen. Should there be any changes to the figures Council approval would be required.
- In response to a question it was confirmed that it was normal practice for a contingency figure of this order (£106k) would be put into a scheme of this size.
- A Member welcomed the further investment into the council's facilities which would serve different age ranges at a time when borrowing costs to the council were low. The Cabinet Member confirmed that work had begun in terms of financing and work on site would begin in September with the facility opening by March 2018.

RESOLVED (unanimously) THAT

Subject to the conditions set out in section 6 being met to the satisfaction of the Section 151 Officer in consultation with the Cabinet Member Finance:

- a) a loan of up to £1.5million at an interest rate of 3% per annum be offered to the Cheltenham Trust for onward funding of the improvements to Leisure-at-Cheltenham as detailed in Section 3 of this report;**
- b) a loan agreement be entered into with The Cheltenham Trust for the sum of up to £1.5m at an interest rate of 3% per annum for onward funding of the improvements to Leisure-at-Cheltenham as detailed in Section 3 of this report.**

12. SECTION 151 OFFICER ARRANGEMENTS

The Cabinet Member Finance introduced the report and reminded Members that the remit of the Director of Corporate Resources & Projects included the role of Section 151 Officer. She explained that the Council report in June 2015 explained the business rationale and the need to free up capacity of the post holder, it was proposed that the then Deputy s151 Officer, Paul Jones, be seconded into the role for a period of 18 months, and for him to also continue to fulfil the role of s151 Officer for Forest of Dean District Council. The interim period had now nearly concluded. The Officer had fulfilled his s151

responsibilities thus far with considerable competence including the additional duties of line management of the Revenues & Benefits section following the return of the service from the control of the Joint Committee to the Council. The Cabinet Member Finance explained that the permanent designated s151 Officer, Mark Sheldon had confirmed in writing to the HR Manager that he wished to permanently relinquish the s151 duties. This presented the Council with an opportunity to make the interim s151 arrangements, including the line management of Revenues & Benefits, permanent.

The interim s151 Officer was currently employed by Cotswold District Council but seconded to this Council and to the Forest of Dean District Council as their permanent designated s151 Officer. Following discussions with the current interim post holder, the Forest of Dean District Council and the 2020 Partnership MD the recommended option was a direct employment contract with Cheltenham BC. Cheltenham would then enter into a secondment agreement with the post holder and the Forest of Dean Council. All parties were fully agreeable to this.

The proposed new Chief Finance Officer (CFO) role was described at appendix 2.

The salary for the CFO role had been established at Grade 3, (1.9) the Forest of Dean will be paying a contribution of £35k, the salary proposal was within the current budget provisions, this just represented a different employment arrangement.

The Cabinet Member Finance reported that the Appointments and Remuneration Committee had agreed and approved this as laid out in the report. She sought Council approval for the permanent appointment of the Chief Finance Officer to include the Section 151 role with effect from 28 March.

RESOLVED (unanimously) THAT

Paul Jones is designated permanently to the role of Chief Finance Officer (to include the role of Section 151 Officer) with effect from 28th March 2017.

13. 2020 JOINT COMMITTEE - WITHDRAWAL OF EMPLOYMENT MATTER DELEGATIONS

The Cabinet Member Corporate Services introduced the report and explained that currently this authority's HR policies and procedures relating to its own staff were delegated to the 2020 Joint Committee. In light of the fact that this authority had no staff which would transfer to the new companies and the fact that the Joint Committee would cease to be in existence once the main functions were transferred to Publica, Council approval was sought to withdraw these delegations.

Members sought clarification particularly in light of the fact that Council had been asked to agree the position of the S151 Officer in an earlier agenda item. In response, the Cabinet Member explained that the appointment of the S151 Officer related to the appointment of a statutory officer whereas this decision concerned setting pay and grading generally. The Head of Paid Service explained that when the Joint Committee was created Revenues and Benefits and Customer Services were transferred to 2020. Subsequent to this, in October 2016, Council withdrew these services which meant that there were no longer any staff to be transferred to the new companies.

RESOLVED THAT

- 1. the following delegations from the 2020 Partnership Joint Committee be withdrawn from 1 April 2017 :**
 - a) HR policies and procedures**
 - b) Pay and grading policy**
 - c) Total reward policy (including financial and non-financial benefits)**
- 2. the Head of Paid Service, in consultation with the Borough Solicitor, be authorised to complete appropriate legal documentation as necessary to facilitate the implementation of the recommendations in this report.**
- 3. the Democratic Services Manager, in consultation with the Borough Solicitor, be authorised to make such changes to the Constitution as are necessary to reflect and facilitate the implementation of the recommendations in this report.**

(Voting- For :29; Abstentions: 5)

14. COMMUNITY GOVERNANCE REVIEW - TERMS OF REFERENCE

The Leader of the Council introduced the report which had been triggered when a campaign group in Pittville submitted a valid petition to Cheltenham Borough Council in January 2017, calling for the creation of a new parish council for Pittville. This requires the authority under the Local Government and Public Involvement in Health Act 2007 to carry out a community governance review to decide whether or not a new parish council should be created. The review must take place within 12 months of receipt of the petition.

