



## Notice of a meeting of Overview & Scrutiny Committee

**Monday, 30 October 2017**  
**6.00 pm**  
**Pittville Room - Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Tim Harman (Chair), Jon Walklett (Vice-Chair), Colin Hay, Alex Hegenbarth, Sandra Holliday, Chris Mason, Helena McCloskey, John Payne, Paul Baker and Max Wilkinson

The Council has a substitution process and any substitutions will be announced at the meeting

## Agenda

<b>1.</b>		<b>APOLOGIES</b>	
<b>2.</b>		<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>		<b>MINUTES OF THE LAST MEETING</b> 30 August 2017 (sub-committee meeting) 11 September 2017	(Pages 3 - 16)
<b>4.</b>		<b>PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS</b>	
<b>5.</b>		<b>MATTERS REFERRED TO COMMITTEE</b>	
<b>6.</b>		<b>FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED</b> Gloucestershire Health and Care O&S Committee (12 September) – written update from Councillor Harvey  Gloucestershire Economic Growth O&S Committee (19 October) – update from Councillor Paul McCloskey (to follow)  Gloucestershire Scrutiny Group (20 October) – verbal update from Councillor Harman	(Pages 17 - 18)
<b>7.</b>		<b>CABINET BRIEFING</b> A written update from the Cabinet on key issues for Cabinet Members which may be of interest to Overview and Scrutiny	(Pages 19 - 20)

		and may inform the O&S work plan	
<b>8.</b>	6.20pm	<b>CBH</b> Peter Hatch, Executive Director of Property and Communities (CBH) and Caroline Walker, Head of Community Services (CBH)	
<b>9.</b>	6.50pm	<b>UBICO</b> Gareth Edmundson (Managing Director – Ubico) and Scott Williams (Client Officer – Joint Waste)	
<b>10.</b>	7.30pm	<b>PUBLICA</b> David Neudegg (Managing Director – Publica)	
<b>11.</b>		<b>REVIEW OF SCRUTINY WORKPLAN</b>	(Pages 21 - 24)
<b>12.</b>		<p><b>LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION</b></p> <p><b>The committee is recommended to approve the following resolution:-</b></p> <p>“That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph(s) 3 and 7, Part (1) Schedule (12A) Local Government Act 1972, namely:</p> <p>Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)</p> <p>Paragraph 7; Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	
<b>13.</b>		<b>EXEMPT MINUTES</b> 30 August 2017 (sub-committee meeting)	(Pages 25 - 26)
<b>14.</b>		<b>DATE OF NEXT MEETING</b> 27 November 2017	
		<b>BRIEFING NOTES (not for discussion)</b> <ul style="list-style-type: none"> <li>• Ray Day Arrangements</li> <li>• Indices of Deprivation</li> </ul>	

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## Overview and Scrutiny Sub-Committee

**Wednesday, 30th August, 2017**

**3.00 - 4.55 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Alex Hegenbarth, Sandra Holliday, Chris Mason, John Payne, Jon Walklett (Chairman), David Willingham, Chris Ryder and Simon Wheeler
<b>Also in attendance:</b>	Jim Daniels, Parking Manager (GCC) Simon Ellson, Cheltenham Police Sergeant (Gloucestershire Constabulary) Louis Krog, Business Support and Licensing Team Leader (CBC) David MacKinnon, Regional Director (The Jockey Club) Councillor Dennis Parsons (Pittville ward)

## Minutes

### 1. APOLOGIES

Councillors Harman, Baker and McCloskey had given their apologies and Councillors Ryder, Wheeler and Willingham substituted for them respectively. Councillor Wilkinson had also given his apologies.

### 2. DECLARATIONS OF INTEREST

Councillor Willingham declared a non-pecuniary and non-prejudicial interest in agenda item 4 (race day arrangements), as in March 2017, in his role as Vice-Chair of the Licensing Committee, he had shadowed Enforcement Officers in their duties during race week.

### 3. PUBLIC AND MEMBER QUESTIONS

No public or member questions had been received.

### 4. RACE DAY ARRANGEMENTS

The Chairman welcomed representatives from Cheltenham Borough Council, Gloucestershire Constabulary, Gloucestershire County Council and the Jockey Club and on behalf of the Overview and Scrutiny Committee thanked them for their attendance, which was very much appreciated. He gave a reminder that Councillor Parsons, the ward member for Pittville had raised concerns about the provision of temporary toilets and illegal parking during race events which were growing in popularity. Whilst acknowledging that increasingly popular racing events were beneficial to the town and its economy, and the effectiveness of the co-ordinated approach to planning for race meetings, the Overview and Scrutiny Committee wanted to consider what, if any, improvements could be recommended. The Chairman explained that once, as a committee, members understood the special arrangements and popularity of the various events and the scale of any issues, they would move onto discussing any proposed improvements. And at this stage, would welcome input from the relevant representatives to explain any budget and/or resource implications associated

with the improvements being proposed. He looked forward to a positive and productive discussion of the issue, which he hoped would be beneficial to everyone.

