

Overview & Scrutiny Committee

Monday, 10th September, 2018
6.00 - 8.30 pm

Attendees	
Councillors:	Klara Sudbury (Vice-Chair), John Payne, Paul Baker, Max Wilkinson, Dilys Barrell, Iain Dobie, Jo Stafford, Dennis Parsons and Tim Harman (Reserve)
Also in attendance:	Councillor David Willingham, Councillor Peter Jeffries, Councillor Paul McCloskey, Councillor Andrew McKinlay and Mike Redman

Minutes

1. APOLOGIES

Councillor Mason. Councillor Harman was present as substitute. In the absence of the Chair Councillor Sudbury (as Vice-Chair) chaired the meeting.

2. DECLARATIONS OF INTEREST

Councillor Harman declared an interest in agenda item 12 as a County Council Cabinet Member. He would therefore leave the room for this item and not participate in the debate.

3. MINUTES OF THE LAST MEETING

Councillor Sudbury wished to correct the reference under minute 6 from "16 days of action" and amend to read "16 days of activism".

The minutes were then approved and signed as a correct record.

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

None.

5. MATTERS REFERRED TO COMMITTEE

There were none.

6. CABINET BRIEFING

The Leader wished to put on record his thanks to Councillor Mason for having waived call in on a potential Leader decision for a bid to the HRA fund of £1 billion which aimed to target affordability issues with regard to housing. The deadline however had now been extended to 30 September.

The Leader informed that the Gloucestershire Economic Growth Joint Committee had met last week and discussed business rates. He reminded Members that CBC was currently in a business rates pilot pooling system which provided financial advantages. The Government was not proposing to repeat the no detriment clause. There was a huge NHS legal case against 48 local

authorities regarding the NHS claiming charitable status. The NHS provided £1.5 billion of local government funding via business rates.

The Leader then informed Members about Gloucestershire 2050. Two detailed documents were expected, firstly the formal consultation feedback and secondly the delivery options paper. Leadership Gloucestershire was due to meet on 11 October and it had been suggested a county wide concordat could be brought to this meeting but this was felt to be an unrealistic timescale. It was important for CBC to consider how they wish to be involved in the process.

When asked what the concordat meant for Cheltenham in practical terms, the Leader said this was an agreement to take forward 2050. In his personal opinion there had been a useful discussion with good feedback particularly relating to the transport proposals. In terms of delivery consideration would be given to building on what existed currently i.e. the JCS process. In response to a question the Leader agreed that an event of some type would be organised, options for which would be discussed at the 11 October Leadership Gloucestershire meeting. He highlighted the importance of Council having the opportunity to endorse the way forward before Cheltenham committed itself.

A Member suggested that the Budget Scrutiny Working Group consider the business rates issue in more detail. The Leader said that this could come forward in the next financial year. The Local Government Association was defending the legal case on behalf of the local authorities.

7. UPDATES FROM SCRUTINY TASK GROUPS

The chair of the scrutiny task group, Councillor Sudbury, updated the committee on the work of the group to date. This included considering best practice of controlling gulls by other local authorities, a site visit to Swindon Road depot and organising a drop in event on 10 October between 4-7pm in order for the group to receive feedback from both residents and businesses as to where the gull issues were. Cheltenham had identified 148 nests on commercial properties and had oiled 433 eggs this year. She highlighted the 2-3 week short window for oiling and the difficulties associated with that. She informed the committee that the group would also be looking into preventing easy access to food sources, local planning policy, educating the public and investigating powers to force property owners to gull-proof their properties among other things.

Members made the following comments :

- Seagull experts and the pest control officer would be present at the drop-in session, which would be open to all Members to attend.
- The group would meet directly with Ubico.
- Members asked whether the group could look into who was legally responsible for gulls? Also, the public health issue relating to gulls should be investigated and whether the county council also had a role and whether there could be a wider strategy across the county
- The chair clarified that egg oiling was a discretionary service and the council was not obliged to control them. A gull laid 2-3 eggs per year and lived for 30 years. Doing something was better than doing nothing.
- One Member suggested that perhaps there was a need to accept that having looked at the issue for over 10 years within the urban gull forum, there were no easy, effective solution. The hypothesis in the strategy

presupposed that perhaps there was. Members recognised that the gull problem would not be eliminated. They recognised that the council already appeared to be doing what it could in order to reduce the core population.