As part of the review, it will also be possible to address two very small areas:

- An anomaly in Merestones Drive (see paragraph 2.3)
- Part of St Nicholas Drive (8 properties), which is the only part of Prestbury ward not to be in Prestbury parish, and would be between Prestbury and Pittville parishes if the new parish council in Pittville is created.

It was proposed that a cross party working group was set up to manage the review. The Leader suggested that those who were actively campaigning for or against the formation of a parish for Pittville should not be members of the working group but would be able to give their views.

The Leader reminded members that a previous working group 5 years ago had concluded that there should be a process to enable all parishes to review their boundaries by 2018. It was sensible to complete this review at the same time although it was not a statutory requirement as was the request relating to the petition.

The following points were made in the debate:

- There was a suggestion that the working group should be chaired by a totally independent chair
- Parish councils have statutory rights to be consulted on planning and other matters and consideration should be given to how neighbourhood projects in other more deprived areas of the town and the town centre should be consulted on matters affecting them
- Charlton Kings Parish Council had been very disappointed in the result of the 2012 review and would like some assurance that the revised suggestions they have made for boundary changes will come speedily to a review.
- There was a concern that Midwinter allotments would in future only be available to residents of the Pittville Parish, particularly from residents of St Pauls and existing allotment holders should be consulted as stakeholders in the review.
- Can the costs of the review be recouped from Pittville Parish council if it is set up?
- The proposed boundaries of the Pittville Parish council seem to disenfranchise some residents of the Pittville ward by not including them.
- The pros and cons of setting up the parish council should be clearly set out for residents in a neutral information sheet.
- Different communities have different needs and want to engage in different ways and it is for local residents to decide.

Members were reminded that the resolution before them today was to set up a working group to consider the petition that had been received and not to debate its merits.

In his summing up the Leader supported the suggestion for an information sheet to be circulated to local residents so they could decide. He had no problem in principle with an independent chair and was happy to look at this further but would not want this to delay the review which was scheduled to report back to council in June. He noted that the issue regarding allotments was clearly an important one to be considered as part of the review and the point about recouping costs of the review was also noted.

Councillor Harman advised that Councillors Seacome would be the Conservative nomination for the working group.

RESOLVED UNANIMOUSLY

- 1. The terms of reference for the Community Governance Review (to include Pittville and the properties in St Nicholas Drive and Merestones Drive) be approved and published as soon as possible after approval. The terms of reference are attached as Appendix 2.**
- 2. That a cross party working group be set up to oversee the Community Governance Review (with terms of reference as attached at Appendix 4) and to report back to Council with its recommendations.**

3. The Head of Paid Service be authorised to take such steps and actions as are necessary to facilitate an effective Community Governance Review.

15. PROGRESS UPDATE REGARDING THE NEW CREMATORIUM PROJECT INCLUDING BUSINESS CASE DECISIONS REGARDING ACCESS ROAD AND SECOND CHAPEL OPTION

The Cabinet Member Clean and Green Environment introduced the report which provided an update on the development of Cheltenham's new crematorium as it moved through its design stage. He outlined the history of the project since he had taken over the Cabinet portfolio and highlighted the excellent report which had been produced by the scrutiny task group at that time which had raised his awareness of the issues at the crematorium, particularly regarding the need to replace the cremators and the abatement system. He had taken the decision at the time to review the overall service and address the inefficiencies of the current site alongside the cremators. The project had received expert advice and had consulted with key stakeholders. The initial vision had been for the building of a new crematorium with two new chapels. However the estimated cost of £10 million was too high and a revised plan was proposed with one new chapel and continued use of one of the existing chapels at a cost of £7.5 million which the Council had given its consent to in 2015. The use of two sites did have drawbacks and so with the support of officers and Cabinet he had continued to challenge the £10 million figure and had now reached a position where the second chapel was affordable but still needed an additional £1 million of funding. This was to be funded by using the capital receipt from the sale of the cemetery lodge and money from the revenue budget reserve arising from the introduction of new crematorium fees with the balance being supported by prudential borrowing. This was the subject of the recommendation before Council today.