To clarify their understanding of the information that had been circulated with the agenda, members, including Councillor Parsons, asked the following questions:

- Was it true that with no custody suite in Cheltenham, anyone that was arrested needed to be transported to the custody suite at Waterwells? Sergeant Ellson confirmed that this was indeed the case.
- The permanent parking restrictions which had been imposed throughout the ward of St. Paul's had proved successful, but there was a request that enforcement officers visit this area more regularly during the March festival. Jim Daniels confirmed that this would be possible.
- Was Gold Cup, with 70,000 attendees, far bigger than any other event held in Gloucestershire and if so, had consideration been given to how other similarly large scale events were approached and managed? Gold Cup was undoubtedly the largest sporting event in Gloucestershire. David McKinnon, as part of the Jockey Club, which managed venues which held major events including the Grand National, regularly reviewed how other events were managed. Sergeant Ellson noted that the International Air Tattoo attracted the largest number of attendees of any event in Gloucestershire, but that this was not an event in which he was directly involved.
- The permit schemes which were introduced as part of the traffic management measures worked well, but did enforcement officers check that residents were parked outside of the property to which the permit had been issued? Jim Daniels explained that enforcement officers simply checked whether a valid permit was held and that there were no restrictions on where residents could park within the permit zone i.e. residents were not required to park their vehicle outside of their residence.
- The racecourse held briefings before and debriefs after, all race events, but did David MacKinnon feel that the structure of consultees for these briefings was adequate or did he want to see any changes? The relationship with stakeholders was very important to the racecourse and had been built over decades but had been strengthened in recent years since the traffic order consultations. David MacKinnon noted that the racecourse had recently broadened the number of councillors who were invited to participate in these pre and de-briefs and suggested that this may change over time as events evolved and that he was prepared and open to change.

Members indicated that they sought clarification in relation to information contained within the exempt appendix and moved to formally exclude the press and public.

**RESOLVED that in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are**

**present there will be disclosed to them exempt information as defined in paragraph(s) 3 and 7, Part (1) Schedule (12A) Local Government Act 1972, namely:**

**Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information)**

**Paragraph 7 – Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.**

The press and public were formally excluded from the meeting whilst Members discussed and considered operational resourcing and processes for enforcement in respect of Race Day arrangements. The press and public were then invited back to the Meeting and Members resumed their questioning of officers:

- Was it not inappropriate for the council to have licensed a Guinness concession outside of the Pump Rooms, within an award winning park and in such close proximity to a very popular play area? To give some context to the issue Louis Krog explained that the application in question had been submitted in 2005 and neither the Police nor Environmental Health had raised objections. He explained that unless it was determined that there was a risk of leading to or contributing to crime or disorder, prejudice to public safety, public nuisance or harm to children, then under the legislation, the council had no grounds on which to refuse the application. The legislation only allowed for refusal if there were problems associated with the operation of the licence such as underage drinking or proxy purchasing. The council had no policy in place which prohibited the issue of any further licenses.
- Would it be possible to condition a license with the provision of a toilet? The council was not able to condition a Temporary Event Notice but legislation did stipulate that toilet provision was required for premises selling food and drink with the provision of seating and similar establishments.
- How do the Police deal with people that urinate in public? Sergeant Ellson acknowledged that this was a longstanding issue and confirmed that there were dedicated teams of PCSOs who patrolled areas, focussing on 'kicking out time' and actively discouraged people from urinating publicly. The Police could issue a fixed penalty and, if a person was abusive or aggressive could arrest them, but the sheer volume of people made this difficult. The Police needed to understand local priorities and increase in toilets and dedicated patrols had resulted in feedback from local residents suggesting that the situation had improved.
- Was alcohol consumption permitted in Pittville Park? Cheltenham had an existing Public Space Protection Order and although it did not prohibit the consumption of alcohol in Pittville Park, it did make it an offence if they refused to stop drinking when asked to do so by a constable or authorised person. Sergeant Ellson stressed that drinking alcohol in itself was not a reason to carry out an arrest; there would need to be an aggravating factor, such as urinating, aggression, etc.
- Seemingly, the main issue was that people continued to serve individuals that were already very intoxicated. What could this council

do to stop this from happening? Louis Krog confirmed that it was an offence to serve alcohol to a person that was already drunk, but since the legislation was introduced in 2005, there had been no prosecutions nationally, because nobody had been able to overcome the issue of being able to prove, that a person was drunk. Licensing officers had visited a number of clubs in March 2017 but the sheer volume of people made this a difficult undertaking. He also suggested that these circumstances made it difficult for bar staff to judge how drunk a person was, as they didn't have time to make an assessment.