- In response to a question the Chair advised that the working group did meet in private; this could more helpfully address those operational issues specific to the council and respect any sensitivities around neighbourhoods. The gull scrutiny task group was, in any case, engaging with the public more widely and its work was therefore transparent.

RESOLVED

To agree the one page strategy

8. NEW SCRUTINY REGISTRATION FORMS

Members considered the scrutiny topic registration form submitted by Councillor Parsons regarding travellers and other unlawful occupants of council land. Councillor Parsons explained that there were many sites in the town such as Pittville Park, Portland Street car park, Prince of Wales Stadium and the Racecourse which received regular visits from travellers. These visits sterilised the parks and residents were concerned about dog walking in public parks when such groups were here, often with large numbers of dogs. This activity was unlawful and represented a civil offence and the process for dealing with encampments was a longwinded and costly process. He proposed that a scrutiny review could undertake some research to see if there was anything which could be done to mitigate the worst effects and what the council could do to protect some of the more vulnerable council owned sites.

The Director Environment was invited to address the committee. He explained that the council did experience periodic issues with travellers both on council owned and private land in the borough. On its own land CBC could take legal action if travellers were staying for a considerable time. In reality travellers came for a specific event, generally in the summer, and had left by the time the legal process had commenced. He acknowledged that such encampments created significant environmental issues such as littering. Whilst the council aimed to protect its open spaces it would be difficult to do this without constraining access to them and any such measures would detract from those spaces. He also wished to point out that supporting such a scrutiny review would require resource and these were already limited due to the number of ongoing significant projects.

Members made the following points on the proposed scrutiny task group :

- The council had a duty of care to the children of travellers who were often disadvantaged; there was therefore a need for a more holistic approach bearing in mind the council's welfare and safeguarding responsibilities. The Gloucestershire Traveller Accommodation Assessment identified the needs of the area and scrutiny could potentially play a role in looking at any actions taken.
- A briefing session for Members would be useful to see what options were available to the council as these were complex. The County

Council had a statutory duty to provide permanent sites for travellers and provide schooling for traveller children.

- Some Members agreed that officers were already adhering to best practice and recognised the pressures on their time.
- Traveller groups causing antisocial behaviour-the LGA had a large resource of information which could be drawn on
- It was proposed that a different model of scrutiny be adopted for the purposes of this investigation i.e. an in depth day long scrutiny seminar to hear evidence and make recommendations. Members supported this proposal. Cllr Parsons was happy to withdraw his proposal for a scrutiny task group and supported this option.

9. REVIEW OF SCRUTINY WORKPLAN

Members agreed that it would be useful to invite Ubico to attend Overview and Scrutiny on an annual basis.

10. SCRUTINY ANNUAL REPORT TO COUNCIL

The Chair invited the former Chair of O&S, Councillor Harman, to present the report. He believed that the overview and scrutiny process had worked well, with some thorough investigations with limited resources. Not only had O&S held the administration to account but it had also considered the issues affecting the town and to that end had invited various organisations to present to the committee.

Members considered the report and made the following comments :

- It was noted that there were currently very few scrutiny task groups in operation and it was proposed that the Peer Review Team look into this;
- it was also noted that there were a significant number of cabinet member working groups and this appeared to be an imbalance particularly if scrutiny was to be effective

In response to these comments the Leader said that the principle behind cabinet member working groups was to develop new policy and he gave the example of the cabinet member working group on the cemetery and crematorium which was cross party and which was a Cabinet Member led process. A Member added that the finite amount of resource for these groups was perhaps to the detriment of scrutiny.