In concluding, the Cabinet Member emphasised that this was a very significant step in the project. The building had been given to the council 150 years ago and this decision today would allow the council to continue to provide the service for the next 150 years.

The Cabinet Member responded to questions:

- With expert advice the costs of the development had been reduced by reviewing the scale of the building, the nature of the car park and other features of the design. He now had every confidence in the figures he was putting before Council today and assured members that they had been scrutinised to a great extent.
- He confirmed that he had always maintained that the receipt from the sale of the cemetery lodge should be ring fenced for this development and therefore the receipt had not been allocated to any other capital projects.

- A member highlighted that the report asked the council to sanction a further £352,000 of prudential borrowing in addition to the other £1.8 M of loans already in place and at a time when there may be other demands on the council. Was the Cabinet Member confident that the extra business at the crematorium would be generated?
The Cabinet Member reassured members that the business case shows that the council could support the level of loan being requested and the estimates for income were conservative given that the population of the town was expanding.
- The Cabinet Member advised that the additional cost of £1 million which he had referred to for the second chapel was based on the fact that the initial scheme had an estimate of £7.5 million and the bolt on cost of the scheme with an additional chapel and waiting room would be in the order of £8.4 million.
The Finance Officer advised that the business case for the second chapel also included savings from non usage of the existing chapels. She confirmed that the costs of the capital were included in the calculation of revenue.
- The Cabinet Member assured members that there were no plans to demolish the existing buildings and indeed this would not be possible as they were listed and they would continue to form a central part of the service. The business case had shown that if this was pursued there would be a number of interesting possibilities for the existing listed buildings. These included a cafe or wake facility, a place for visitors to spend some time or possibly making part of the building available for a small business such as a florist or stonemason.
- He was confident that the planned new car park would work in terms of visitor numbers to the two chapels but he confirmed that the next working group would be discussing this issue. The plans for the siting of the maintenance facility were not set in stone but it was logical to have it at the end of the site where most of their work took place.

In the short debate that followed members expressed their support for the scheme and felt it would improve the services offered at the crematorium and enable the crematorium to provide these services to a wider area beyond the Cheltenham borough.

The Cabinet Member thanked members with their comments. He advised that the application for planning permission would be submitted in April and be considered at Planning Committee in June or July. Assuming approval was given, work would start in the autumn with the planned completion date of Spring 2019. He wished to put his thanks on record for the commitment of officers and members of the working group in the project to date and he would continue to keep members updated on progress.

RESOLVED (UNANIMOUSLY) THAT COUNCIL

Allocate the budget for the construction of a second new chapel, including the use of the capital receipt of £275,000 from the sale of the cemetery lodge and £373,000 from the revenue budget reserve arising from the introduction of new crematorium fees in 2017-18,

with the balance of £352,000 being supported by prudential borrowing.

16. NOTICES OF MOTION

Councillor Willingham proposed the following motion which was seconded by Councillor Wheeler.

“This Council notes that abandoned supermarket trollies can cause a significant nuisance in some parts of the town. It is possible to take discretionary powers pursuant to section 99 of the Environmental Protection Act 1990 (as amended) that allow local authorities to remove abandoned trollies and charge the owners of those trollies. If these powers are adopted, they require that any charges payable to the Council by trolley owners to fully cover the costs.

This Council would much prefer that trolley owners work proactively within local communities and take responsibility for addressing the abandonment of their trollies as part of their corporate social responsibility activity, without the need these powers to be formally adopted by the Council.

Consequently, this Council resolves to engage with retailers to discuss potential informal or contractual solutions with trolley owners in the town, but if this does not result in a satisfactory outcome, it requests Cabinet to commence the processes necessary to adopt the discretionary powers available to it pursuant to section 99 of the Environmental Protection Act 1990 (as amended), so that the problem of abandoned trolleys can be tackled.”

In seconding the motion, Councillor Wheeler was of the view that supermarkets needed to be taking more responsibility for their shopping trollies as they were causing a real nuisance in local neighbourhoods.

The Cabinet Member Development and Safety, Councillor Andrew McKinlay, advised that had he was happy to support the motion. He had asked officers to raise the problem with supermarkets and he would ask officers for an update. In his view a voluntary agreement was preferable but if this could not be reached by October 2017 he would be asking his Cabinet colleagues approval to adopt the powers referred to in the motion.

Members supported the motion. It was noted that powers relating to the removal of shopping trollies from watercourses maintained by Severn Trent needed to be reviewed as part of this proposed adoption.

Upon a vote the motion was carried unanimously.

17. ANY OTHER ITEM THE MAYOR DETERMINES AS URGENT AND WHICH REQUIRES A DECISION

Chris Ryder
Chairman