- What proportion of race day resources were targeted on ticket tout operations and illegal taxis activity? Louis Krog estimated that 60% of resources focussed on illegal taxis activity, compared to 10-15% on ticket touts and the rest on licensed premises.
- Does the racecourse have a glass deposit system which could save the event money in terms of the amount of litter picking required? The racecourse put a huge emphasis on responsible alcohol consumption and approximately 3-4 years ago had introduced a policy whereby no alcohol is permitted in or out of the venue. He noted that no glassware was used.
- Did residents in close proximity to other racecourses experience similar issues? David MacKinnon suggested that it would be difficult to make comparisons due to difference in scale, but that alcohol was commonly the causal factor for many complaints.

At this stage the Chairman invited members of the public to comment or ask questions:

A resident from Lexington Square, his property directly opposite the racecourse, felt that in addition to the Police Officer that dealt with the coaches, there should be another on duty, stopping people from urinating in his street, an issue which has been ongoing for the last 14 years. On one occasion he had called the police non-emergency number to report a group of people urinating outside of his property, to be asked by the operator to keep the offenders where they were, but as a man in his sixties, he wasn't willing to attempt this. He also noted that in response to this call he was visited some days later by an officer from Wiltshire. Sergeant Ellson reiterated that there was a team of PCSOs which was dedicated to dealing with such issues and he would discuss the particular issue with the gentleman after the meeting had concluded. He also explained that Gloucestershire Constabulary formed part of a Tri-Force, which he hoped would explain why a Wiltshire Officer had visited.

This resident also raised the issue of New Barn Lane which he understood to be a clear way area, meaning vehicles were not permitted to stop, but he witnessed a large number of vehicles either dropping people off or picking them up. Jim Daniels suggested that this was quite difficult to address as these people would simply drive away when approached. Simon Ellson explained that when cones were put out by the Police in essence these areas became double yellow line areas, but this did prohibit people stopping to drop off and pick up. Again, this was something he would discuss with the gentleman after the meeting.

Another resident who lived in close proximity to the racecourse and who had been a parish councillor for some 25 years, claimed to have, in that time, been

invited to almost 25 pre-briefings at the racecourse. He highlighted that whilst residents complained about the lack of toilet provision, some residents then went on to complain about having portable toilets located close to their properties. He considered alcohol to be a national problem, although did claim to have encountered no local police at this year's Festival; though he did hold the racecourse responsible for this.

A resident of Paddocks Lane echoed support for the racecourse; commenting that many residents had purchased their properties knowing the proximity to the racecourse.

A resident from Cleavelands Avenue thanked the council for introducing the ban for the distribution of leaflets, which had greatly improved the issue of litter in the town during race events.

Councillor Parsons addressed the committee. He thanked members for having agreed to consider this matter and highlighted that the two major issues for residents, were the toilet habits of racegoers and parking. Whilst the toilet issue had been discussed, this had centred on urinating but he claimed that residents also experienced people entering their gardens or block of flats and defecating, sometimes exposing themselves to residents and their families, children in some cases. Such issues, he advised, were impacting other wards including St. Marks, with Councillor Coleman, the ward councillor for that area, having made him aware of similar issues in and around the train station. The main concern for Councillor Parsons was that the Festival was the only racing event for which toilet provision was provided and yet he considered the need for toilets during other events to be evident, claiming that enough people attended the Open (in November) to justify some level of toilet provision. In terms of parking, the permit zones worked well and his residents had no complaints, but taxis' waiting in areas outside of the racecourse was an ongoing issue, particularly on New Year's Day when many residents had visitors. He suggested that unlicensed taxis were far less of a concern to residents than the toilet issue and suggested that the prioritisation of resources needed to be revisited.

Councillor Holliday, as the second ward member for St Marks commented that she had received no negative reports this year and commended Louis and his team for their hard work and commitment.

Another member disagreed with Councillor Parsons that the balance was inappropriate. He felt that it was entirely appropriate for the council to be focussing on identifying and preventing illegal activity, because whilst urinating and defecating was undoubtedly unpleasant, it did not endanger lives or public safety.