RESOLVED

To approve the scrutiny annual report 2017-2018

11. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Gloucestershire Health and Care O&S Committee - Cllr Horwood had not been able to attend the meeting but would report back on the committee meeting due to be held on 11 September.

Gloucestershire Economic Growth O&S Committee - Cllr McCloskey would circulate his update subsequent to the meeting but informed Members that Dr Matthew Andrew from Gloucestershire University had updated the committee and explained that the university was involved in a national project looking at

how universities could become more engaged in their communities, develop closer working relationships, and provide leadership for the locality. The Gloucestershire 2050 vision fitted therefore into this national agenda. The feedback from the big conversation was being analysed and a report summarising the feedback was due to be published next month. A second, academic report would lead to a concordat. It would consider the Vision for 2050 and at the sort of delivery vehicles currently in existence to actually implement some of the ideas within Vision 2050. The idea of a new international airport was not supported although the real question – would we like a 2050 airport using robot drones, electric planes and all the new technology that we haven't invented yet. In terms of the Super City: there had been a clear sense that nothing should be done to dilute the two separate identities. However people were keen to see far better working together between the two urban centres.

Cllr McCloskey noted that the provision of electric charging points was on the workplan for the committee. In terms of a Cotswold national park he informed Members that the Secretary of State was currently undertaking a national review of national parks.

Councillor Brownstein was not in attendance to provide an update on the Police and Crime Panel.

12. PARKING STRATEGY IN CHELTENHAM

Philip Williams, Lead Commissioner Community Infrastructure, Gloucestershire County Council, gave Members a presentation on parking which is attached as an appendix to these minutes. He also circulated responses to the ward related questions posed in advance by Members and these are also attached as an appendix to the minutes.

The Chair invited Mr Basckin, an Eldorado Crescent resident, to address the committee regarding the permit scheme currently in place to allow commuters to park for free in Eldorado Road, Christchurch Road and Queen's Road, in a trial while the train station's car park was being revamped. He expressed his concern that residents would no longer have residents' parking and that there was little engagement from the county council.

Mr Williams explained that the Cheltenham Spa improvements represented a major investment in upgrading car parking and other facilities at the station. The county council would be engaging local residents more fully in the conversation.

The Cabinet Member Environment and Planning, County Councillor Moor highlighted the issues with parking at the train station in Cheltenham. Parking represented a very controversial issue, but there was no lack of commitment from the county to address them. Meetings would be taking place with the Leader and other district council leaders about keeping parking manageable.

In terms of the town's Arle Court Park and Ride, Mr Williams said that there was no easy solution to stop employees from local businesses parking for free there. This was a cause for concern for residents and commuters due to the resulting lack of availability of spaces. It was clear that this was damaging the intended purpose of park and ride. Mr Williams explained however, that discussions had been taking place with parking and transport technology companies and one idea had been suggested in which users of the car park would be required to

enter their car registration on a machine which would issue a ticket to validate the vehicle. He highlighted that park and ride-both at the racecourse and Arle Court was a JCS commitment to enhance public transport with a target of 10% reduction in journeys made by car. Investment had been made in the Stagecoach service aimed at fast and frequent services from Arle Court to the town centre. He then highlighted that an air quality task group had been set up at county level to try and address issues at source as part of the Government air quality strategy

The following issues were raised by Members :

- Inadequate parking at GCHQ meant that staff were parking in residential areas causing “parking wars”
- St Peters - between the railway station and the West End - disappointed with answers and residents angry. A Member explained that there had been more than one piece of correspondence on the issues and cited at least five occasions when he had corresponded with the county. Residents were concerned with the displacement of parking in the Waitrose area and station area into St Marks. It was suggested that a public meeting should be held to listen to residents’ concerns.
- Whilst he was aware that the process took some time, a commitment was sought that adjustments be made to the TRO process in the existing areas in St Peters. Members of the public had attended the O&S meeting in April demonstrating the level of public concern.
- Reference to the strategy,-,doesn’t feel in Cheltenham that there is a strategy,-,parking zones were causing much angst. How could these problems be overcome in the future?
- A Member referred to the point made by Mr Williams on electric vehicles and the potential to reduce the cost those drivers paid for parking generally. This could cause equality issues, since those drivers were generally wealthier, yet parking permit zones were being introduced into more affluent areas.

