

## Overview & Scrutiny Committee

Monday, 11th September, 2017  
6.00 - 8.30 pm

Attendees	
<b>Councillors:</b>	Tim Harman (Chair), Jon Walklett (Vice-Chair), Colin Hay, Alex Hegenbarth, Chris Mason, Helena McCloskey, John Payne, Max Wilkinson and David Willingham (Reserve)
<b>Also in attendance:</b>	Councillor Paul McCloskey

### Minutes

**1. APOLOGIES**

Councillors Baker and Holliday had given their apologies. Councillor Willingham acted as substitute for Councillor Holliday.

**2. DECLARATIONS OF INTEREST**

No interests were declared.

**3. MINUTES OF THE PREVIOUS MEETINGS**

The minutes of the previous two meetings had been circulated with the agenda.

Upon a vote it was unanimously

**RESOLVED that the minutes of the meetings held on the 12 June 2017 and 26 June 2017 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**

Updates on the Health and Care Overview and Scrutiny Committee and Police and Crime Panel had been circulated with the agenda. An update on the recent meeting of the Gloucestershire Economic Growth Scrutiny Committee had been circulated separately to the agenda (Appendix 1).

**Gloucestershire Economic Growth Scrutiny Committee**

Councillor Paul McCloskey was invited to address the committee. He highlighted that

in terms of Vision 2050 which would be launched in January it was important that decisions were made early on in terms of the type of infrastructure required. He also informed Members that the new Chair of the scrutiny committee had

introduced a new way of working by holding meetings around the county on a rotational basis. The next meeting would take place on 19 October.

The following questions/issues were raised by Members :

- The LEP was, according to Government, responsible for funding sustainable transport projects (including walking and cycling) but was in fact more focussed on driving economic development. A significant East-West national transport infrastructure project was underway but stopped at Oxford and it was asked whether the committee had discussed the future of this project in terms of its extension into Gloucestershire which would bring great economic benefit to the county. In response Cllr McCloskey confirmed that there had been no discussion of this national project as the main focus had been on junction 10 of the M5 and the A46 corridor at junction 9. The Leader added that he was keen to raise the Oxford issue as part of the tourism strategy as currently there were very poor public transport links between Oxford and Cheltenham. As a general point the Leader explained that as there had been no announcements for growth deal funding for the area the LEP was just managing existing schemes. A Member added that in terms of cycling the county council was considering aligning different funds/use S106 funds to support cycle routes between Bishops Cleeve and the racecourse and a Cheltenham-Gloucester cycle route. It was hoped that having hosted the Tour of Britain there would be more interest from businesses in cycling in order to alleviate pressure on the road network.
- A Member referred to the EU smart cities programme which concerned the sustainable development of urban areas which required new, efficient, and user-friendly technologies and services, in particular in the areas of energy, transport and ICT which included telecommunications which should now be regarded as an essential service. He gave examples of innovative ways in which EU countries had used land to create sustainable modes of transport which had also become tourist attractions. He believed that the smart cities model fitted well in the proposed cyber development and suggested that an analogous model was needed to develop smart rural areas.
- A Member highlighted that Fastershire had now completed its assessment of Phase 2 and would provide funds to suppliers to fund faster broadband provision to those houses in urban areas of Cheltenham with slow speed broadband.

Members were invited to address any further comments directly to Councillor P McCloskey.

### **Police and Crime Panel**

Councillor Helena McCloskey informed Members of the following :

- a further inspection of child protection services within the constabulary had taken place since the July meeting and the official report was expected soon. Work was ongoing towards hosting a summit to improve the service to all children in the county in need of protection. She reported that the decision log was now up to date and March 2017 data was now being used.

- work relating to a new neighbourhood policing officer had been deferred until the new year due to the fact that managerial work had been delayed due to the poor inspection. The Police were recruiting and training new PCSOs, 3 of which would be based in Cheltenham.
- The PCC had now been appointed as the Chair of the Criminal Justice Board and an independent review of its work would be carried out.
- The Panel had received a presentation on Young People Becoming Adults which concerned diverting first time offenders from the criminal justice system by means of restorative justice techniques. Copies of the presentation would be made available to Members and Cllr McCloskey would make this available to Members.