One member felt that neither the Police nor the council had the resources or budgets due to underinvestment. He also put forward that due to a lack of British Transport Police and the availability of alcohol on trains, an unacceptable number of people were arriving into Cheltenham already drunk and that these individuals should not be given the opportunity to reach Cheltenham, instead being removed at Birmingham, Bristol or Worcester. This member agreed that public urination was unpleasant and suggested that the use of hydrophobic paint, which bounced back on to an individual could act as a deterrent.

Before the committee moved on to discussing any possible recommendations, the Chairman sought clarification as to who paid for the toilets that were provided for the Festival. The committee were advised that the racecourse covered the cost of toilets up to Central Cross Drive, at a cost of approximately £8,000 and that the council met the cost of those in the town centre (approximately £1300).

David MacKinnon welcomed the positive feedback that had been given and assured members of his (on behalf of the racecourse) commitment to continued engagement. He confirmed that he would be happy to meet with Louis Krog and give consideration to providing toilets for the Open in November but stressed that New Year's Day was not at all comparable to the Open, attracting a completely demographic, of families. He took the opportunity to reiterate that arrangements for all events were considered retrospectively in order to identify improvements for future years and that this was done as a matter of course rather than simply if a particular issue had arisen.

Councillor Parsons thanked the committee for the opportunity to discuss this issue and was pleased that consideration would be given to the introduction of toilets for the Open in November 2017. He suggested that residents supported the racecourse without wanting to be part of the collateral damage.

Upon a vote it was unanimously

**RESOLVED that David MacKinnon, the Regional Director of the Jockey Club and Louis Krog, the Business Support and Licensing Team Leader would give further consideration to the toilet provision for the Open in November 2017 and that Louis Krog would be asked to produce a briefing note which summarised the outcome of these discussions, for consideration by the committee.**

### **5. NEXT STEPS**

The committee would take no further action but did request a briefing from Louis Krog, the Business Support and Licensing Team Leader, which summarised the outcome of any discussions held with the racecourse in relation to the provision of toilets for the Open, in November 2017. The Business Support and Licensing Team Leader would inform and consult the relevant Cabinet Member (Cllr McKinley) on the matter going forward.

**Chairman**



## 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 is 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**



## **Health and Care Overview and Scrutiny Committee Report for O&S 30 October 2017**

This report covers the meeting held on 12 September which I attended as the Borough representative.

Launch of Public Consultation for new hospital in the Forest of Dean. Katie Norton Chief Exec Trust led on this and gave the committee an overview of the proposed public consultation that started this date.

The Trust does have a preferred option for the area, that is to close the two existing community hospitals and replace them with one brand new facility that as fit for purpose. Both the District and County Councillors from the FOD who sit on the HOSC gave their emphatic support for a new build hospital..

Glos Hospitals Acute Care Trust, update on A\$E financial situation. Both the Chairman, Paul Lachecki, and CEO, Deborah Lee, were in attendance. A copy of the Deloitte Report into the finances of the Trust had previously been circulated to the Committee, it was publicly released in July, and both Paul and Deborah spoke to it. They both stressed that lessons had been learned/learnt and that Governance of the Trust had completely changed. Both the Chairman and CEO had gone, replaced by Peter and Deborah, as well as the Finance Director, several Non-Executive Directors, and both were confident going forward with this new team. I asked about the Deloitte Report and how scathing it had been of the professionals running the trust and I asked if appropriate representation had been or would be made to their respective professional bodies and was assured that where necessary that had been done.

Councillor Steve Harvey

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## **Cabinet Briefing for Overview and Scrutiny Committee 30 October 2017**

The Forward Plan lists the reports expected to come to Cabinet in the next 3 or 4 months. This note supplements that with other issues that may be of interest to O&S.

### **Devolution**

CBC responded to Gloucestershire County Council consultation with districts about whether and how highways related work could be devolved to district level. The CBC view was that we would be very interested in having more control over local highway matters as used to be the case up until 2007, assuming parking income generated within Cheltenham would be retained to help fund the work. Since the 2<sup>nd</sup> May deadline we have not had a formal response to our proposal.

### **Planting/Nursery**

Following the useful initial discussion around this at the members seminar on 11<sup>th</sup> October and Council on 16<sup>th</sup> October, it is intended to bring separate cabinet reports covering the future of the Arle Nursery and planting regime to the 5<sup>th</sup> December cabinet meeting.

### **2050**

An 'expert panel', pulled together by GFirst LEP, has been looking at what long term projects we should be aiming to achieve in Gloucestershire to enhance life in 2050. It is intended to launch a major consultation exercise to run during 2018 using this work to trigger wider discussion. However, it has been agreed that it is important that this follows adoption of the JCS to avoid confusing the two. We hope adoption of the JCS will be confirmed at the 11<sup>th</sup> December Council meeting. Gloucestershire University have taken on an administration role for the 2050 process and a countywide launch event is likely to take place from 4-6pm on 1<sup>st</sup> February at Cheltenham Racecourse where everyone will be welcome.