Mr Williams explained that ideally there would be one big scheme, however parking schemes came at a significant cost and it was necessary to implement them where the problem was most acute. The time it took to introduce zones takes significant resource. Looking more analytically, in the town centre parking was highly controlled, yet further out there was more of a balance in favour of residents. The hospital and GCHQ distorted the picture, but the intention was to use funding creatively to manage traffic and parking at source as the issues could not be solved by looking at displacement.

Further issues raised by Members were as follows :

- The issue of business parking permits being sold, particularly in St Lukes and used all day by commuters was raised as it was having an impact on residents’ parking and causing issues for the most vulnerable. A review of the business permit scheme would be welcome. Mr Williams explained that a change was proposed from paper to electronic permits to enable the scheme to be enforced.
- Was there a post implementation review of each phase as it was introduced? In response, Mr Williams explained that more post

implementation work should be done, but currently the team monitored the problems by the level of correspondence received. The level of review had to be kept manageable and it was important to see the scale of the changes proposed in order to identify the best approach. The Leader of CBC and of other district councils formed part of the process.

- Visitor vouchers - Mr Williams explained that the right number varied according to location and it was not necessarily easy to get it right for the whole town. The visitor voucher scheme was changed 7 years ago and the policy limited the number to 50 per household. In order to review the policy again, there would need to be an understanding of the number and duration of visitor vouchers and review if a consistent number should be applied to all residential parking zones. He highlighted however, that parking and demand on the use of the road would change over 10 years and this may provide a better opportunity to review and consider requests. It was a question of managing expectations.
- TRO process - a Member commented that this was limited, expensive and inflexible once the TRO was in place. He made reference to the TRO in force during race week, where parking had been at a dangerous level. In his view, there should be a more flexible approach and where traffic conditions changed, road conditions should change. In response, Mr Williams acknowledged that it was a cumbersome process, but that it was legally prescribed. He had challenged his staff about the flexibility that could be offered.
- Members commended the helpful, prompt responses to emails received from the parking team at GCC.
- Parking issues around GCHQ and strategic JCS development plans in west and north-west Cheltenham.
- Parking and strategic travel plans. In response Mr Williams explained that he and the Director of Planning, Tracey Crews, had met with GCHQ to reinvigorate joint working to coordinate planning related and operational management of parking. He informed that County Council highways, the developer at West Cheltenham and the borough council were coordinating transport infrastructure informed by the work of the JCS in terms of strategic parameters and modelling. Ensuring high strategic level discussions would inform delivery on the ground. A review of the local transport strategy would commence in the next few months.

Mr Williams referred to the county council strategic priorities in its Medium Term Financial Strategy and highlighted that there were finite resources. It was therefore necessary to be strict where time and money was spent. The criteria were how deliverable would a scheme be and was there a consensus? The focus had to be in places with most demand and where managing parking issues would benefit people and help the economy of the town, as well as keeping roads moving and encouraging sustainable transport. He recognised the issues and the tensions, but improving something which was largely right was at the opportunity cost of doing nothing in an area with an untackled problem.

Mr Williams undertook to provide full responses to the more strategic questions and circulate to all Members subsequent to the meeting.

**13. LOCAL GOVERNMENT ACT 1972 - EXEMPT INFORMATION
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 1 and 3, Part (1) Schedule (12A) Local Government Act 1972, namely:

Paragraph 1; Information relating to any individual

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

**14. EXEMPT MINUTES OF THE LAST MEETING
RESOLVED THAT**

The exempt minutes of the meeting held on 25 June were approved and signed as a correct record.

**15. DATE OF NEXT MEETING
29 October 2018**

Chairman