Members raised the following questions/issues and the following responses were given:

- Restorative justice-this was a dialogue between the child and the victim in terms of outcomes and whereby the child's views were taken into account when the plan was produced so that a child understands what is expected of him. Members recognised that where a child was involved in the criminal justice system and obtained a criminal record employment became difficult so the aim was to hold the prosecution back in order to try to divert children from offending.
- A discussion was held on the income deprivation affecting children index (part of the Indices of multiple deprivation) where Hesters Way was 402<sup>nd</sup> out of 32 844. Some Members deemed this to be a collective failure between the County Council and the Police. They recognised that there were long standing issues in Hesters Way and all parties should now come together to address them. The Leader confirmed that the council had been tackling these issues for decades and Hesters Way Neighbourhood Project had been in operation for some time so locally everything was in place to conduct these conversations. Members felt strongly that they wanted to know what plans were in place to bring the area out of the multiple deprivation and what progress had been made, if any and the question was asked as to what improvements could be made. Members agreed that Hesters Way Neighbourhood Project and Cheltenham Borough Homes, who had a good overview of areas of deprivation across the town, should be invited to a future meeting of O&S. The Leader added that to review the success or otherwise of tackling that deprivation it was important to ask whether it had improved relatively to what it was and whether it was likely to move out of the lowest 10 % in relative terms
- Members expressed frustration at the lack of answers and information from the PCC further to his attendance at O&S and requested Cllr McCloskey to relay their concern to the PCC at the next meeting.
- The Chair informed Members of the forthcoming Member Seminar on public health on 26/09.

## **7. CABINET BRIEFING**

The Leader reported the following to Members :

- The Tour of Britain which took place on Saturday 9 September had been a great success and the Cabinet Member Finance had written to all staff and partners involved to thank them for facilitating this. The event would be subject to a formal review and it was hoped that the Festival of Cycling would become an annual event.
- The cabinet had already preacted upon the recommendations from the Street People Scrutiny Task Group and had joined SOLACE earlier in the year.
- He made the following points with regard to the Gloucestershire Economic Growth Joint Committee :
- A report had been taken to committee on housing infrastructure which considered junction 10 and 9 of the M5. Established that Junction 10 was the priority as it had not been clear in the report. Funding available should be used by March 2021 which somewhat limited the chances of progressing Junc 10. CBC was keen to see this progress, particularly in view of the JCS strategic allocations.
- Strategic Planning Coordinator Post- this would be funded by £35k from the County Council and £5k from each district and £5k from the LEP. A formal decision would be taken at the November meeting. The Leader informed that as the council's representative on the committee he would be required to take a decision on this and would do this in advance of the meeting to facilitate scrutiny.

The Chair thanked the Leader for his update. He looked forward to the formal debrief from the Tour of Britain and added that this event had been a good example of working with partners. He commented that the TV coverage had showcased the whole area really well and would be of great value to the town moving forward.

## **8. ST PAULS WARD PRIVATE RENTED HMO SURVEY**

The Enforcement Manager introduced the update on the St Pauls Ward Private Rented HMO Survey, as circulated with the agenda.

The ward member for St Pauls thanked officers for the time and effort they had contributed to the process. He referred to the 'tipping point' of more than 10 % of HMO's in a given area (ward) after which action could be taken under Article 4 powers of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) so that change of use by permitted development must instead require planning permission. He believed that a 13-14 % level of HMOs in St Pauls would suggest that Article 4 should be used. The Development Manager Strategy was invited to outline the process should Members agree to pursue this.

Firstly, the Development Manager Strategy explained that HMOs in St Pauls were well managed. In the Preferred Options consultation of the Cheltenham Plan a small majority of respondents wished to restrict HMOs in this area. In his view there was marginally sufficient evidence to launch Article 4 due to

exceeding the 10% threshold and this process would be introduced via a change in planning policy in the Cheltenham Plan which would have to be considered when planning applications were submitted. The draft Cheltenham Plan was due to be considered by Council in November. Once this change was approved the ward would be informed that they would have a 12 month period to enact permitted development rights before this change to restrict HMO applications based on whether the number exceeded more than 10 % in the area. Alternatively, Article 4 could be enacted instantly, however compensation would have to be paid for removing the right to permitted development. He did highlight however that if a year was given it may be that more applications would be brought forward earlier than planned to avoid this. In response to a question the Development Manager Strategy confirmed that initially the proposal would be considered by the Planning and Liaison Member Working Group which would take a general view of the restriction then this would be submitted to Council as part of the adoption of the Cheltenham Plan.