### **Deprivation**

At the previous O&S meeting there was a discussion about measuring deprivation and assessing impact of interventions in areas such as Hester's Way. I agreed to take this away and ask officers to pull together what data we have and Richard Gibson has produced a briefing note which is being circulated with this agenda.

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Item	Outcome	What is required?	Lead Officer
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**Meeting Date: 30 October 2017 (report deadline: 18 October 2017)**

Ubico	New MD invited to meet the committee and discuss performance, the new recycling collection scheme and future priorities	Presentation	Scott Williams, Client Officer (Joint Waste Team) and Gareth Edmondson, Managing Director (Ubico)
CBH	Invited to discuss current performance (and topics including shared ownership and anti-social behaviour)	Presentation	Peter Hatch, Executive Director of Property and Communities and Caroline Walker, Head of Community Services (CBH)
Publica	Consider service delivery and future scrutiny arrangements – the committee ant clarity on where CBC stand in the company and any implications arising from the fact that we commission less services from the company	Discussion paper	David Neudegg, MD (Publica)
Race day arrangements	Update on the discussions regarding toilet provision for the Open in November	Briefing note	Louis Krog, Licensing Team Leader
Indices of Deprivation	How deprivation figures in Hester's way have changed over the years and what efforts are being made to address the issue	Briefing note	Richard Gibson, Strategy and Engagement Manager

**Meeting Date: 27 November 2017 (report deadline: 15 November 2017)**

Quarter 2 performance review	Consider Q2 performance and comment as necessary (CONFIRMED)	Discussion paper	Richard Gibson, Strategy and Engagement Manager
Charlton Kings Flood Action Group	Flood management work to date / how flood risk is considered in relation to planning applications / can this body be consulted on applications where flooding is a consideration (deferred from September)	Presentation	John Hughes

Item	Outcome	What is required?	Lead Officer
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Street People STG	Update on Solace (CONFIRMED)	Discussion paper	Sarah Clark, Public and Environmental Health Team Leader
Cemetery and Crematorium Project	Update on progress and opportunity for members to ask questions (CONFIRMED)	Discussion paper	Ken Dale, Project Manager
Public realm planting and options for the Arle Nursery asset	Consider proposals ahead of Cabinet on the 5 December (tbc)	Discussion paper	Mark Sheldon, Director Corporate Resources (tbc)

**Meeting Date: 22 January 2018 (report deadline: 10 January 2018)**

Budget recommendations	From the BSWG	Decision	Chair, BSWG
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**Meeting Date: 26 February 2018 (report deadline: 14 February 2018)**

Draft Corporate Strategy	Consider the draft corporate strategy and comment as necessary	Discussion	Richard Gibson, Strategy and Engagement Manager
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**Meeting date: 23 April 2018 (report deadline: 11 April 2018)**

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**Meeting Date: 25 June 2018 (report deadline: 13 June 2018)**

End of year performance review	Consider the end of year performance and comment as necessary	Discussion	Richard Gibson, Strategy and Engagement Manager
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**Items for future meetings (a date to be established)**

North Place	Further update as necessary		Tim Atkins, Managing Director of Place and Economic Development
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Item	Outcome	What is required?	Lead Officer
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Cheltenham Spa Railway Station STG	Review progress against recommendations 12 months on	12 months on from Cabinet response (not yet scheduled on forward plan)	
Cycling and Walking STG recommendations	Review progress (after 12 month review in Feb 2017)	Feb 18 – Sept 18	TBC
Race day arrangements	Briefing on the discussions about toilet provision for the Open in November 2017	Tbc	Louis Krog

Annual Items		
Budget recommendations	January	Chair, Budget Scrutiny Working Group
Draft Corporate Strategy	February	Richard Gibson, Strategy and Engagement Manager
End of year performance review	June	Richard Gibson, Strategy and Engagement Manager
Scrutiny annual report	Sept	Saira Malin, Democracy Officer
Quarter 2 performance review	November	Richard Gibson, Strategy and Engagement Manager

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# Briefing Notes

Committee name: Overview & Scrutiny

Date: 30 October 2017

Responsible officer: Louis Krog

This note contains information to keep Members informed of matters relating to the work of the Cabinet or a committee but where no decisions from Members are needed.

If Members have questions relating to matters shown, they are asked to contact the Officer indicated.

## **Race Day Arrangements**

On Wednesday, 30th August, 2017 the Overview and Scrutiny Committee ("O&S") met to consider issues relevant to race meetings.

The outcome of the meeting was a resolution that "David MacKinnon, the Regional Director of the Jockey Club and Louis Krog, the Business Support and Licensing Team Leader would give further consideration to the toilet provision for the Open in November 2017 and that Louis Krog would be asked to produce a briefing note which summarised the outcome of these discussions, for consideration by the committee."

Since that committee, there have been discussions between the council and the racecourse. This briefing note is to confirm the agreement that has been reached in relation to toilet provision for the Open in November 2017.

These are:

1. The public toilets in Pittville Park will be open for longer hours to coincide with the race times;
2. A "Uro Cabin" unit will be located on the junction of Walnut Close;
3. Two "standard" units will be located on Evesham Road at the bottom end of the park adjacent to the lake.

**Author: Louis Krog – Licensing Team Leader**

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# Briefing Notes

**Committee name:** Overview and Scrutiny Committee

**Date:** 30 October 2017

**Responsible officer:** Richard Gibson

This note contains information to keep Members informed of matters relating to the work of the Cabinet or a committee but where no decisions from Members are needed.

If Members have questions relating to matters shown, they are asked to contact the Officer indicated.

## Background:

At the Overview and Scrutiny Meeting held on 11 September, as part of the update item on the Police and Crime Panel, a discussion was held on the income deprivation affecting children index (part of the Indices of multiple deprivation) where part of Hesters Way was ranked 402<sup>nd</sup> out of 32,844 areas nationally. Members of the committee requested more information about the scale of deprivation in the area and whether it was improving in relative terms. This information could then be used to frame a future O+S discussion item to which a range of statutory and community partners could be invited.

## About the Indices of Deprivation

The Index of Deprivation is an overall relative measure of deprivation, published every few years by the Government, which is constructed by combining seven domains of deprivation which are as follows:

- The Income Deprivation Domain measures the proportion of the population experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings.
- The Employment Deprivation Domain measures the proportion of the working-age population in an area involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.
- The Education, Skills and Training Deprivation Domain measures the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and one relating to adult skills.
- The Health Deprivation and Disability Domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality.
- The Crime Domain measures the risk of personal and material victimisation at local level.
- The Barriers to Housing and Services Domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub-domains: 'geographical barriers', which relate to the physical proximity of local services, and 'wider barriers' which includes issues relating to access to housing such as affordability.
- The Living Environment Deprivation Domain measures the quality of the local environment. The indicators fall into two sub-domains. The 'indoors' living environment measures the quality of housing; while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

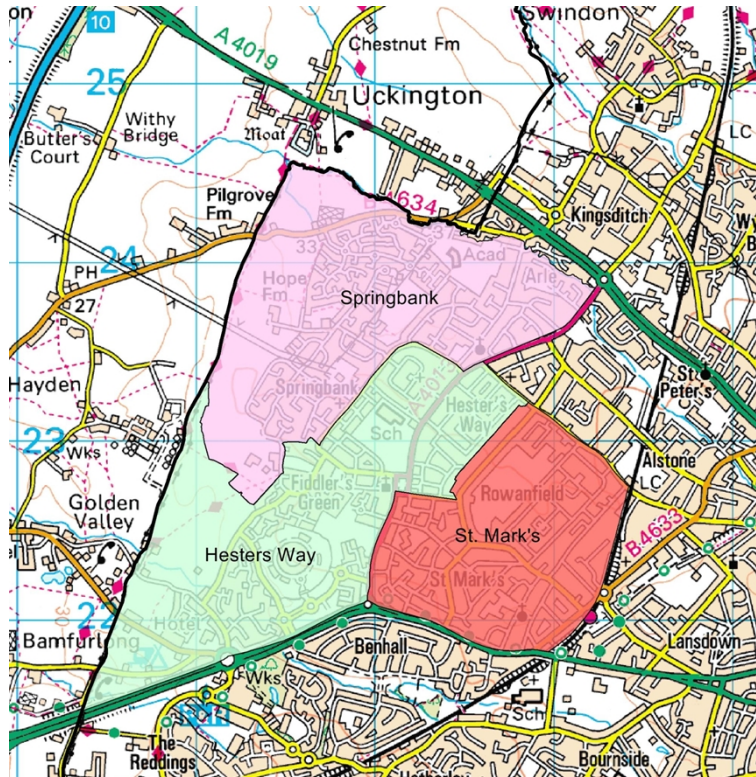
There are two supplementary indices, which are subsets of the Income Deprivation Domain, which are:

- The Income Deprivation Affecting Children Index (IDACI) measures the proportion of all children aged 0 to 15 living in income deprived families.
- The Income Deprivation Affecting Older People Index (IDAOPI) measures the proportion of all those aged 60 or over who experience income deprivation.