Members made the following points :

- It was asked whether there was a discrepancy between perception and what was actually happening in St Pauls. In response the Enforcement Manager explained that the survey was a snapshot in time. Officers were however aware that there were issues with refuse during the changeover in accommodation and there were disturbances of antisocial behaviour at certain times of term. In terms of cars the number of students with cars was 24 %, this was due to restrictions by the university on first year students bringing cars in to the town.
- Members felt that considering the use of Article 4 should be a balanced decision and not give the message that Cheltenham did not want students in the town as their role in making the town a more vibrant and diverse place as well as their economic contributions were very much valued. The importance of integrated, balanced communities was highlighted and students played a part in this.
- In response to a question on what guidance there was in determining planning applications for HMOs the Head of Strategic Planning explained that the guidance for HMOs was being updated within the context of the Cheltenham Plan.
- A Member highlighted that with the new student village set to open in Pittville whether further regulation of new HMOs was needed. In response the Development Manager Strategy confirmed that those HMOs in existence now were lawful. It may take a decade or so to see losses, if any of HMOs. He gave the example of Worcester where student communities were integrated with neighbourhoods and whereby students felt more part of the community which improved relationships between town and students. He also referred to the fact that 18/350 of HMOs in the town were occupied by professionals.
- On the whole Members expressed their support for invoking Article 4 in St Paul with caveats and wished these comments to be passed to the Planning and Liaison member Steering group. They recognised that using Article 4 would not necessarily lead to a great reduction in HMOs but would prevent further increases.

Officers were thanked for their time and requested that O&S be kept informed of developments.

## **9. CHELTENHAM GUARDIANS**

Terry Howard, the Operations Director at Cheltenham Guardians CERT, introduced himself to the committee.

Cheltenham Guardians was born in November 2014 out of a strong desire to engage with Cheltenham's homeless. It was an idea that "we the community", empowered by civic responsibility could contribute to positive and compassionate action in our town for our most vulnerable. The team discovered that most of the people on the streets were actually not homeless and for many their primary reason for being out at night was to beg, sometimes with intimidation and aggression, and nearly always to feed a drug habit. It was felt that the Guardians were not equipped to deal with these individuals, not in the way that was hoped. So the team's direction changed (by circumstance) to being a crucial component within the vanguard of safeguarding in Cheltenham's night time economy on a Saturday night. A typical shift would see a response team utilising an AED equipped marked vehicle. He highlighted that in the last 18 months Cheltenham Guardians had saved the emergency services in Gloucestershire over £100,000, as well as providing £50,000 worth of services to the borough free of any charge.

The team comprised 12 operational volunteer Guardians, each volunteer being DBS checked and undertakes comprehensive and specific night time economy training.

He explained that by the end of October Cheltenham Guardians would be administered by a community interest company, a CIC. The CIC would be a vehicle that would fund the Guardian operation as well as deliver low cost event medic cover to community groups within a 20 mile radius of Cheltenham. Any small profits made during these events would be channelled back into Cheltenham Guardians. Over the next 24 months the Guardians would like to see a lowland rescue element added to its operation and be in a position to support the NHS more.

Members raised the following points/questions :

- Training was provided by WGM training.
- The Guardians never experience violence towards them but do encounter violence on the streets on a regular basis. They use body video to protect themselves against false allegations. There is both audio and video in the vehicle too.
- The Guardians do transport young females home where there is a need
- A Member queried the fact that the vehicle resembled a police car and could be misconstrued as the police. Terry was aware of the concerns, particularly in the early days but stated that now it was widely

recognised as the Cheltenham Guardians vehicle and had its own place in the night time economy. Its visibility was important.

- Level of buy in from businesses/bars-overall the Guardians had a good relationship with the bars and clubs in the town but concern was expressed at the level of duty of care by some bars/clubs to customers in some instances.
- Funding and succession-the Guardians was predominantly self funded. The costs amounted to approximately £500 per month. In terms of succession the Guardians were looking at options to make themselves more buoyant and to attract a consistent level of funding. Moving towards the CIC model should alleviate the costs involved and solidify the Guardian's desire to become a transparent community organisation.
- Recruitment-the Guardians were a solid team and there was a robust entry procedure . A conscious effort was made to get to know applicants beforehand and in some cases they were turned down. They did not need to advertise and there was currently a waiting list of 22.