## The Hesters Way area

For the purposes of this report, I have used included data for Hesters Way ward, but also included data for its near neighbours of Springbank and St. Marks.

Each ward is broken down into four lower super output areas (LSOAs), a geographical unit to help understand small area statistics.



### What the Indices of Deprivation tell us:

I have included data in tables below that illustrates the national ranking for the 12 LSOAs in the area for both 2015 (the most current) and 2010.

In 2010, St. Marks 1 was ranked 2,185 most deprived neighbourhood nationally with Hesters Way 1 ranked 3,054 – both falling within the 10% most deprived neighbourhoods nationally.

In 2015, St. Marks 1 ranking fell slightly to 2,101 most deprived, whereas Hesters Way 1 ranking increased slightly to 3,825 taking it out of the top 10% most deprived. However, Hesters Way 3 ranking fell from 3,842 in 2010 to 2,222 in 2015. The upshot was St. Marks 1 remained in the 10% most deprived neighbourhoods nationally and this was now joined by Hesters Way 3.

Between 2010 to 2015, both areas saw their rankings fall in the educational and skills domain bringing them into to the top 10% most deprived for this domain.

The upshot of this is that both these areas are now in the top 10 nationally for four sub-domains, income, employment, education & skills, plus the income deprivation affecting children domain.

Looking at educational & skills domain in a bit more detail, there are two sub-domains: one relating to children and young people and one relating to adult skills which are designed to reflect the 'flow' and 'stock' of educational disadvantage within an area respectively. That is, the 'children and young people' sub-domain measures the attainment of qualifications and associated measures ('flow'), while the 'skills' sub-domain measures the lack of qualifications in the resident working-age adult population ('stock').

From a comparison of the two sub-domains between 2015 and 2010, it is clear that there has been a significant fall in the rankings in the adult skills, particularly in Hesters Way 3.

2015

LSOA NAME	WARD NAME	EDUCATION SKILLS AND TRAINING national rank	CHILDREN AND YOUNG PEOPLE EDUCATION SUB-DOMAIN national rank	ADULT SKILLS SUB-DOMAIN national rank
HESTERS WAY 3	Hesters Way	2218	2534	2483
St MARK'S 1	St Mark's	3246	3720	3156

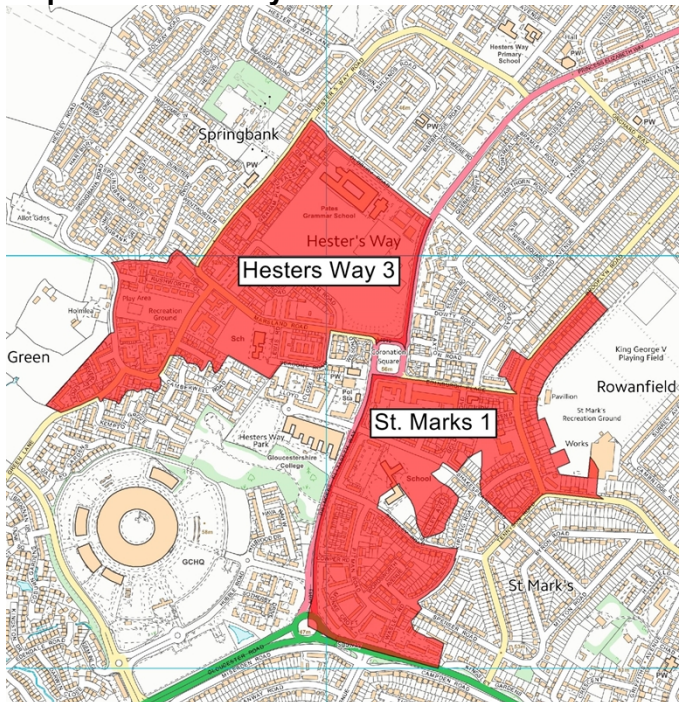
2010

LSOA NAME	WARD NAME	EDUCATION SKILLS AND TRAINING national rank	CHILDREN AND YOUNG PEOPLE EDUCATION SUB-DOMAIN national rank	ADULT SKILLS SUB-DOMAIN national rank
HESTERS WAY 3	Hesters Way	4805	3297	7128
St MARK'S 1	St Mark's	3745	3530	4173

We know there is a strong link between an individual's educational and skills attainment and their ability to sustain employment and therefore sustain a satisfactory level of household income. This is key component of the income deprivation affecting children index ie the proportion of all children aged 0 to 15 living in income deprived families.

Of course, some care must be taken in the interpretation of these figures as they are relative and not absolute, however, the committee may wish to commission more research into the level of educational and skills attainment in these two areas to understand more fully the impacts on household incomes and the life chances of local children and adults.

#### Map of Hesters Way 3 and St. Marks 1



#### Contact Officer:

Richard Gibson

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## Indices of Deprivation 2015 – National Rankings

LSOA NAME	WARD NAME	IMD national rank	INCOME national rank	EMPLOYMENT national rank	EDUCATION SKILLS AND TRAINING national rank	HEALTH DEPRIVATION AND DISABILITY national rank	CRIME AND DISORDER national rank	BARRIERS TO HOUSING AND SERVICES national rank	LIVING ENVIRONMENT national rank	INCOME DEPRIVATION AFFECTING CHILDREN INDEX (IDACI) national rank	INCOME DEPRIVATION AFFECTING OLDER PEOPLE (IDAOPI) national rank
HESTERS WAY 1	Hesters Way	3825	4094	1621	6015	5115	3405	24986	14356	7349	11303
HESTERS WAY 2	Hesters Way	6896	5853	8474	5278	6473	5219	15729	13193	4774	8744
HESTERS WAY 3	Hesters Way	2222	1484	2484	2218	4448	3622	16093	8676	402	9878
HESTERS WAY 4	Hesters Way	24845	20525	26093	22766	19933	30890	10308	23364	16992	17531
St MARK'S 1	St Mark's	2101	2128	1107	3246	3693	6010	9603	12063	2124	5806
St MARK'S 2	St Mark's	16221	15232	14292	16752	12860	11449	23616	14661	17036	10371
St MARK'S 3	St Mark's	10745	10086	10937	6915	12722	4788	24442	15613	10517	9551
St MARK'S 4	St Mark's	14455	11889	14042	9442	18790	12323	25584	11081	7273	17591
SPRINGBANK 1	Springbank	9849	8406	10085	4411	11839	7649	24330	18631	7788	9240
SPRINGBANK 2	Springbank	5833	4920	8871	5109	4929	4084	5070	27001	3956	2318
SPRINGBANK 3	Springbank	12521	12537	14466	8680	17516	11284	4910	18642	6776	22075
SPRINGBANK 4	Springbank	18886	15848	18373	8147	19447	13410	30664	28799	9494	24214

1= most deprived. Rank out of 32,844 neighbourhoods nationally.

**Top 10%**

**10% - 20%**

**Bottom 10%**



## Indices of Deprivation 2010 – National Rankings

LSOA NAME	WARD NAME	IMD national rank	INCOME national rank	EMPLOYMENT national rank	EDUCATION SKILLS AND TRAINING national rank	HEALTH DEPRIVATION AND DISABILITY national rank	CRIME AND DISORDER national rank	BARRIERS TO HOUSING AND SERVICES national rank	LIVING ENVIRONMENT national rank	INCOME DEPRIVATION AFFECTING CHILDREN INDEX (IDACI) national rank	INCOME DEPRIVATION AFFECTING OLDER PEOPLE (IDAOPI) national rank
HESTERS WAY 1	Hesters Way	3054	3220	1106	5073	12396	2023	25926	4744	4112	11443
HESTERS WAY 2	Hesters Way	4907	5727	6573	2342	10003	1656	20503	4525	5061	10130
HESTERS WAY 3	Hesters Way	3842	3340	3458	4805	7424	1672	14046	10405	3271	9966
HESTERS WAY 4	Hesters Way	17971	20209	25935	18360	30346	2920	5747	17225	15687	24017
St MARK'S 1	St Mark's	2185	2541	1365	3745	5691	2487	19113	3613	2362	5921
St MARK'S 2	St Mark's	15702	14663	12175	14365	20363	12386	26050	9899	19730	10883
St MARK'S 3	St Mark's	11655	9586	9726	7834	19228	8988	23715	13017	12923	10226
St MARK'S 4	St Mark's	14487	11405	12557	13778	20150	11014	24974	10463	9533	15109
SPRINGBANK 1	Springbank	8124	7598	8079	3070	15777	3606	24635	14968	7798	9150
SPRINGBANK 2	Springbank	3497	2877	6349	1155	10662	407	10680	23275	2584	2796
SPRINGBANK 3	Springbank	10288	10946	15108	6557	22481	3260	6276	10815	5859	25367
SPRINGBANK 4	Springbank	17581	15787	19306	8278	23354	6924	23439	27180	10506	23384

1= most deprived. Rank out of 32,482 neighbourhoods nationally.

**Top 10%**

**10% - 20%**

**Bottom 10%**

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