A Member asked Terry whether he considered there to be any practical points, mainly in the field of licensing or other areas of protection, which were lacking and how CBC could assist. He would consider this further and report back to democratic services.

The Chair thanked Terry for his input and thanked the Guardians for their valuable service to the town. He looked forward to hearing how CBC could be of support to them and wished to be kept informed of developments. Terry thanked Members for the opportunity to address them and invited them individually to accompany the Guardians one Saturday night in the town.

#### **10. OVERVIEW AND SCRUTINY ANNUAL REPORT 2016-17**

The Chairman introduced the Annual Overview and Scrutiny Report 2016-17. The report summarised some of the successes of the previous year and he took the opportunity to thank Councillors Walklett and Payne who had assisted him in his role and also those members who had been involved in task groups and the officers that had supported them.

Upon a vote it was unanimously

**RESOLVED that the Annual Report of the Overview and Scrutiny 2016-17 be endorsed and forwarded to Council to be noted.**

#### **11. REVIEW OF SCRUTINY WORKPLAN**

The Chairman referred members to the work plan as circulated with the agenda. He highlighted that both CBH and Ubico were scheduled to attend the next meeting (30 October) and asked that members submit any specific questions for either organisation by 12 noon on Monday 16 September, so that the Democracy Officer can circulate them for responses. He also reminded Members that the Charlton King Flood issue had been deferred and would possibly be taken at the November meeting.

**12. DATE OF NEXT MEETING**

The next meeting was scheduled for the 30 October 2017.

Tim Harman  
**Chairman**

**Gloucestershire Economic Growth Scrutiny Group Report for O&S  
11 September 2017**

March & September meetings

**Procedural Matters**

I'm just starting my second year on the scrutiny group. With hindsight, it is clear that the old group was winding down before the May elections, and we have now had the first two meetings of the new regime. So, far so good.

At the June meeting, the scrutiny group reviewed its terms of reference and identified possible topics to go into the work plan for 2017/2018.

Lynton Stowe is the new chair of the Steering Group, and Steve Jordan is the deputy chair. David Morgan is the new chair of the Scrutiny Group. In a radical move, the Steering Group has agreed to a proposal from the new Scrutiny Group that the chair of the Scrutiny Group will attend Steering Group meetings and report on the work of the Scrutiny Group (and this happened for the first time on 6<sup>th</sup> September).

At the September meeting of the Steering Group, they agreed revised (widened) terms of reference for the Steering Group. [This change still needs to be ratified by the Constitution Committee, but in practical terms it appears to be a done deal.]

Revised Terms of Reference:

- 1) Review the ***economic plans and policies*** [changed from 'decisions'] of the Gloucestershire Economic Growth Joint Committee, and
- 2) Review the overall impact and delivery outcomes of the Gloucestershire Strategic Economic Plan (SEP) and make recommendations to the GFirst Local Enterprise Partnership Community Interest Company (GFirst LEP) and Gloucestershire Economic Growth Joint Committee on issue and improvements.

In an even more radical departure; the two chairs will meet periodically to discuss the work plan of the Steering Group. The Scrutiny Group's work plan will follow that of the Steering Group, but it has the flexibility to identify additional topics that it may wish to explore. A key ambition of the Scrutiny Group is to be in a position to influence emerging policy, rather than simply criticising after the event. Time will tell whether this happens.

**Items of interest**

**Vision 2050:** This will be launched in the New Year. It will have the effect of forcing early decisions on what sort of infrastructure we want (e.g. Light Rail?, Cycleway from Tewkesbury to Slad Valley? )

**M5 Motorway:** A meeting is to be arranged with Highways England to ensure Glos has a clear understanding of the bigger picture, and that Highways understands the Glos

priorities. M5 Junction 10 is top priority, followed by Junction 9. Next is Junction 12 Hunts Grove where infrastructure improvements are needed before the 2,500 houses can be built. It was noted that Junction 14 is at capacity, but there is no proposal on the table. Junction 10 is vital to all strategic allocations in the JCS, particularly the Cyber Park/West Cheltenham. At Junction 9 the issue is the A46 corridor. One outcome should be better coordination of MP lobbying along the length of the M5.

Cllr Paul McCloskey  
Cheltenham District Representative